



Legal Updates

[Anti-monopoly Guidelines of the Anti-monopoly Commission of the State Council in the Field of Platform Economy](#) [Read more](#)

The State Administration for Market Regulation released the ‘Anti-monopoly Guidelines of the Anti-monopoly Commission of the State Council in the Field of Platform Economy’ on February 7, 2021, with immediate effect.

The Guidelines defined relevant concepts, which include that the term “platform” is Internet platform and the applicable objects are mainly operators in the field of platform economy, including operators of the platforms, operators using the platform and other operators participating in platform economy. The Guidelines also defined the relevant markets considering the complexity of the business types of platform economy and the dynamic changes in competition. Furthermore, the Guidelines clarified that when defining the activities relating to the monopoly agreements, abuse of market dominant position, concentration of operators, abuse of administrative power to eliminate or restrict competition, in addition to applying the "Anti-monopoly Law of the People's Republic of China", other relevant factors should also be considered based on the characteristics of platform economy.

[SAFE Updates the Major Effective Regulations on Foreign Exchange Administration](#) [Read more](#)

The State Administration of Foreign Exchange updated and released the ‘Catalogue of Major Effective Regulations on Foreign Exchange Administration (as of December 31, 2020)’ on February 10, 2021. The Catalogue classifies regulations into eight categories, including foreign exchange management under current account, RMB exchange rate and foreign exchange market etc. The Catalogue covers 189 regulations related to foreign exchange administration.

On the same day SAFE issued a separate circular to revoke and invalidate seven regulatory documents in relation to individual purchase of foreign currencies, foreign exchange verification on import & export business, and banks' trade financing business and more.

[MOFCOM Releases Evaluation Standard for Credit Archives of E-commerce Enterprises](#) [Read more](#)

The Ministry of Commerce recently issued an announcement to release the ‘Evaluation Standard for Credit Archives of E-commerce Enterprises(SB/T 11227—2021)’, which will be implemented from May 1, 2021.

The industry standard will guide e-commerce companies to establish and evaluate credit archives based on unified standards. The standard clarified how e-commerce companies should establish credit archives, and said that credit archives should include five types of information (including basic information, business information, public credit information, market credit information and other credit information), and requirements for the source of credit information, and the collection and verification of credit information, which covers the basic elements of establishing an e-commerce company credit archive.

[SPC Released the Several Provisions on Providing Online Case Filing Services for Cross-border Litigation Parties](#) [Read more](#)

The Supreme People's Court released the ‘Provisions about Providing Online Case Filing Services for Cross-border Litigation Parties’ on February 3, 2021, with immediate effect.

The provisions have 12 articles covering the content of cross-border litigation service, recipients and carriers of cross-border litigation services, as well as identity verification of the cross-border litigation parties, video testimonies and online case filing procedures for civil and commercial disputes. Cross-border litigation parties shall include foreigners, residents of Hong Kong Special Administrative Region, Macau Special Administrative Region (hereinafter referred to as the "Hong Kong and Macau SAR") and Taiwan, also citizens of



Mainland China whose habitual residence is located overseas or in Hong Kong, Macau and Taiwan, as well as enterprises and organisations registered in overseas or in Hong Kong, Macau and Taiwan. The scope of the online case filing services only includes the first instance of civil and commercial lawsuits.

[Three Departments Release the Notice on the Relevant Value-Added Tax Policies in the Lingang Special Area of the China \(Shanghai\) Pilot Free Trade Zone](#) [Read more](#)

The Ministry of Finance, the General Administration of Customs, and the State Taxation Administration recently clarified the relevant valued-added tax policies in the Lingang Special Area of the China (Shanghai) Pilot Free Trade Zone, which was implemented from January 1, 2021.

The Notice revised the Article 2(3) of the ‘Notice on Improving the Port of Departure Tax Refund Policy’, and added the ‘Dangerous Goods Cannot Apply to the Port of Departure Tax Refund Policy’. The Notice also clarified that the income from the provision of transportation services, loading and unloading services and warehousing services in the Yangshan Special Comprehensive Bonded Zone for enterprises registered in the Yangshan Special Comprehensive Bonded Zone will be exempt from VAT, and the implementation period of this policy will be until December 31, 2024.

[GAC Releases the Announcement on Issues concerning the Implementation of the Catalogue of Industries for Encouraged Foreign Investment \(2020 Edition\)](#) [Read more](#)

The General Administration of Customs clarified relevant issues, on January 26, 2021, on the ‘Implementation of New Version of the Catalogue of Industries for Encouraged Foreign Investment(2020 Edition)’, which took effect on January 27. According to this Announcement, the Foreign-invested projects as defined in the Catalogue (2020 Edition), as well as the self-use equipment imported within the total investment and the technology, the supporting parts and spare parts imported together with the equipment according to the contract, will be exempted from customs’ duties according to the relevant regulations, but are still subject to the import value-added tax, except for the goods as listed in the ‘Catalogue of Imported Goods for Foreign Investment Projects Not Exempted from the Duties and the Catalogue of Imported Major Technical Equipment and Products Not Exempted from the Duties’.

The Announcement also clarifies the corresponding tax policies of the foreign-invested projects approved and filed before January 27, 2021, and of the foreign-invested projects under construction that are not within the Catalogue(2019 Edition).

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