



Legal Updates

[GAC Strengthens Regulations on Import of “Zero Tariff” Materials in Hainan Free Trade Port](#) [Read more](#)

The General Administration of Customs released on November 30, 2020 the ‘Customs Regulatory Measures for the Import of “Zero Tariff” Materials in Hainan Free Trade Port (Trial)’, to be implemented from December 1, 2020.

According to the regulation, companies eligible for importing "zero tariff" materials should establish an eligible management system and computer system to monitor and track the flow of the materials, and set up a special electronic account book. Customs agencies can carry out statistics about "zero tariff" materials according to the law. Such materials must only be used for production purposes by companies in the free trade port. If the materials have to be sold or moved out of the island, the companies should pay import tariff and settle customs procedures.

[Three Authorities Release Import License for Commercial Cryptography and Export Control List](#) [Read more](#)

On December 2, 2020, the Ministry of Commerce, the State Cryptography Administration and the General Administration of Customs released the ‘Import License List for Commercial Cryptography and Export Control List’.

According to the announcement, the Ministry of Commerce, cryptography department and customs agency will carry out inspections on import and export products and technologies on the list. Companies that have violated the import permit and export control regulations will be subject to administrative penalties. They could face criminal charges if a crime is committed.

[STA Optimizes Tax Refund Management for International Shipping Companies](#) [Read more](#)

On December 4, 2020, the State Taxation Administration issued the ‘Administrative Measures for Refunding Value-added Tax on International Transport Vessels’.

The regulation stipulates that eligible shipping companies should provide relevant documents and electronic data to local tax bureau when they make first tax refund declarations. If a shipping company has obtained VAT invoice when it acquires a vessel and the invoice has already been used to offset import tax obligations, it must not apply for tax refund; if the company has already used the invoice for tax refund, it will not be allowed to use it for import tax deductions.



[GAC Regulates the Supervision and Management of the Pre-shipment Inspection of Old Mechanical and Electrical Products Importation](#) [Read more](#)

On December 11, 2020, the General Administration of Customs issued the ‘Implementation Rules for the Supervision and Administration of the Pre-shipment Inspection of Old Mechanical and Electrical Products Importation’, which will be implemented on January 1, 2021.

The Implementation Rules apply to the pre-shipment inspection activities of imported old mechanical and electrical products and the supervision and management of the pre-shipment inspection agencies, including chapters such as pre-shipment inspection, filing management, and supervision and management. The Implementation Rules require that pre-shipment inspection agencies should independently and impartially carry out pre-shipment inspections of imported old mechanical and electrical products as a third party, and be responsible for the authenticity and accuracy of the issued pre-shipment inspection certificates and accompanying inspection reports, and shall not participate in the production and business activities of imported old mechanical and electrical products.

[NDRC and MOFCOM Release Measures for Security Review of Foreign Investments](#) [Read more](#)

On December 19, the National Development and Reform Commission and the Ministry of Commerce issued the ‘Measures for the Security Review of Foreign Investment’, which will be formally implemented 30 days after the date of publication.

There are 23 articles in the Security Review Measures, which stipulate the types of foreign investment, review institutions, review scope, review procedures, review decisions, supervision and implementation, and violations of regulations, etc., which further improve the standardization, accuracy and transparency of review work, and minimize the impact of foreign investment activities and protect the legitimate rights and interests of foreign investment. According to the Security Review Measures, the state has established a foreign investment security review working mechanism. The working mechanism office is located in the National Development and Reform Commission, led by the National Development and Reform Commission and the Ministry of Commerce, to undertake the daily work of foreign investment security review.

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