



Passion - Professionalism - Collaboration

Dear Friends,

This is a monthly newsletter focusing on legal matters in China, and related issues that shape the general business environment for foreign companies operating in China. Should you have any comments or questions, please do not hesitate to contact Ms. Anna Lukina, BD & Marketing Director at alukina@a-zlf.com.cn visit the A&Z website.

Sincerely,
The Editors



Legal Updates

Standing Committee of Zhejiang Provincial People's Congress Issues Anti-Unfair Competition Regulations in Zhejiang Province (2022 Revision)

On July 29, the thirty-seventh meeting of the Standing Committee of the Thirteenth People's Congress of Zhejiang Province amended and adopted the Regulations on Anti-Unfair Competition in Zhejiang Province (the "Regulations"), which will come into force on October 1, 2022. The newly amended Regulations are divided into 5 chapters and 32 articles, requiring e-commerce platform operators to specify the rules of fair competition within the platform in the platform service agreement and transaction rules, establish mechanisms for reporting complaints of unfair competition and coordinating disputes, and coordinate unfair competition disputes between operators within the platform in accordance with the platform service agreement and transaction rules, and guide operators within the platform to compete in accordance with the law.

Guangdong Administration for Market Regulation Issues Announcement on the Commissioned Antitrust

A&Z Future Events

EL CHECKLIST DE LOS CONTRATOS
EXPERIENCIAS
DE UNA EMPRESARIA NEGOCIANDO
EN CHINA

07 SEPTIEMBRE
MIÉRCOLES
7:30 A 9:00PM
(HORA BEIJING)
Evento Gratuito

800-938-154

Elena Gómez
Siamesh Yello
Dorian

A&Z LAW FIRM
BUSINESS LATINA

September 7th, Online

On September 7, Ms. Elena Gomez, Consultant and Client Relationship Manager at A&Z, will participate in a webinar organized by the organization "Business Latinas". This session will

Review of Concentration of Undertakings in Summary Cases

On August 1, Guangdong Administration for Market Regulation issued the Announcement on the Commissioned Antitrust Review of Concentration of Undertakings in Summary Cases (the "Announcement"), which came into force on August 1, 2022.

The Notice clarifies that during the pilot period, the Guangdong Administration for Market Regulation is mainly responsible for the review of summary cases of concentration of undertakings in the Guangdong, Guangxi and Hainan regions.

The Guangdong Administration for Market Regulation will review summary cases of concentration of undertakings that partially meet one of the following criteria: (1) at least one of the declarants is domiciled in the relevant region; (2) the operator acquires control of other operators through acquisition of equity, assets or other means, such as contracts, and the other operators are domiciled in the relevant region; (3) the operator establishes a new joint venture and the joint venture is domiciled in the relevant region; (4) where the relevant geographical market of the operator is a regional market and the relevant geographical market is wholly or mainly located in the relevant region.

GAC Issues Announcement on Matters Relating to the Administration of Record of Transport Enterprises and Their Shipping Carrying Domestic Waterborne Transshipment Cargo

On August 9, General Administration of Customs ("GAC") issued the Announcement on Matters Relating to the Administration of Record of Transport Enterprises and Their Shipping Carrying Domestic Waterborne Transshipment Cargo (the "Announcement"), which comes into force on August 9, 2022.

The Announcement clarifies the record management system for transport enterprises and their ships that carry domestic waterborne transshipment cargo. Among them, domestic shipping enterprises intending to carry out domestic and foreign trade container transport business or international shipping coastal 'piggyback' business shall refer to the provisions of this Announcement for the record of transport enterprises and their ships. Overseas shipping enterprises that have been approved by the Ministry of Transport to carry out coastal 'piggyback' business shall entrust their domestic agents to handle the filing procedures of transport enterprises and their ships with reference to the provisions of this Announcement.

State Council Issues Decision on the Cancellation and Adjustment of a Number of Fines

be focusing on 'The checklist of Contracts and Experiences of Businesswomen Negotiating in China'.

The attendees will get useful tips on the Chinese contractual culture when doing business, and find out more about how to reduce risk when signing contracts. Ms. Siannah Tello will share her experience as an entrepreneur.

The event will be held in Spanish and is free to the public.

A&Z Past Events

August 8, Shanghai

On the morning of August 8, Mr. Chen Zhen, member of the Standing Committee of the Shanghai Municipal Committee of the Chinese People's Political Consultative Conference ("CPPCC") and Director of the Social and Legal Affairs Committee of CPPCC ("SLAC"), led a delegation to A&Z Law Firm. Ms. Sophie An, member of CPPCC, Deputy Convener of the Social Sciences Sector of CPPCC, Director and Chief Partner of A&Z Law Firm, Mr. Vincent Zhu, Senior Partner and Executive Director of A&Z Law Firm, and Mr. Peter Zeng, Senior Partner of A&Z Law Firm, participated in the reception and the

On August 12, State Council issued the Decision on the Cancellation and Adjustment of a Number of Fines (the "Decision"). The Decision will, with immediate effect, abolish and adjust 53 fines set by administrative regulations and departmental rules in the fields of transportation, market supervision and public security. These fines are mainly concentrated in areas that are closely related to the production and life of enterprises and the masses and have a high degree of social concern. The purpose of the cancellation and adjustment is to effectively reduce the burden of enterprises and the masses, so that enterprises and the masses can feel the real benefits, and clarify the name, basis for setting, handling decisions and alternative regulatory measures of these fine matters.

Shanghai Municipal Government Issues Guidance on the Full Implementation of No Administrative Penalty for Minor Offences in Accordance with the Law

On August 16, Shanghai Municipal Government Issued the Guidance on the Full Implementation of No Administrative Penalty for Minor Offences in Accordance with the Law (the "Guidance").

The Guidance requests that by the end of 2022, the list of non-punishment will be universally formulated by municipal administrative organs; by the end of 2023, the list of non-punishment will fully cover all relevant administrative law enforcement fields, and the system of the list of non-punishment will be basically complete. The Guidance makes it clear that no administrative penalty shall be imposed for minor violations that are corrected in a timely manner and do not cause harmful consequences; no administrative penalty may be imposed for first-time violations with minor harmful consequences that are corrected in a timely manner. Municipal administrative organs in the development of the list of non-punishment should be clear regarding "minor violations", "minor consequences of harm" and other specific standards, and to determine the specific circumstances. The list of non-punishment shall be dynamically adjusted.

NMPA Seeks Comments on the Supervision and Administration of Cosmetics Online Operations

On August 17, the National Medical Products Administration("NMPA") sought public comments on the Supervision and Administration of Cosmetics Online Operations (Draft for Comments) (the "Draft for Comments") by September 6.

The Draft for Comments contains five chapters and thirty-four articles. With regard to real-name registration, the Draft for Comments proposes that cosmetic e-commerce platform operators should require cosmetic operators

discussions with the guests.



August 15, Shanghai

Ms. Anna Lukina, BD and Marketing Director at A&Z, was invited by the Israeli Chamber of Commerce in China ("IsCham") to participate in a Webinar as the speaker on the theme of "Opportunities in China". She introduced the Circular on Further Stabilizing Foreign Trade and Foreign Investment, Measures for Foreign Invested Enterprises Complaint Resolution, as well as a series of laws and regulations on the protection of intellectual property in China. She also mentioned that it is not only the recent legal developments in the field of innovation that companies need to be aware of, but also the revision of the negative list. China offers a vast market and development opportunities for the world, and there is a huge potential for foreign investors and companies to tap into, but the key lies in gaining a better insight into the needs of the Chinese market and an in-depth understanding of Chinese laws, regulations and policies.

applying to reside on the platform to submit real information such as identity, address and contact details for verification and registration, and establish a registration file, which should be verified and updated at least once every six months. The cosmetic e-commerce platform operator shall keep the identity information of the cosmetic operators on the platform for a period of not less than three years from the date of their withdrawal from the platform. In addition, the Draft for Comments requires that cosmetic e-commerce platform operators should establish a daily inspection system for cosmetic operators on the platform, with daily inspections including checks on the release of online product information and daily business practices.

SAMR Issues Provisions on Supervision and Management of Enterprises' Implementation of the Main Responsibility for Food Safety (Draft for Comments)

August 17, State Administration for Market Regulation ("SAMR") drafted Provisions on Supervision and Management of Enterprises' Implementation of the Main Responsibility for Food Safety (Draft for Comments) (the "Draft for Comments") and seeks for public comments by 17 September.

The Draft for Comments includes five aspects: firstly, it clarifies the general requirements such as the purpose, scope of application, general requirements, responsibility system and principles of establishment; secondly, it clearly details the requirements and specific duties and tasks of food safety manager staffs such as food safety directors and food safety officers; thirdly, it clarifies the working mechanism and specific requirements for daily control, weekly inspection and monthly dispatch of food safety directors and food safety officers in the performance of their duties; fourthly, it clarifies the specific measures and management requirements for training and assessment of enterprises and food safety manager staffs in the performance of their responsibilities; fifthly, it clarifies the legal responsibilities in case of violation of the law and punishment to the individual.

SAMR Issues Decision on Amending and Repealing Some Administrative Regulations (Draft for Comments)

On August 19, State Administration for Market Regulation ("SAMR") issued the Decision on Amending and Repealing Some Administrative Regulations (Draft for Comments) (the "Decision") and seeks for public comments by September 18, 2022.

The Decision specifies that Article 53 of the Regulations on the Administration of Industrial Product Production Licenses and Article 66 of the Regulations on Certification



August 17, Shanghai

A&Z Law Firm had the pleasure of co-hosting an International Professional Women's Society ("IPWS") workshop event on our premises, as the cooperative partner of IPWS. Anna Lukina, BD and Marketing Director at A&Z participated in the event as the representative of our law firm. IPWS was founded over 29 years ago, and through their community and events, they build a wide network to foster personal growth, and promote professional female empowerment. The workshop was held on the topic of "LinkedIn for Professional Branding", brought together two experienced professionals and speakers: Jessica Gleeson, CEO, BrighterBeauty and Founder of the Experiential Retail, as well as Marian Danko, Founder & CEO at weHustle. They gave the attendees comprehensive information about developing a professional presence online.

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About A&Z Law Firm

and Accreditation will be amended; Articles 35 and 36 of the Regulations on the Implementation of the Standardization Law will be deleted; and the Trial Measures on Product Quality Supervision will be abolished. In addition, the Decision shows that 6 departmental regulations, including the Measures for Registration of Pledge of Patent Rights, will be repealed, 11 departmental regulations, including the Measures for the Administration of Organic Product Certification, will be amended, and 15 departmental regulations, including the Code for Quality Management of Pharmaceutical Business, will no longer be included as departmental regulations in the management of regulatory documents.

A&Z is a leading Chinese law firm, which employs over 50 experts composed of a team of professionals comprising attorneys, legal assistants, Japanese translators, client managers, and business specialists across 5 offices in 11 legal practices. Having been active in Shanghai since 2004, A&Z's presence was expanded through the establishment of offices in Beijing, Dalian, Wuhan, and Tokyo. A&Z focuses on advising multi-national groups, major corporations, banks, and SMEs on various legal issues relevant to their business endeavors.

A&Z's practices include Foreign Investment, Overseas Investment, Competition and Antitrust, Intellectual Property, M&A and Corporate Restructuring, Labour and Social Security, Dispute Resolution, Compliance and CSR, Finance and Capital Markets, Customs Logistics and Maritime Commerce, and Environment, Health and Safety (EHS).

Industry News

China's dairy industry output tops 15 mln tonnes in H1

Xinhua, July 31

China leads batteries and minerals pack

China Daily, August 1

China's stainless steel industry resilient: industry insiders

Xinhua, August 17

Chinese retailer Miniso to ditch Japanese styling after backlash

Reuters, August 20

China July services activity expands at quickest pace in 15 months

Reuters, August 3

China's Baidu to operate driverless taxis in two cities

Xinhua, August 10

Remote, hybrid working spurs digitalization

China Daily, August 11

China Focus: 5G tech enables comprehensive digital transformation

Xinhua, August 17

As harvest time looms, China tells farmers to replant or switch crops

Reuters, August 26

Chinese chip foundry SMIC to invest \$7.5 bln in new fab in Tianjin

Reuters, August 27

China's factory activity extends declines as heat, COVID hit output

Reuters, August 31

Top 10 most valuable Chinese brands

China Daily, September 1

The information contained in this Newsletter is for reference on matters of interest only, and is not intended to be comprehensive. Although we try to ensure accuracy, please note that the application and impact of laws can vary based on contextual and circumstantial variables.

Before taking any action, please ensure that you obtain professional advice specific to your circumstances.

There are numerous ways for you to keep up-to-date with legal updates, A&Z's practice, and valuable events.

Visit our website: www.A-ZLF.com.cn



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