

2022

**WHITE PAPER
SUMMARY**

《白皮书》概要

Policy Priorities by Industry 各行业重点关注问题

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AmCham China's *American Business in China White Paper* (White Paper) is a comprehensive analysis of China's economic policies and practices impacting foreign trade and investment from the American business community in China. The *2022 White Paper*, the 24th edition, includes input from a wide variety of member companies representing 20 major industries, 12 cross-cutting issue areas, and four major regions/cities in China.

Each of the 38 chapters in this year's *White Paper* summarizes regulatory improvements seen throughout 2021, but also encapsulates the range of challenges and concerns still facing our member companies with respect to their China operations. The *White Paper* is nearly 600 pages in length. In an effort to distill AmCham China's key messages and policy priorities, this, our **2022 White Paper Summary** document maps our key recommendations by industry to AmCham China's 2022 overarching Policy Priorities and at the same time reinforces the substance of the Policy Priorities with concrete examples of the kinds of challenges facing the American business community in China. AmCham China's 2022 Policy Priorities focus and guide the Chamber's advocacy efforts. They are: 1) Encourage action-based engagement between the US and China to create substantive and mutually beneficial initiatives and solutions on an issue-by-issue basis rather than unproductive values-based positioning, 2) Resolve regulatory confusion and uneven policy implementation by encouraging timely and clear announcements of changes to enhance compliance capabilities, and 3) Enrich cooperation and exchange in areas of global and bilateral importance.



Encourage action-based engagement between the US and China to create substantive and mutually beneficial initiatives and solutions on an issue-by-issue basis rather than unproductive values-based positioning.

Commit to bilateral commercial and political engagement on an issue-by-issue basis, refraining from the public use of inflammatory and unhelpful rhetoric around values-based differences.

The Chinese government should prioritize greater access for AmCham China and their members to address both general industry-wide challenges and also technical issues relating to normal business operations.

Accelerate bilateral visa issuances and advocate for transparency with respect to travel policies. The Chinese government should propagate policies to facilitate return of expat workers and their families.

Resolve regulatory confusion and uneven policy implementation by encouraging timely and clear announcements of changes to enhance compliance capabilities

Increased focus on policy communication and clear enforcement guidelines by both the Chinese and US governments.

Consult MNCs when proposing key industrial regulation changes and normalize grace periods for policies likely to drastically disrupt market operations in order to limit immediate adverse effects and allow companies sufficient time to implement necessary changes.

Focused and clear guidance from China's central government to ensure that regional differences in enforcement or implementation timelines do not cause unnecessary disruptions for companies with a large presence in China

Enrich cooperation and exchange in areas of global and bilateral importance.

Adhere to globally accepted trading rules, support and strengthen the existing multilateral trade regime, and avoid protectionist tendencies.

Identify guardrails to guide bilateral competition in other spheres. National security concerns should seek to minimize restrictions on innovation to the extent appropriate.

Continue to facilitate education as part of bilateral people-to-people exchanges, while maintaining appropriate controls.

Work bilaterally to strengthen global public health infrastructure and refrain from politicizing the COVID-19 pandemic and response.



Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

Publish scientific evidence to justify the imposition of strict COVID-19 preventive measures on imported cold chain foods including beef, poultry and pork. Adjust these measures based on the most recently available scientific data and bring China's practices in this respect into alignment with international guidance.

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

Accelerate innovation and further improve a fair business environment in China's agriculture sector by further opening the industry up to foreign investment in wheat, maize, soybean, and rice breeding and seed production, genetically modified crops, and modern agricultural processing.

Simplify the approval procedures across the agricultural supply chain, including: for the import and export of seed and breeding materials to advance the development of seed varieties in China, and in the agrochemical industry, allow pesticide registration to continue based data generated overseas as interim measures until China joins OECD's MAD Program.

Encourage the consistent implementation of agricultural machinery subsidies across provinces to raise efficiency and gradually shift these subsidies to include new and innovative technologies being used to power "smart agriculture."

Consistent with the Phase One Agreement, streamline the agricultural biotech regulatory process and associated review time frames. Relevant certification proceedings should be conducted periodically and in accordance with a defined, scheduled timeline.

Enrich Cooperation and Exchange

in areas of global and bilateral importance.

Work with Chinese officials through official and unofficial bilateral dialogues to monitor trade and build off implementation of the Phase One Agreement and to continue to address trade and investment restrictions faced by US agricultural producers.

Build on the momentum established by the Phase One Agreement to strengthen communication with the Chinese government, explore space for cooperation, reduce tariffs on Chinese goods, and resume the normalization of bilateral trade between the US and China.



Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

Ensure that the FIL and its Implementation Regulations, and the equal treatment of foreign enterprises and domestic enterprises stipulated in the Phase One Economic and Trade Agreement between China and the United States are effectively implemented within the specified timeframe.

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

Comprehensively manage local platforms by the national platform, and fill out vehicle data directly connected to the national and local platforms for monitoring through just one joint model investigation and one vehicle registration

Cancel local monitoring platforms, concentrate on the construction and management of the national monitoring platform, and provide stronger support for the safety supervision of NEV and the industry development.

The management of power battery traceability data should also align, in which the local platform is recommended to be comprehensively managed by the national platform, and the national platform can share information with local platforms. Shanghai has established a local power battery traceability management platform, and we hope that appropriate measures will be taken to avoid developing more local platforms in the future.

Enrich Cooperation and Exchange

in areas of global and bilateral importance.

The authorities should liaise with their international counterparts and more openly and transparently engage with FIEs in the standards development process



Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

Allow the following:

- Foreign FIs to act as lead underwriters for corporate bonds.
- Foreign banks to participate in pilot programs to trade China Government Bond Futures and to offer settlement services to domestic securities investment funds.
- More foreign onshore securities companies to participate in A-share primary deals.
- Investors to freely participate in the CN market and include offshore long-only and foreign corporate as cornerstone investors.
- Companies and their subsidiaries to conduct intra-affiliate cross-border data transfers

Enact netting legislation to all types of FIs and companies in China.

Approve qualified foreign fund services providers and allow them to provide fund accounting (FA) and transfer agency (TA) services in the China market.

Incorporate more eligible ETFs in the Connect product ecosystem

Increase accessibility of futures products for international investors and permit foreign futures brokers to participate in the overseas intermediary structure.

Adopt DVP in A-Share securities settlement to align with international practice and adjust China's settlement cycle.

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

Clarify the definition, scope, and attributes of "Important Data," and ensure that the definition of Important Data is reasonable when developing the "important data" catalog for the financial industry.

Narrow the scope of the regulatory approach to Critical Information Infrastructure to align with international best practices and avoid mandating specific products or services.

Recognize group-level internal cloud as a private cloud not subject to VAT licenses.

Speed up the process of QDII qualification approval and increase the quota to give joint venture financial institutions more opportunities to expand overseas investment business.

Continue to open the China Financial Standards Technical Committee (TC180) to foreign company participation, adopt a technology-neutral and risk-based approach to cybersecurity, and adopt industry best practices for pen testing

Establish a new service window to help companies with the approval process and create a more favorable regulatory environment for PE/VC long-term investment.



Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

Fully resume airline travel between the United States and China. Facilitate a gradual and orderly resumption of international traffic and development by developing a roadmap for border openings, adhering to rights already given to US carriers under the US-China Air Transport Agreement when considering pandemic control measures.

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

Adopt policies and procedures to advance the development of China's General Aviation and Business Aviation (GABA) sector to realize economic benefit

Advance green and sustainable development measures "in" China's aviation sector

Increase the efficiency of airspace and airport operations by implementing a transparent slot assignment process for domestic and foreign carriers, optimizing hub airport design, continuing efforts to adopt kept recommendations contained in ACP's Shanghai Area Airspace and Ground Optimization technical assistance project and ACP's 2019 Quantifying Weather Impacts Aviation Pilot Project, and further relaxing or eliminating the "freighter window" which limit slots for all-cargo operations to night—time hours

Enrich Cooperation and Exchange

in areas of global and bilateral importance.

Align validation processes with international best practices



Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

Resolve Regulatory Confusion

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Provide English-language versions of important guidance and announcements on the MPS web portal for filing representative office registration and TAP applications. Conduct more global outreach activities with overseas NGOs and their Chinese partners to disseminate updated information regarding interpretation of the Overseas NGO Law by public security authorities, especially at China's embassies and consulates in countries where overseas NGOs have offices.

Simplify the documentation necessary to apply for a Temporary Activity Permit (TAP) and require Chinese partner Cooperation Units that withhold approval to provide a written explanation within 30 days.

Expand the list of eligible Professional Supervisory Units (PSUs) and provide clear criteria and greater incentives for government entities to act as PSUs

Clarify ambiguous language in the Overseas NGO Law and publish clear and consistent implementation guidelines. The process of drafting implementation guidelines should be open and incorporate the participation of overseas NGOs and their Chinese partner organizations.

For domestic civil society in China, similarly expand and improve the ability of organizations to register through the domestic process.

Clarify regulations regarding overseas NGOs "engaging in or financing profit-making activities" or providing fees for service. With respect to fees for service, formalize the right of overseas NGOs to offer services for fees into law, easing the burden on PSUs to make decisions amidst uncertainty.



Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

The Ministry of Commerce should resume the approval and filing procedures for direct selling as soon as possible to ensure normal daily operations continue for direct sellers and guarantee their full compliance with the related regulations

Encourage industrial autonomy, allow the establishment of national-level direct selling industry associations, authorize the formulation and implementation of operational best practices and standards, assist government authorities in regulating the direct selling market, and strive to build a shared social governance system that integrates corporate autonomy, industry self-discipline, social supervision, and government regulation, so as to jointly promote the stable, healthy, and sustainable development of the direct selling industry.

Increase efforts to promote and guide the health product industry. Specifically, efforts should be made to spread nutritional and health knowledge through multiple channels, improve public awareness of nutrition and health, and improve scientific literacy to prevent health risks.

State authorities should speed up the revision of supporting rules for the Regulations on Direct Selling Administration to improve the business climate and adapt to the rapidly changing market. Recommended revisions include:

- Eliminate or reducing the requirements regarding fixed service outlets;
- Broaden the range of products that can be sold by direct sellers and exploring ways to establish a product blacklist system;
- Recognize the legality of online registration systems and electronic copies of training and other paper documents, such as electronic training certificates.

The State Administration for Market Regulation should implement a mechanism nationwide for credit evaluation and classified regulation of the direct selling industry.

Enhance regulatory effectiveness. For companies with good/high credit ratings, regulation can be more lenient, with a lower frequency of routine inspections from the government and appropriately reduced restrictions on daily operations such as personnel training and meetings with direct selling enterprises

State authorities should take into account the regulatory challenges brought by e-commerce and explore ways to promote the revision of the relevant direct selling regulations, thus enabling the direct selling industry to compete with other industries and promote social and economic development.



Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

Have a clear, steady, and transparent timeline to relax travel restrictions and visa policies for foreign personnel. Prioritize the timeline for students and dependents to return. Current strict visa and travel restrictions have decreased expatriates' willingness to live and work in China.

Resume regular air flights between China and the US. Under current policies, foreign carriers can operate only one flight a week to China. The massive demand has driven the price of flight tickets to an extremely high level, resulting in increased school costs due to expat travel reimbursement.

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

Consider extending current tax-exemptions for children's education after 2023. The removal of these allowances will significantly increase the cost of educating children of foreign nationals due to the combined impact of an increased tax burden for families and higher costs at international schools.

Pursue a steady, phased approach to reforming in education regulations, particularly with respect to reforms that will impact investment in the education sector by foreign-invested enterprises.

Enrich Cooperation and Exchange

in areas of global and bilateral importance.

Continue to implement China-US bilateral exchange programs in education, culture, and the humanities among others, which benefit students and higher education institutions of both countries.

Continue to allow Chinese students to study at US institutions on appropriate visas. This openness benefits the US higher education system and helps it maintain its global competitiveness.



Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

Actively promote the prototyping, promotion, and adoption of clean and low-carbon technology among Chinese and American companies

Develop centralized heavy-duty gas turbines alongside light-duty gas turbines in order to benefit from the complementary advantages of having both

Improve the integration of gas, wind, solar, hydrogen, and other energy sources in order to achieve comprehensive development of the energy industry

Promote the development of clean energy by encouraging firms to use hydrogen mixing and carbon capture technology

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

Ensure that there is a steady supply of natural gas by establishing the coordinated upstream and downstream development of the gas and electricity industries

Ensure fair competition between foreign-funded enterprises and domestic enterprises and avoid local protectionism in energy bidding

Improve policy support for those involved in offshore wind power, including equipment manufacturers, investors, and developers, and avoid arbitrarily canceling subsidies

Establish a subsidy phase-out mechanism and create financial subsidies for wind power on the local level

Improve the policy of the energy industry to promote the development of alternative energy sources

Enrich Cooperation and Exchange

in areas of global and bilateral importance.

Both China and America should create policy strengthening their capacity for cooperation and technical exchange in order to address climate change and promote clean energy development

Strengthen cooperation between Chinese and American governments, think tanks, and businesses on energy transformation and alternative energy sources, and develop policies to promote energy transformation and clean energy development.



White Paper Summary >> Express Delivery Services

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

Further distinguish different data usage scenarios, to avoid one-size-fits-all localization requirements for regular overseas usage scenarios in international express delivery services.

Clarify the specific conditions and thresholds for triggering cybersecurity reviews in the international express industry, simplifying relevant review processes for enterprises that meet certain conditions, and ensuring that the delivery service is not interrupted during the review process.

Balance the enforcement of cybersecurity and personal information laws and the need of the express industry for efficient customs clearance, so as to reduce the additional burden on the industry caused by the restrictions on cross-border data transmission.

Clarify the specific requirements for the approval and management of international express business licenses at the national level and unify the national approval standards.

Enrich Cooperation and Exchange

in areas of global and bilateral importance.

Government departments, including the competent authorities of the industry, when developing green express packaging policies, should fully take into account the characteristics of domestic and international express services, and listen to more opinions of all parties concerned.



Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

Enrich Cooperation and Exchange

in areas of global and bilateral importance.

Provide a unified framework and description of the laws, regulations and standards for regulating the food and beverage industry, clarify the relationship between food safety laws, regulations and standards and those of non-food safety, and define the responsibilities of relevant government departments.

While implementing the State Council's institutional reform, disclose the regulatory responsibilities and communication channels of various departments as soon as possible so that food manufacturers and operators can get accurate and timely information and better communicate with the government.

Continue to strengthen the capacity building of market regulators and law enforcers, to ensure standardized law enforcement, and to advance unified and accurate interpretation and implementation of regulations among local authorities, continue to call for establishing open channels and mechanisms for communication between companies and legislative departments, and give timely responses to companies' problems in interpretation and implementation of regulations

Strengthen exchanges between relevant US government authorities and industry associations, and US companies in China, and increase opportunities for seminars involving all parties on international experiences and best practices that the Chinese government needs to understand.

Make full use of business associations and platforms in the process of making and executing policies and standards, and develop public-private partnership programs or regular exchange mechanisms for sharing advanced international experience and technology.

Listen to the opinions and suggestions of the scientific research community and the industry in making nutrition and health policies, and formulate realistic, fair and reasonable policies and regulations. Adopt rapid microbiological testing methods due to the gap between China's current conventional methods and the international common methods.



Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

Effectively implement China's commitment to improve pharmaceutical intellectual property protection in Phase I of the US-China economic and trade agreement.

Draw on the experience and best practices of other developed markets that have implemented centralized drug procurement programs; strengthen cooperation between government and industry to jointly explore the development of policies to enhance market-based competition and establish a dynamic price adjustment mechanism based on pharmacoeconomic principles to gradually reduce drug prices.

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

Clarify the establishment of a dynamic adjustment mechanism for the NRDL; ensure that the amendments to NRDL are public and transparent, and consult for public comments; an appeal mechanism should be introduced in NRDL so that drug marketing licensees can seek amendments if they claim their products are unfairly or inappropriately restricted in the process of being included in NRDL.

Encourage competent ministries, commissions, agencies and departments to issue timely and detailed implementing regulations, instructions and guidelines to clarify the scope of "the application and development of human stem cells, gene diagnostic and therapeutic technologies" prohibited in the Negative List and to clearly define the technologies and industries in which foreign-invested companies may invest

Promptly issue the Implementing Regulations for the Administration of Human Genetic Resources to clarify ambiguous issues

Establish an open and transparent dynamic adjustment mechanism for the national immunization program and ensure that any revisions to the mechanism are subject to public consultation. Increase China's vaccination rates for all ages.

Remove various restrictions and constraints on foreign invested and-owned hospitals, including restrictions on foreign equity, prohibiting hospitals from establishing new branches, requiring hospitals to file separate tax returns for each branch, and limiting the number of hospitals that allow foreign staff and doctors to practice

Extend social health insurance coverage to the private hospital sector and grant patients the same maximum reimbursement limits as in public hospitals.

Ensure equal treatment of private and public healthcare providers and include private hospitals in national public health emergency plans and response mechanisms

Regularly open local windows for acceptance and review of new medical services added to the National Specifications on Prices of Healthcare Services; Adopt evidence-based practices to determine the cost of medical devices



Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

China should open its cloud computing service business to FIEs. China should adhere to the principles outlined in the EU-China Comprehensive Agreement on Investment such that VATs-related licenses will not be applied to other services such as financial, logistics, or medical if offered online.

To the maximum extent feasible, China should eschew “data localization” policies, or implement them only within a narrow scope of application and subject to transparent and objective procedures. China should proactively participate in existing multilateral frameworks.

China should avoid isolating its AI technological development. We urge China to be a leader in the development of AI through multilateral participation in the development of global AI governance, ethics, standards, and best practices.

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

We urge the government to maintain narrowly defined concepts and definitions in the CSL that do not go beyond fundamental and reasonable definitions of national security. In particular:

- None of the implementing regulations for the CSL should go beyond the scope of the CSL as stated within its original text.
- The definition of CII should be clarified and made applicable only to a specific and relatively narrow category of information infrastructure.
- The cybersecurity review for network products and services should not blur the distinction between legitimate security concerns and unreasonable discrimination against certain technologies on the basis of their country of origin or nationality of their shareholders.
- The government should not regulate the importation or domestic use of cryptographic features in commercial applications, products, or services, including in mass-market consumer products.
- Remove intrusive system scanning and pen-testing in cybersecurity inspection and recognize company-led testing results.

Ensure consistency in the application and interpretation of public procurement laws. In the ICT sector, the government should clarify in writing that “secure and controllable” criteria or other product safety and reliability standards are not an attempt to promote domestic products and services at the expense of foreign ones.

Enrich Cooperation and Exchange

in areas of global and bilateral importance.

The US should promote cooperation with Chinese agencies in international forums for the development of frameworks for ethical uses of AI, as well as for standard setting, and encourage the adoption of international standards and ethical frameworks in China.

The US should continue to promote the APEC Cross-Border Privacy Rules system, the APEC Privacy Framework, and the adoption of these as a consensus standard across the APEC region.

The US government should continue to engage with counterparts in the Chinese government about the negative effects on network operators that result from the cross-border data transfer framework currently proposed under the CSL.

Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

Resolve Regulatory Confusion

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Increase coordination among CBIRC, MOF and STA to provide equal treatment to the insurance industry by applying VAT exemptions to premiums derived from direct insurance cover for overseas domiciled risks.

Clarify key definitions in China's Cybersecurity Law including "Critical Information Infrastructure," "Personal Information," "Important Data," and "applicable supervisors," including their compatibility with applicable standards, and review the effectiveness of the measures under the Law.

Clarify the definition of "secure and controllable" in CIRC's Draft Informatization Regulations and provide insurers the discretion to decide among different vendors on the basis of security and reliability of IT systems, not national origin.

Remove unnecessary capital charges and collateral requirements on cross-border reinsurance transactions.

Issue detailed implementing measures describing how foreign equity caps can and will be lifted for businesses operating in the insurance industry.

Expand tax incentives for tax-deferred annuities.

Remove all non-prudential barriers to participation by foreign health insurers in China's health insurance industry, consistent with China's commitment to remove foreign equity caps on personal insurance.

Increase competition in the pension and health insurance industry by approving licenses for more foreign-invested applicants and ensuring equal treatment among foreign-invested and domestically invested insurance providers.

Restore the tax-exempt status for interest income from corporate bonds and debt programs, or at a minimum adopt a "cut-off" approach to exempt bonds issued prior to the reform from VAT.

Develop an official procedure where companies can submit written inquiries to CBIRC concerning specific C-ROSS provisions for responses in written public statements in order to reduce inconsistency of implementation.

Redefine risk of data transfer under the Personal Information Protection Law to be based on the quantity of data sets involved in a cross-border transfer rather than penalizing companies that deal with larger data sets.



Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

The US should negotiate with China to revise current regulations in order to allow US law firms in China to enjoy the same benefits as Chinese law firms operating overseas (especially those in the US). This request has appeared in successive White Papers for many years, but foreign firms now face the prospect of even tighter restrictions than before.

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

Allow foreign law firms to hire foreign non-legal professionals, improve the procedures for registering and transferring representatives, extend the duration of visas for representatives, and decrease work permit approval times.

Given the challenges created by COVID-19, extend for sixty days (or more) the current registration licenses of foreign law firms for the coming year, without full documentation, understanding that the law firms will submit the full sets of required documentation as soon as they can be obtained. More broadly, we urge the government to simplify the requirements, eliminate the unpredictability, and shorten the review period for the establishment of foreign law firms' representative offices, as well as the opening of additional offices, and to provide foreign law firms with treatment equivalent to that of domestic law firms for PRC income tax purposes.

Clearly provide in regulations that foreign lawyers are permitted to participate in all meetings between their clients and Chinese government departments, and licensed PRC attorneys can handle litigation matters in PRC courts, just as PRC law firms are allowed to do in the US if they employ US-licensed attorneys in their US offices.

Revise current regulations to allow foreign law firms to hire and admit to their employment and partnerships PRC-qualified lawyers without requiring them to suspend their PRC lawyer's license when they join a foreign law firm.

Clearly provide in registration procedures that foreign lawyers admitted and registered to practice law in foreign jurisdictions for two years are allowed to be registered as representatives of their China representative offices two years after they have been registered, without requiring them to physically work in an overseas office for two years.

Any Draft Regulations on the administration of China representative offices of foreign law firms and any restrictions imposed therein should be transparent and be published for public comment before promulgation and implementation. Any restrictions on the ability of foreign law firms to provide advice on China law business matters should be reasonable and practical.



Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

The US should continue to urge China to ensure that policies stemming from MIC 2025 do not favor domestic companies at the expense of FIEs and are not dependent on subsidies in violation of China's WTO commitments.

Consider replacing the current subsidy system with a tax credit regime based on current global norms and ensure a level playing field for FIEs

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

Implement and enforce the Stage IV Non-Road Mobile Machinery Emissions Standard equally across all industry participants in order to ensure a marketplace characterized by national treatment. Provide clear guidelines that reduce the prospect of ambiguity or subjective interpretation at the sub-national level stemming from inconsistent interpretation of these regulations.

Prioritize regulatory consistency and only promulgate new or amended regulations after thorough research and with appropriate consideration of the risks created by inconsistency and a lack of continuity which particularly hamper FIEs. In the financial leasing sector for heavy machinery, continue to permit FIEs to engage in factoring as a regular element of their business operations.

Clarify the requirements with respect to the qualifications of entities permitted to engage in remanufacturing, particularly remanufacturing of automotive parts, exempt certified entities from needing to obtain fresh certification in order to engage in remanufacturing of automotive parts, and clarify the scope of remanufactured products, features, and criteria that will be subject to testing and inspection.

Ensure that subsidy policies for agricultural machinery are implemented consistently at the provincial level, which will only serve to foster a healthy business environment and improve the efficiency of China's agricultural sector. Gradually shift its subsidy policies to include new and innovative technologies being used to power "smart agriculture."



Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

Develop transparent and balanced policies that address concerns with respect to the spread of COVID-19 in China but also permit foreign nationals and their families working in China to obtain a Chinese visa during this period.

Remove market access barriers to allow 100 percent foreign ownership of film and television production and distribution companies and online video services companies. Complete negotiations as required for the update to the film MOU to bring revenue share in line with international norms, increase the number of imported films, and remove market barriers.

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

Remove restrictions during peak periods for imported films and allow US film producers flexibility to decide release dates.

Remove restrictions that in practice impede activities of foreign investors in the audiovisual services industry by removing quota restrictions on foreign content for online video services, allowing content review of foreign television series on a per-episode basis, and facilitating a more transparent, streamlined, and expedited process for content review.

Ensure compliance with the Foreign Investment Law and its Implementing Regulations to deny legal basis to any regulations that have not been published.

Enrich Cooperation and Exchange

in areas of global and bilateral importance.

The US government should:

- Work with China to review restrictions on investment facing US companies in China's media and entertainment sector, with the goal of providing greater market access for US companies.
- Complete negotiations required for the update of the film MOU, which should address several of the issues discussed throughout the chapter.
- Encourage the Chinese government to faithfully implement the spirit of its pilot reform efforts, such as the Plan for Comprehensively Promoting the Multifaceted Pilot Program of Expanding Opening-up in the Service Sector in Beijing Municipality, in order to promote innovation in China's media and entertainment sector.
- Identify and encourage opportunities to share US best practices on copyright protection with relevant Chinese government entities.

Encourage Action-Based Engagement

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Continue to use Transit Oriented Development concepts in major urban areas to reduce land and energy use.

Encourage the participation and inclusion of foreign companies in urban planning, development, property management, real estate related technologies and investment so that China can benefit from international best practice.

Innovations in Prop-Tech should be encouraged to ensure management of property can be optimized to reduce energy use.

China needs to review its urban development to prepare for the potential impact of rising sea levels on China's major metropolitan areas, many of which are located in coastal areas.



Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

Modify the application of special work-hour systems and to expand the scope of qualified industries who can apply special work hour systems to better meet their business needs and the demands of China's modern economy.

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

Ensure consistency and uniformity in policies across the country and at all levels of government that affect the retail and e-commerce sector, particularly with respect to transportation, logistics, restrictions on the use of certain types of packaging, and COVID-19 control policies. Establish a unified channel where such policy information is made public and updated regularly.

Develop evaluation criteria and disciplinary measures that prioritize established risk management principles to prevent and deter false transactions and reduce the risks associated with secondary sales in the cross-border e-commerce retail import sector.

Government regulators, in particular SAMR, should strengthen their reviews of anti-unfair competition in the online and offline retail industry, focusing on ensuring that traditional retailers and online e-commerce platforms do not engage in behavior that promotes unfair competition. The government should also standardize the subsidies it offers across the retail and e-commerce industries, and ensure those subsidies are equally available to all retailers.

Revise the Interim Measures for the Administration of Internet Advertising to clearly distinguish between accidental or unintentional inaccuracies in product advertising that do not affect the integrity of the product against deliberate claims used to falsely promote retail products and to disincentivize professional faultfinders (PFFs) from seeking extravagant or unwarranted damages from retailers.

Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

Reduce barriers to investment for foreign investment into China's professional sports industries. Without proper incentives and clear control assignments substantiated by capital equity, involving sound foreign professional management of domestic clubs and teams will remain a challenge.

Engage closely with private industry (both foreign and domestic) including US professional sports leagues to develop best practices to accelerate the growth of domestic professional leagues and the sports education industry.

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

Recognize sports broadcasting as a copyrightable work and provide the rights holders with enforceable rights to take swift and deterrent actions in response to infringements, including administrative and criminal complaints for enforcement actions. Penalties imposed by the courts should have a deterrent-level effect. The government should increase its support to administrative and police departments to enforce/crack down on the copyright infringements of live sports broadcasts.

Encourage foreign investment in China's eSports market, the world's largest, through promulgation of official regulations and directives and ensure that foreign investors encounter a level playing field with respect to their domestic counterparts.



Encourage Action-Based Engagement

between the US and China to create mutually beneficial solutions.

Strengthen training opportunities for the operators of MEWPs on the basis of GB/T 27549-2011 Mobile elevating work platform – Operator (driver) Training. Ensure that this recommended standard is consistently applied and enforced. Alternatively, promote the promulgation of group standards similar to GB/T27549-2011 to continue to improve the safety of work at height.

Resolve Regulatory Confusion

by encouraging timely and clear announcements of changes to enhance compliance capabilities.

Prioritize development of a more complete policy framework for emergency management of hazardous chemicals that enables insurance companies, third party service agencies, and hazardous chemical enterprises to participate in their effective management.

Address regulatory inconsistencies and discrepancies in the classification of hazardous chemicals to standardize risk management protocols of chemical substances throughout their entire lifecycle, including transportation and storage.

Strengthen the supervision of confined space operations and safety management measures, require enterprises to comply with written operating procedures, and standardize safety management protocols for companies that operate in confined spaces

Strengthen oversight of rural traffic and improve the safety of rural road conditions by ensuring that appropriate road signage and protective guardrails, barriers, warning signs and other safety facilities are available throughout China's rural road network.

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中国美国商会的《美国企业在中国白皮书》（《白皮书》）是来自在华美国企业的针对影响外资企业在中国的经济政策和实践的全面分析。2020年第22期《白皮书》内容涵盖18个主要行业、12个跨领域议题和中国四个主要地区或城市的各类会员公司的意见。2019年是中美关系动荡的一年，工商界也因此面临不少挑战。

今年《白皮书》的37个章节中，每一章都总结了2019年所达成的监管改进，但也包含了我们的会员公司在中国仍然面临的挑战和问题。

《白皮书》的篇幅接近450页。为了提炼中国美国商会的关键信息和政策重点以供参考，我们的**2020年《白皮书》摘要文件将我们的行业政策重点建议与中国美国商会2020年的总体政策重点联系起来**，同时通过美国商界在中国面临的各种挑战实例再次强调了政策重点的实质内容。

中国美国商会2020年的政策重点将指导商会的工作。今年的政策重点是：**1) 通过实际行动重建信任，提高监管流程透明度和公平性; 2) 通过国民待遇和竞争中立政策推动发展， 3) 通过全球合作和知识产权保护激励创新。**



《白皮书概要》 | 商会2020年跨行业政策重点

通过实际行动重建信任， 提高监管流程透明度和公平性

承诺进行有意义的改革，制定明确的基准、时间表和重点监测，以确保中国的法律和监管结构有长久性改变，法律法规得到公正的实施。同样地，中国政府部委之间就政策制定、实施和执行要保持协调一致，这一点同样重要。

为外国公司提供平等参与起草和审核相关法律法规的机会，并确保草案的“征求意见期”时间表合理，并提前公布，以便国内外商界充分参与。

通过国民待遇和竞争中立政策 推动发展

外国投资者的待遇不应低于任何中国私有、国有或国有控股企业的最优待遇。

对外国实体、产品和服务与中国企业区别对待的法律法规、执法活动、审批流程、采购偏好和其他要求都应取消。

在更多领域实行市场开放，尤其是已经承诺开放的领域，来建立更平衡的投资关系。如果中国企业可以在美国投资，美国企业也应该可以依照同样的条款和条件在中国投资。

通过全球合作和知识产权保护 激励创新

利用互联网平台促进全球交往，放宽《网络安全法》里规定的跨境数据流动限制，鼓励国际合作与创新。

建立明确统一的惩罚制度，并借助网络手段遏止知识产权盗窃。

中国政府按照《外商投资法》制定知识产权保护机制时，应当与外国商界密切磋商，引入惩罚性赔偿制度，以便更好地协调知识产权保护的机制以及知识产权纠纷解决机制。

所有标准制定技术委员会要向外商投资企业开放，以便其与国内企业平等参与。如果可能的话，标准制定程序应当确保中国国内标准与国际公认标准和最佳做法保持一致。

通过实际行动重建信任， 提高监管流程透明度和公平性

简化种子和育种原料进出口,简化饲料和饲料添加剂进口,简化农药行业的审批程序。

与第一阶段协议一致,简化农业生物技术监管流程以及相关的审核时间表.相关认证程序应按照规定的时间表.相关认证程序应按照规定的时间表.

继续在整个农业供应链中采用科学的评估标准,例如牛肉和猪肉进口的评估标准,并通过简化审批程序,让中国农民获得更多的抗生素替代品。

通过国民待遇和竞争中立政策推动发展

进一步允许外资投资农业生物技术、现代农业加工,小麦、玉米、大豆和水稻育种及种子生产,从而提高中国农业的竞争力和可持续性。

将外商投资企业纳入关税配额的最终分配过程,公布最终分配结果并作书面说明。

通过全球合作和知识产权保护激励创新

对植物新品种保护的侵权行为实施更严厉的处罚。

继续在整个农业供应链中采用科学的评估标准。

商会还建议提供更多知识产权工具以全面保护创新：

- 将实质性派生品种纳入《植物新品种保护条例》终稿。商会促请农业农村部尽快制定技术规范,确定实质性派生品种,特别是玉米品种,
- 确保商业秘密保护应用于种质产品,保护育种创新权,
- 对应用于非单个植物品种的创新生物技术产品授予适当的专利权,
- 引入分子检测方法以助农作物免受病虫害,
- 为种子公司建立知识产权信用体系,更好地管理种子研发过程中的知识产权,加强植物新品种保护执法。



通过实际行动重建信任， 提高监管流程透明度和公平性

政策制订和起草的早期阶段，给与企业更多参与讨论、反馈意见的机会，让政策、标准更符合市场需求，更有利于市场和行业的健康发展。

建立有效、透明、公开的协调机制，各个政府主管机构应当加强合作，明确主要概念、要求和职责。

鉴于汽车生产、技术升级周期较长（通常为数年），政策制定和调整的周期应至少长于三年，以使行业适应新法规。

希望在下一阶段排放标准实施前，给乘/商用车4-5年准备期。

通过国民待遇和竞争中立政策推动发展

建议尽快落实智能网联、自动驾驶等新技术、新工艺、新材料的许可豁免机制，鼓励其应用。

建议政府继续加强营造从新能源汽车的设计研发至报废回收全生命周期内的公平竞争环境。

破除不利于新能源汽车发展的相关限制政策及地方保护措施，真正做到新能源汽车的“不限行，不限购，不限行”。

通过全球合作和知识产权保护激励创新

我国标准化相关主管部门在标准制定过程中，积极与国际标准化活动沟通协调，同时以更加开放的态度吸纳外商投资企业实质参与标准化工作，最终实现全球统一的智能网联汽车标准法规体系。

建立技术评估委员会和相应评估流程，给予相应的认证豁免等，以便鼓励并促进技术创新。



通过实际行动重建信任，提高监管流程透明度和公平性

明确界定外资理财管理子公司的全业务服务范围，并制定明确、便捷、透明的申请流程。

与行业密切协商，全程透明地制定行业具体监管要求和标准。

通过国民待遇和竞争中立政策推动发展

取消银行业的所有配额，包括外债配额。

允许外国金融机构担任公司债券的主承销商。

履行承诺，消除外商投资信用评级机构进入市场和运营的障碍。

建议中国证监会允许外资资产管理公司申请提供机构保险和养老金投资等相关的全方位服务。

取消境外投资者直接与本地次托管行签订合同的要求，允许全球托管行与本地次托管行签订合同，从而在中国大陆市场开展业务。

通过全球合作和知识产权保护激励创新

明确允许公司及其子公司进行内部跨境数据传输，坚持中国在二十国集团大阪领导人宣言中签署的数据自由流动原则。

允许外商投资企业加入中国金融标准技术委员会（TC180），本着技术中立和基于风险的原则，采取网络安全保护措施，并采用全球金融市场协会《金融服务业使用渗透测试的规管架构》中的行业最佳实践惯例，包括认可由认证公司主导的渗透测试。



通过实际行动重建信任， 提高监管流程透明度和公平性

加快建设综合性的全国空中交通管理框架和全国空域容量量化系统，通过加强系统管理有效支持机场运营商、空域飞机制造商和航空公司网络开发专家的工作。

赞扬中国不断努力使用最为先进的建筑材料，实施绿色机场建设标准。然而，中国能够也应该充分认识到施工建设过程对能源和环境的影响。建设施工设备和流程采用国家绿色标准将大大改善地方空气质量。

通过国民待遇和竞争中立政策推动发展

允许航空承运商访问国内航空情报，便于产出所需图表和地图，支持中国的飞行安全工作。

增加外国飞行培训公司进入中国进行飞行员培训的机会。

加强对生产商和承运人等其他方遵守中国危险品管理条例的执法力度有利于创造公平竞争的环境。

通过全球合作和知识产权保护激励创新

继续认证流程与国际标准接轨。

通过制定方案在整个体系内推行应用，继续推动高效和安全地的新一代和单一欧洲天空空中交通管理研究技术在空中交通管理程序中的有效应用。

持续改进国家航空天气预报系统，提高枢纽机场运营效率、降低航班延误率。

继续与国际民航组织，其他国际组织和标准机构合作，以在全球范围内协调和协调无人机监管框架和无人机交通管理能力发展的全标准。



通过实际行动重建信任， 提高监管流程透明度和公平性

阐明《境外非政府组织法》中含糊不清的措辞，并发布清晰一致的实施细则。起草实施细则的过程应该公开透明，允许境外非政府组织及其中方合作单位参与其中。

明确境外非政府组织“从事或资助营利性活动”或提供服务收费的相关规定。在服务收费方面，把境外非政府组织提供收费服务的权利纳入法律，减轻业务主管部门的负担，保证其无须在不确定的情况下做出决定。

简化临时活动许可备案所需的文件，并要求中方合作单位的业务主管单位在拒绝批准活动后的30天内提供书面说明。

通过国民待遇和竞争中立政策推动发展

更新/扩大业务主管单位名单，同时为担任业务主管单位的相关政府机构制定明确的程序及设立更好的激励措施。

与境外非政府组织及其中方合作单位开展更多外联活动，公安部门应提供《境外非政府组织法》的最新解读信息，中国驻外使领馆也可在境外非政府组织在境外设有办事处的地方举办外联活动。

通过全球合作和知识产权保护激励创新

明确境外非政府组织“从事或资助营利性活动”或提供服务收费的相关规定。在服务收费方面，把境外非政府组织提供收费服务的权利纳入法律，减轻业务主管部门的负担，保证其无须在不确定的情况下做出决定。

通过实际行动重建信任，提高监管流程透明度和公平性

尽快修订《直销管理条例》，放宽直销人员计酬限制，允许以直销人员下属销售团队的销售总量为依据计酬，但不能以招募的人员数量为依据计酬。

建议当局考虑对直销行业，如人员招募，计酬，培训和管理等方面的相关法律法规进行重新规划和制定。

通过国民待遇和竞争中立政策推动发展

尽快修订《直销管理条例》配套规定，放宽直销行业的管制，包括：

- 放宽产品范围管制，允许委托加工产品作为直销产品。
- 取消或放松服务网点方面的要求。
- 减少对直销员培训及企业日常经营行为的限制。

通过实际行动重建信任， 提高监管流程透明度和公平性

尽快完成并发布《中华人民共和国民办教育促进法实施条例》，依法规范治理民办教育领域，保证“促进”和“鼓励”落到实处。

简化《外国人来华工作许可制度》中的外籍教师的签证和工作许可申请程序，能够为中国能够吸引最优秀的教师。出台政策，允许在华学习的外国学生找到工作后将学生签证转为工作许可证。

希望政府继续改进对课堂和在线外籍教师的监管，确保两类外籍教师都符合外国专家局规定的资格要求。

通过国民待遇和竞争中立 政策推动发展

在改革开放40年的基础上，继续在教育领域制定、实行积极开放、便利、可持续的政策。

政府采取稳步、分阶段的方式进行教育改革，尤其是涉及外商投资企业在教育领域相关投资的改革，否则直接实施近期颁布的规定可能会产生更直接的影响。

考虑将目前实行的子女教育免税津贴延长至2021年。取消这些津贴会导致家庭税负和国际学校费用增加，外籍员工子女的教育费用则会大幅增长。

通过全球合作和知识产权保护激励创新

支持并鼓励人工智能科技融入教育，从而鼓励终身教育。



通过实际行动重建信任， 提高监管流程透明度和公平性

期待在国家层面加快建立快递行业安全监管统一领导框架，明确监管主体，统一全国监管措施。

制定包括安检设备在内的、各部委共同认定的统一技术标准。

建立与公安部现行信息系统兼容监管的数据平台，促进监管部门之间的数据共享，减少重复向企业索取数据的行为。

通过国民待遇和竞争中立政策推动发展

建议行业主管部门充分理解国际快递行业代理模式的特点，对代理模式与加盟模式进行差异化管理，不要将代理模式等同于加盟模式一并纳入现行快递业务经营许可地域范围核定的管理框架下。

通过全球合作和知识产权保护激励创新

网络安全主管部门和快递监管部门应共同研究制定合理的快递行业数据安全评估体系，平衡本地安全需求与快递服务业频繁跨境采集和传输数据的需求。

平稳推进新能源汽车在快递行业的使用，健全通行路权配套政策，完善基础设施。



通过实际行动重建信任， 提高监管流程透明度和公平性

对整个食品饮料业法律法规标准体系建立统一框架，进行统一说明，食品安全法律法规、标准体系和非食品安全标准之间的关系需要澄清，政府相关管理部门的职责划分需要尽快明确。

期待决策部门在制定营养健康政策的过程中，能充分听取科研界和产业界的意见和建议，制定实事求是、公正合理的政策法规。

通过国民待遇和竞争中立政策推动发展

加强美国政府相关主管部门、行业协会等与在华美企的交流。

希望国家市场监督管理总局能够履行美中第一阶段经贸协议的相关条款要求，加快对境外企业婴幼儿配方乳粉配方注册的现场核查工作进度，突出体现对中外企业平等对待的原则，加快企业正常经营。

通过全球合作和知识产权保护 激励创新

在政策及标准制定及执行过程中充分利用商协会采用或建立符合国际标准的食品安全和检验快速检测方法。等平台，开展政府和社会资本合作（PPP）项目或定期交流机制，鼓励分享国际先进经验及技术。

加强美国政府相关主管部门、行业协会等与在华美企的交流，针对中国政府亟需了解的国际经验、最佳实践等，增加由各方参与的研讨机会。

采用或建立符合国际标准的食品安全和检验快速检测方法。



《白皮书概要》 | 医疗卫生服务，药品，和器械

通过实际行动重建信任， 提高监管流程透明度和公平性

我们建议发布支持 MAH实施的指导文件，促使MAH制度能全面落地实施，无论是上市许可持有人所在地是境内还是境外，无论产品隶属化学药品、生物制品或疫苗，都适用同样的法规和技术指南。

所有省和地方法级行政单位都设立定期窗口以便审查，将医疗服务加入《国家医疗服务价格项目规范》中，使患者能够以最经济的方式获取到最新设备。

明确说明引入NRDL动态调整机制的意图。使NRDL动态调整机制的任何定期修订都是公开，透明的，并征询公众意见。

职业健康保护技术和医务人员健康权需要加以明确。该项澄清应纳入《健康中国2030》法律法规拟议修订的一部分，例如《职业病防治法》。

通过国民待遇和竞争中立法政策推动发展

建议将外商投资负面清单第 28 条修改为“允许在（若无授权）不改变患者本身遗传基因、泄露患者基因信息的前提下投资人体干细胞、基因诊断与治疗技术开发和应用”。

采购疫苗时，国家免疫计划能从医学原理和产品特性加以考量，而非单纯的进口或国产。

撤销不利于外国试剂生产商发展的现实障碍，包括缩短变更体外诊断试剂注册信息所需的时间。

取消针对外资医院的各种限制和掣肘，包括对外资股本的限制，禁止医院新设分支机构，要求医院每家分支机构分别单独报税，限制允许外籍员工和医生从业的医院数量。

通过全球合作和知识产权保护激励创新

建议制定并征求详细的实施条例，以征询公众意见，以支持《加强知识产权保护意见》中规定的规定，并确保任何此类条例均透明，平等地适用。

促进《中国药典》标准与国际药典标准的统一制定策略并更新和整合应急准备标准。

建议放宽限制，允许医疗器械标准只充当推荐性指南，而非强制性标准，进而推动行业创新。



《白皮书概要》 | 信息和通信技术以及网络安全

通过实际行动重建信任， 提高监管流程透明度和公平性

需要对《网络安全法》的内容加以说明。商会敦促政府使用概念和定义的狭义，内容不要超出国家安全的基本和合理定义。

《网络安全法》的任何实施条例都不应超出法律原文范围。商会敦促监管机构在网络安全等级保护框架下考虑放宽当前的强制性要求，因为这是世界上对私营领域网络安全干扰程度最高的框架之一。

在网络安全监督检查中删除侵入性系统扫描和渗透性检测，并认可公司主导的检测结果。

确保公共采购法的适用和解读的一致性。

通过国民待遇和竞争中立政策推动 发展

中国应向外商投资企业开放云计算服务业务，增强竞争力，确保云计算服务行业与全球公认的新兴标准和实践协同发展。

国际标准的密码算法应当和中国国家密码算法一样都是合法的使用，不应当以任何方式强制或鼓励使用国产密码算法。

特别是在信息通信技术领域，商会建议政府以书面形式明确“安全可控”的标准，或解释其他产品的安全性和可靠性标准并不是要以牺牲外国产品和服务为代价品和服务。相反，“安全可控”的标准仅适用于透明、狭义的国家机密和国家安全。

通过全球合作和知识产权保护激励创新

中国应避免孤立自身的人工智能技术发展。鉴于中国的经济地位，商会敦促中国通过多边参与制定全球人工智能伦理体系、标准和最佳实践，成为与其经济状况相称的人工智能发展的领导者，为支持市场健康竞争而发展应用人工智能树立责任底线。

中国应当尽可能避免“数据本地化”政策，或仅在狭窄的适用范围内，遵循透明客观的程序来实施这些政策。同时，中国应积极参与现有的多边框架，例如“大阪轨道”、《亚太经合组织跨境隐私规则体系》和《亚太经合组织隐私框架》。

通过实际行动重建信任， 提高监管流程透明度和公平性

发布关于如何实施外资保险经纪牌照的具体措施，以及外资保险经纪公司申请牌照的具体措施。

减少由于增值税改革所造成的保险公司过重税务负担。

提供对于保险行业法律法规的说明解释，从而减少歧义以及不确定性。

明确银行持有资本和担保基金的关键定义，包括对重大处罚的定义。

通过国民待遇和 竞争中立政策推动发展

出台详细的实施措施，说明如何经营保险业的企业的外国股权上限可以被提高。

通过向外资公司发放经营牌照，提高养老保险和健康保险的市场竞争。

通过促进银保监会与财政部和国家税务总局的协调，以对存在海外风险相关的直接保险保费免征增值税，从而为保险业提供平等的待遇。

以同样的方式和速度审查和批准本地保险公司和外资保险公司的提出的关于设立分支机构的申请。

及时修订2004年《保险资产管理公司监管暂行规定》，以进一步明确取消保险资产管理公司关于外资控股比例限制的规定

通过全球合作和知识产权保护激励创新

允许包括重大疾病保险产品在内的更多类型的保险产品可以通过互联网在线进行全国性销售，从而进一步开放互联网保险行业。



通过实际行动重建信任， 提高监管流程透明度和公平性

任何关于外国律师事务所中国办事处中国办事处的管理规定草案及任何限制要求必须公开透明毛病在颁布实施前公开征求意见。对外国律师事务所就中国法律事务提供咨询的限制政策应该合理切实。

在外国律师事务所设立或增设地方代表处的过程中，应当简化设立要求，消除不可预测因素，缩短审核时间。

通过国民待遇和竞争中立 政策推动发展

修改现行法律法规，允许外国律师事务所雇用的中国执业律师并任用其为合伙人时，不再要求中国执业律师放弃中国律师执业证。

在相关法规中明确允许外国律师参与客户与政府部门间的所有会议，并且允许持证中国律师在中国法院处理诉讼事务。

在征收中国所得税方面，为外国律师事务所提供与中国律师事务所同等的待遇。

允许外国律师事务所聘请外籍非法律专业人士，改进代表的注册及调动程序。



通过实际行动重建信任， 提高监管流程透明度和公平性

简化国四产品的鉴定流程，在更短的时间内完成测试准备，确保排放法律法规的严格和可靠落实。

修改船用发动机的认证要求，采用现行的船用发动机检测，不在使用目前的耐久性试验。

继续推动再制造成品自由跨境流通。对回收再制造的和弦部件免征增值税，考虑允许再制造成品用于保修更换。

对于特定法律法规以及税收政策，在政策执行以及协调方面应提高一致性。

通过国民待遇和竞争中立政策推动发展

考虑用基于当前全球规范的税收抵免制度取代目前的补贴体系，从而确保外资企业享有公平的竞争环境。

确保“中国制造 2025”相关政策不以牺牲外商投资企业为代价扶持国内企业。

确保融资租赁公司进入中国人民银行个人征信系统，并允许公司享受亏损准备金税收抵免，与发达国家接轨。

通过全球合作和知识产权保护激励创新

遵守有关制造机器发动机及发动机零件的全球公认的国际标准。



通过实际行动重建信任， 提高监管流程透明度和公平性

允许境外电视剧按集接受审查，促使内容审查更透明，更系统化，审查速度更快。

废止并/或停止实施全部未经正式颁布或公告的法律，规定，指令，和通知。

通过国民待遇和竞争中立政策推动发展

取消市场准入壁垒，允许外商全资控股设立影视制作、发行、和网络视听服务公司。

依据协议谈判达成新的中美电影谅解备忘录，增加外国公司进口电影的分账份额至国际标准水平，增加进口电影的数量，消除市场壁垒。

取消进口电影的旺季发行期限制，允许美国电影制片方自主决定上映日期。

取消网络视听节目服务对境外剧的配额限制。

通过全球合作和知识产权保护激励创新

加强知识产权保护，以改善电影，娱乐和主题公园行业的运营环境。并以透明和平等的方式执行国务院和中共中央制定的关于加强知识产权保护的意见中所提出的规定。

提高对被侵犯版权的版权拥有者的赔偿水平，减轻版权拥有者的举证负担，并制定具有更高的震慑力的惩罚。

制定新的法规，以有效解决由视频聚合网站和移动端应用程序造成的大量互联网盗版行为。



通过实际行动重建信任， 提高监管流程透明度和公平性

减少对于产自美国的液化天然气的进口限制，并取消现有对于产于美国的液化天然气的加证的百分之二十五的关税。

确保离岸环境保护法规不会对正常的环境影响评估（EIA）的审批流程造成不必要的阻碍，或对合法的商业活动产生不利影响，同时对溢油事故进行公平的结论性评估。

通过国民待遇和竞争中立政策推动发展

扩大陆上勘探许可的范围。中方应提供更多，更好的区块，提供充足的数据及访问权限，并制定有利的财务条款吸引非国有石油公司参与竞标。

放开天然气定价权，以真实地反映的天然气供应、具有竞争力的供应链、以及提供页岩气基础设施第三方准入权(TPA)的成本。采用适合页岩气的合同结构也将有助于刺激该行业内外国投资。

通过全球合作和知识产权保护激励创新

考虑制定促进国际石油公司与国内国有石油公司之间的合作的相关政策，以便开发中国尚待开发的海洋湖相页岩，那里蕴藏着中国80%海上石油。这种伙伴关系不仅将提高油井生产率和估算最终采收率（EUR）从而增强页岩油项目的经济可行性，同时也会加快中国页岩气开发的步伐。

通过实际行动重建信任， 提高监管流程透明度和公平性

避免对新物流和仓储空间的一刀切式的限制，并相应地制定实施因地制宜的合理的、操作性强的措施。

针对中国主要城市中土地供应短缺的现象，鼓励通过资产转换重方案重新振兴表现不佳或闲置的物业。

根据当地的消费以及产业发展的需求，采取合理的政策对当地物流行业进行管理。

通过国民待遇和竞争中立政策推动发展

在国家层面上继续给予合格工业项目50年的土地使用权。

降低由于房地产相关生活成本，以吸引人才和投资。促进吸引和支持高科技和新兴技术领域公司发展的相关政策。

确保《外商投资法》的执行符合国民待遇原则，以确保国内外投资者在商业房地产投资方面受到平等对待。

通过全球合作和知识产权保护激励创新

与行业引领军企业紧密合作，为房地产科技部门制定合理，灵活的法规，使其在适当的法规框架内兼顾行业增长和技术发展。



通过实际行动重建信任，
提高监管流程透明度和公平性

打造一个全面的立法框架，从而实现对跨境的电子商务进出口实行统一监管。

修订《互联网广告管理暂行办法》，明确区分产品广告中不影响产品完整性的意外差错、无主观故意的不准确表述和故意传播的虚假广告，防止职业打假人向零售商过分的或超出承诺的赔偿要求。

通过国民待遇和竞争中立政策推动发展

继续扩大，调整和优化“跨境电子商务零售进口鼓励清单”中的项目范围，以鼓励健康的消费者基础的增长。

取消“保税”网购的限制，以使中国消费者有多样的产品选择，并鼓励外商投资企业进入这些行业的中国市场。

通过全球合作和知识产权保护激励创新

在制定新的管理电子商务的法律法规过程中，与行业利益相关者公开透明地互动，并确保零售商有一个合理的过渡期以适应新法规。



通过实际行动重建信任，
提高监管流程透明度和公平性

改善中国国部委之间的协调，确保工作场所事故数据作为对公众和专业人士的参考可以在一个统一权威的平台发布，这将有助于提高对职业安全与卫生重要性的认识。

提高公众对交通法律法规的意识。

通过国民待遇和竞争中立政策推动发展

加强对密闭空间运营和安全管理措施的监督管理，要求企业严格遵守书面操作规程，并规范在密闭空间运营的公司的安全管理协议。

在GB / T 27549-2011移动式高空作业平台操作员（驾驶员）培训的基础上，加强为移动式高空作业平台操作员的培训机会。确保此推荐标准得到一致应用和执行。作为替代方案，支持颁布类似于GB / T27549-2011的团体标准，以继续提高高空作业的安全性。

通过全球合作和知识产权保护激励创新

促进有关职业安全与卫生（OSH）的最佳实践培训。可以通过激励社会组织参加职业安全与卫生的培训和教育，鼓励行业协会开发基于专业认可度的内容和行业最佳实践的专业培训课程，并加强对于有关事故，风险以及在职业安全与卫生预防方面的投资收益相关信息的公开传播。

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