



A&Z LAW FIRM

A&Z Monthly Newsletter
May 2023

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

MOF Releases the Opinions on Innovating Maritime Services to Support the Comprehensive Deepening of the Reform and Opening up of the Qianhai Shenzhen-Hong Kong Modern Service Industry Cooperation Zone

On April 26, the Ministry of Transport ("MOT") released the Opinions on Innovative Maritime Services to Support the Comprehensive Deepening of the Reform and Opening up of the Qianhai Shenzhen-Hong Kong Modern Service Industry Cooperation Zone (the "Opinions"), which came into effect on the date of release.

The Opinions clearly aim to help the Qianhai Cooperation Zone improve its opening up system and mechanism to the outside world by 2035, achieve a world-class business environment, establish and improve a development model of coordinated and interconnected modern shipping industry with Hong Kong and Macao, market connectivity, and innovation driven support. They also propose to support the demonstration application of clean energy and new energy powered ships such as hydrogen fuel and lithium batteries, and promote the use of shore power for ships docking in accordance with regulations, promote energy conservation and emission reduction for ships.

A&Z Past Events

May 4, Shanghai

On 4 May, the award ceremony of the first "A&Z Cup" Legal Academic Paper Competition was held successfully. Thus, the six months long competition came to a satisfactory conclusion. The young lawyers who participated in the competition had been guided and trained to improve their competencies in several aspects, including academic research and legal thinking. At the ceremony, Eric Zhang, Peter Zeng, Andrew

MEE issues the Overall Implementation Plan for the Construction of Major Hazardous Waste Projects

On May 8, the Ministry of Ecology and Environment ("MEE") issued the Overall Implementation Plan for the Major Projects Construction of Hazardous Waste (the "Plan"), which came into effect on the date of issuance.

The Plan focuses on the task of accelerating the construction of national and regional technology centers, and proposes to promote the construction of regional disposal centers. At the same time, the methods and work procedures for the construction of the corresponding center were clarified. The Plan specifies that the National Technology Center should focus on building an innovative technology support platform for scientific research, technological research and management of ecological environmental risk prevention and control of hazardous waste, strengthen the construction of the support facilities such as the research rooms, facilities, and experimental equipment, and regarding the entire process of hazardous waste generation, collection, storage, transfer, utilization, and disposal, focusing on the full chain and common technical support of environmental supervision, research and tackling of applied fundamentals, research and development of key technologies for disposal.

SAMR issues the Notice on Public Solicitation of Opinions on the Regulations on Fair Competition Review (Draft for Comments)

On May 12, the State Administration for Market Regulation ("SAMR") issued the Notice on Public Solicitation of Opinions on the Regulations on Fair Competition Review (Draft for Comments) (the "Regulations"), which solicited opinions from the same day until June 12.

The Regulations have added overall requirements for the review content, further improving the review content in four aspects: market access and exit, free flow of goods and factors, impact on production and operation costs, and impact on production and operation behavior. At the same time, the Regulations further improved the application of exception provisions, optimized the application conditions, stipulated the principle of proportionality, and improved the pertinence and guidance of application situations.

The Beijing Intellectual Property Office Issues the Beijing Data Intellectual Property Registration Management Rules (Trial) (Draft for Comments)

May 12, the Beijing Intellectual Property Office issued the Beijing Data Intellectual Property Registration Management Rules (Trial) (Draft for Comments) (the "Management Rules"), which solicited opinions from the same day until May 21.

Zhang, who are Senior Partners at A&Z, presented the awards to the contestants. The event showed not only our determination on cultivating young talents, but also reflected A&Z's confidence and appreciation of academic excellence.

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About A&Z Law Firm

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 7 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, Xiamen, Tianjin 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

The Management Rules specify that the application form submitted by the registration applicant should mainly include the name of the registration object, the industry to which the data belongs, application scenarios, data sources, structural scale, update frequency, algorithm rules, certification or notarization status, sample data, registration object status and other information that needs to be explained. If there are situations where data certification or notarization has not been conducted before registration, or there is a dispute over the ownership of data intellectual property rights, the registration agency will not register it.

Capital Markets,
Customs Logistics and
Maritime Commerce, and
Environment, Health and
Safety (EHS).

GAC Revises Three Regulations on Export Warehouses and Commodity Sampling Inspection

On May 15, the General Administration of Customs ("GAC") released the Decision on Amending Some Regulations, which revised the Administrative Regulations of the Customs of the People's Republic of China on Bonded Warehouses and the Goods Stored Therein, General Administration of Customs, PRC Customs Administration of Export Supervision Warehouses and the Goods Stored Therein Procedures, and Administrative Measures for the Random Inspection of Imported and Exported Commodities (the "Decision"), which came into effect on July 1.

The Decision clearly stipulates eight modifications to the "Administrative Regulations of the Customs of the People's Republic of China on Bonded Warehouses and the Goods Stored Therein ", and cancels the statement in Article 5 that goods stored in bonded warehouses must be "approved by the customs"; twelve modifications to the "General Administration of Customs, PRC Customs Administration of Export Supervision Warehouses and the Goods Stored Therein Procedures ", and adding Article 34: "If the consignee or shipper fails to remove the goods from the export supervised warehouse that have already completed import procedures within the prescribed time limit, the customs shall order them to make corrections, may issue a warning, or impose a fine of not more than 10,000 yuan"; eight modifications to the "Administrative Measures for the Random Inspection of Imported and Exported Commodities".

MOF Issues a Notice on the Implementation of the Technical Management Provisions for Road Transport Vehicles

On May 18, the Ministry of Transport ("MOF") issued a notice on the implementation of the Technical Management Provisions for Road Transport Vehicles ("Provisions"), which came into effect on the date of issuance.

The Provisions require strict technical audits of road transport vehicles. All localities should strictly implement the responsibility of road transport vehicle compliance verification, and organize the real vehicle verification of

passenger cars, passenger vehicles, truck, traction vehicles and trailers that apply for road transport operations. In addition, it is necessary to standardize the technical management of road transportation vehicles, strengthen vehicle maintenance and repair, strictly inspect and test vehicles, and optimize annual vehicle inspections. Key inspections will be conducted on configuration parameters that pose risks of changes during the use of emergency hammers, emergency windows, passenger door emergency control devices, seat numbers, and car seat belts. Furthermore, it is necessary to strictly manage the withdrawal from operation of road transport vehicles, in order to improve the technical management and service level of road transport vehicles; Comprehensively promote the online cross-province annual review of ordinary road freight vehicles through the "inter-provincial communication" system.

MIIT Plans to Issue Three Mandatory National Standards Related to Explosive Materials

On May 18, the website of the Ministry of Industry and Information Technology ("MIIT") announced the Public solicitation of opinions on three mandatory national standards, including the Hazardous Categories and Service Life of Special Production Equipment for Civil Explosive Substances, which solicited opinions from the same day until July 18.

The three mandatory national standards for public comment include the Hazard Category and Service Life of Special Production Equipment for Civil Explosives (Draft for Comments), General Technology Conditions for Industrial Explosives (Draft for Comments), and General Technology Conditions for Industrial Explosive Products (Draft for Comments). Among them, the General Technology for Industrial Explosives stipulates the general technical requirements, test methods, inspection rules, marks, packaging, etc. for industrial explosives, which are applicable to ammonium nitrate industrial explosives for engineering blasting. Industrial explosives containing retired gunpowder can be used by referring to this General Technology Conditions.

Industry News

Across China: "Kingdom of bicycles" rolls on with intelligence

Xinhua, May 1

Number of sci-tech firms in Beijing maintains robust growth

Xinhua, May 16

Marriott beats Wall Street estimates on China recovery

Reuters, May 4

Ice tea turning into hot niche as thirst season arrives

China Daily, May 17

**China turnaround challenge dwarfs
Adidas' Yeezy debacle**

Reuters, May 5

**Nation opens door wider to foreign
games companies**

China Daily, May 25

**Ford says it will reduce costs to boost
China business**

Reuters, May 5

**Deals totaling \$1.5b inked between
Chinese, Australian companies**

China Daily, May 26

**China aims to achieve annual flower
sales of over 100 bln USD by 2035**

Xinhua, May 6

**Mitsubishi Motors to extend
suspension of production in China,
Yomiuri reports**

Reuters, May 30

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.

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