

Foreign Trade Law of the People's Republic of China (2025 Revision) ¹

Authority: **Standing Committee of the National People's Congress**

Document number: No.67

Promulgation date: December 27, 2025

Effective date: March 1, 2026

Adopted at the Seventh Meeting of the Standing Committee of the Eighth National People's Congress on May 12, 1994; first revised at the Eighth Meeting of the Standing Committee of the Tenth National People's Congress on April 6, 2004; amended for the first time pursuant to the Decision on Amending Twelve Laws Including the Foreign Trade Law of the People's Republic of China adopted at the Twenty-Fourth Meeting of the Standing Committee of the Twelfth National People's Congress on November 7, 2016; amended for the second time pursuant to the Decision on Amending the Foreign Trade Law of the People's Republic of China adopted at the Thirty-Eighth Meeting of the Standing Committee of the Thirteenth National People's Congress on December 30, 2022; and revised for the second time at the Nineteenth Meeting of the Standing Committee of the Fourteenth National People's Congress on December 27, 2025.

Table of Contents

Chapter I: General Provisions

Chapter II: Foreign Trade Operators

Chapter III: Import and Export of Goods and Technologies

Chapter IV: International Trade in Services

Chapter V: Intellectual Property Protection Related to Foreign Trade

Chapter VI: Foreign Trade Order

¹ Translated by Health Law Asia – Pharmaceutical, Medical Device, and Cosmetics Law



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA



Chapter VII: Foreign Trade Investigations

Chapter VIII: Foreign Trade Remedies

Chapter IX: Promotion of Foreign Trade

Chapter X: Legal Liability

Chapter XI: Supplementary Provisions

Chapter I: General Provisions

Article 1

This Law is enacted in accordance with the Constitution for the purposes of advancing high-level opening-up, promoting the high-quality development of foreign trade, maintaining the order of foreign trade, protecting the lawful rights and interests of foreign trade operators, fostering the sound development of the socialist market economy, and safeguarding national sovereignty, security, and development interests.

Article 2

This Law shall apply to foreign trade and to the protection of intellectual property rights related to foreign trade. For the purposes of this Law, “foreign trade” refers to the import and export of goods, the import and export of technologies, and international trade in services.

Article 3

Foreign trade activities shall adhere to the principle of serving national economic and social development and promoting the building of China into a strong trading nation.

Article 4

The department of foreign trade under the State Council shall, in accordance with this Law, be responsible for the administration of foreign trade nationwide.

Article 5



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA



The State shall implement a unified foreign trade regime, encourage the development of foreign trade, and maintain a fair and free foreign trade order.

Article 6

The State shall proactively align with high-standard international economic and trade rules, actively participate in the formulation of international economic and trade rules, uphold the multilateral trading system and a fair and equitable international economic and trade order, expand the network of high-standard free trade zones, improve the environment for openness and cooperation, and promote the establishment of an open world economy.

Article 7

The State shall establish a trade policy compliance mechanism aligned with internationally accepted rules. When formulating policy measures relating to foreign trade or to intellectual property rights related to foreign trade, departments of the State Council and local people's governments at or above the county level and their respective departments shall, in accordance with relevant State provisions, conduct trade policy compliance assessments.

Article 8

The People's Republic of China shall, on the basis of the principles of equality and mutual benefit, promote and develop trade relations with other countries and regions, conclude or accede to regional economic and trade agreements such as customs union agreements and free trade agreements, and participate in regional economic organizations.

Article 9

In the field of foreign trade, the People's Republic of China shall, in accordance with the international treaties and agreements it has concluded or acceded to, grant most-favored-nation treatment, national treatment, or other treatment to other contracting parties or participating parties; or, on the basis of reciprocity and mutual benefit, grant most-favored-nation treatment, national treatment, or other corresponding treatment to the other party.

Article 10



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA



Where any country or region adopts discriminatory prohibitions, restrictions, or other similar measures against the People's Republic of China in trade, the People's Republic of China may, in light of the actual circumstances, take corresponding measures against such country or region.

Chapter II: Foreign Trade Operators

Article 11

For the purposes of this Law, “foreign trade operators” refer to individuals or organizations that, having completed registration as business entities or other practice formalities in accordance with the law, engage in foreign trade activities pursuant to this Law and other relevant laws and administrative regulations.

Article 12

Any entity engaging in foreign labor cooperation shall, in accordance with the law, obtain the qualification for conducting foreign labor cooperation operations. The specific measures shall be prescribed by the State Council. Any entity engaging in overseas contracted projects shall complete filing procedures in accordance with relevant State provisions; where laws or administrative regulations provide that approval is required, such provisions shall apply

Article 13

The State may implement state-operated trade management over the import and export of certain goods. The import and export of goods subject to state-operated trade management shall be conducted only by enterprises authorized by the State; however, this does not preclude the State from allowing a limited quantity of such goods to be imported or exported by non-authorized enterprises.

The list of goods subject to state-operated trade management and the list of authorized enterprises shall be formulated, adjusted, and published by the department of foreign trade under the State Council in coordination with other relevant departments of the State Council.

Any entity that imports or exports goods subject to state-operated trade management without authorization in violation of the first paragraph of this Article shall not be cleared by customs.

Article 14



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA



Foreign trade operators may, within the scope of their business operations, accept commissions from others to handle foreign trade transactions on their behalf.

Article 15

Foreign trade operators shall, in accordance with the provisions legally issued by the department of foreign trade under the State Council or other relevant departments of the State Council, submit to the relevant authorities documents and materials related to their foreign trade activities. Such authorities shall maintain the confidentiality of trade secrets provided.

Chapter III: Import and Export of Goods and Technologies

Article 16

The State permits the free import and export of goods and technologies, except as otherwise provided by law or administrative regulations.

Article 17

The department of foreign trade under the State Council may, as required for monitoring import and export activities, implement automatic import and export licensing for certain goods subject to free import and export and shall publish the relevant list.

For goods subject to automatic import and export licensing, where the consignee or consignor applies for automatic licensing prior to completing customs declaration procedures, the department of foreign trade under the State Council or an institution entrusted by it shall grant such license; customs shall conduct inspection and release procedures upon presentation of the automatic licensing certificate.

For technologies subject to free import and export, contract filing and registration shall be completed with the department of foreign trade under the State Council or an institution entrusted by it.

Article 18

The State may, for any of the following reasons, prohibit or restrict the import or export of relevant goods or technologies, or adopt other necessary measures:

(1) to safeguard national security, the public interest of society, or public morality;



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA

- 
- (2) to protect human health or safety, protect the life or health of animals or plants, or protect the environment;
 - (3) to implement measures relating to the import or export of gold or silver;
 - (4) where there is a domestic shortage of supply or for the effective conservation of exhaustible natural resources;
 - (5) where the market capacity of the importing country or region is limited;
 - (6) where serious disorder occurs in export operations;
 - (7) to establish or accelerate the establishment of specific domestic industries;
 - (8) where it is necessary to restrict the import of agricultural, livestock, or fishery products in any form;
 - (9) to safeguard the State's international financial position and the balance of international payments;
 - (10) other circumstances requiring the prohibition or restriction of the import or export of relevant goods or technologies, or the adoption of other necessary measures, as provided by laws or administrative regulations;
 - (11) other circumstances requiring the prohibition or restriction of the import or export of relevant goods or technologies, or the adoption of other necessary measures, in accordance with international treaties or agreements concluded or acceded to by the People's Republic of China;
 - (12) other circumstances requiring the prohibition or restriction of the import or export of relevant goods or technologies, or the adoption of other necessary measures.

Article 19

The State may adopt any necessary measures to safeguard national security with respect to the import or export of goods and technologies relating to fissionable or fusion materials or materials derived therefrom, as well as the import or export of weapons, ammunition, or other military supplies.

In time of war or under other emergency circumstances in international relations, or for the purpose of maintaining international peace and security, the State may adopt any necessary measures with respect to the import or export of goods and technologies.



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA

Article 20

The department of foreign trade under the State Council, in conjunction with other relevant departments of the State Council, shall, in accordance with Articles 18 and 19 of this Law, formulate, adjust, and publish list of goods and technologies whose import or export is prohibited or restricted.

Within the scope prescribed in Articles 18 and 19 of this Law, the department of foreign trade under the State Council, either independently or in conjunction with other relevant departments of the State Council, and subject to approval by the State Council, may make temporary decisions to prohibit or restrict the import or export of specific goods or technologies not included in the list referred to in the preceding paragraph.

Article 21

The State shall administer goods subject to import or export restrictions through measures such as quotas and licensing, and shall administer technologies subject to import or export restrictions through licensing.

Goods and technologies subject to quota or licensing administration may be imported or exported only upon obtaining approval from the department of foreign trade under the State Council, or from such department in conjunction with other relevant departments of the State Council, in accordance with the provisions of the State Council. The State may implement tariff quota administration for certain imported or exported goods.

Article 22

Import and export quotas and tariff quotas for goods shall be allocated by the department of foreign trade under the State Council or other relevant departments of the State Council within their respective functions and responsibilities, in accordance with the principles of openness, fairness, impartiality, and efficiency. The specific measures shall be prescribed by the State Council.

Article 23

Foreign trade operators may, in accordance with the law, engage in processing trade by importing all or part of materials or components and, after processing, assembly, or repair, re-exporting the finished products.

Where the State imposes prohibitions or restrictions on goods involved in processing trade, foreign trade operators shall comply with such provisions. The department of foreign trade



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA



under the State Council, in conjunction with other relevant departments of the State Council, shall formulate, adjust, and publish list of goods prohibited or restricted in processing trade.

Where imported materials or components, or finished products, in processing trade cannot be re-exported, they may, in accordance with the law, be sold on the domestic market. Where such imported materials or components, or finished products, that are transferred for domestic sale fall within the scope of goods subject to quota, licensing, or tariff quota administration, the

Article 24

The State implements a unified system of conformity assessment for goods. The certification, inspection, and quarantine of import and export commodities shall be conducted in accordance with the relevant laws and administrative regulations.

Article 25

The State exercises administration over the places of origin of import and export goods. The specific determination of the origin of import and export goods shall be carried out in accordance with the relevant laws and the provisions of the State Council and its competent departments.

Article 26

Where other laws or administrative regulations provide for the prohibition or restriction of the import or export of cultural relics, wild animals and plants and their products, and other such items, such provisions shall apply.

Chapter IV: International Trade in Services

Article 27

The State encourages the conduct of international trade in services through various modes, including cross-border delivery, consumption abroad, commercial presence, and the movement of natural persons.

Article 28



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA



The department of foreign trade under the State Council and other relevant departments of the State Council shall administer international trade in services in accordance with this Law and other relevant laws and administrative regulations.

Article 29

For any of the following reasons, the State may prohibit or restrict relevant international trade in services, or adopt other necessary measures:

- (1) for the purpose of safeguarding national security, social and public interests, or public morals;
- (2) for the purpose of protecting human health or safety, protecting the life or health of animals or plants, or protecting the environment;
- (3) for the purpose of establishing or accelerating the establishment of specific domestic service industries;
- (4) for the purpose of ensuring the balance of the State's foreign exchange receipts and payments;
- (5) where, in accordance with the provisions of laws and administrative regulations, it is otherwise necessary to prohibit or restrict relevant international trade in services or adopt other necessary measures;
- (6) where, in accordance with the provisions of international treaties or agreements concluded or acceded to by the People's Republic of China, it is otherwise necessary to prohibit or restrict relevant international trade in services or adopt other necessary measures;
- (7) other circumstances in which it is necessary to prohibit or restrict relevant international trade in services or adopt other necessary measures.

Article 30

The State may adopt any necessary measures to safeguard national security with respect to international trade in services related to military affairs, as well as international trade in services related to fissionable and fusionable materials or materials from which such substances are derived.

In time of war or in other emergency situations in international relations, or for the purpose of maintaining international peace and security, the State may adopt any necessary measures with respect to international trade in services.



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA

Article 31

The State implements a negative list management system for cross-border trade in services conducted by overseas service providers through the modes of cross-border delivery, consumption abroad, and the movement of natural persons (hereinafter collectively referred to as cross-border trade in services). The department of foreign trade under the State Council shall, in conjunction with other relevant departments of the State Council, formulate, adjust, and publish the negative list for cross-border trade in services.

Where overseas service providers conduct international trade in services through the mode of commercial presence, they shall comply with the provisions of the Foreign Investment Law of the People's Republic of China and other relevant laws and administrative regulations. Where international treaties or agreements concluded or acceded to by the People's Republic of China contain more favorable provisions regarding the conduct of international trade in services, such provisions may be applied in accordance with the relevant regulations.

Chapter V: Intellectual Property Protection Related to Foreign Trade

Article 32

The State shall strengthen the protection of intellectual property rights related to foreign trade and, in accordance with the relevant laws and administrative regulations governing intellectual property, protect intellectual property rights in connection with foreign trade.

Where imported goods infringe intellectual property rights and disrupt the order of foreign trade, the competent department for foreign trade under the State Council may, within a specified period, adopt measures such as prohibiting the importation of the relevant goods produced or sold by the infringer.

Article 33

The State shall carry out international exchanges and cooperation relating to intellectual property in the field of foreign trade, actively advance external negotiations concerning intellectual property related to foreign trade, establish and improve overseas intellectual property early-warning and rights protection assistance information platforms, and enhance the intellectual property compliance standards and risk response capabilities of foreign trade operators.

Article 34



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA

Where an intellectual property rights holder engages in conduct such as preventing a licensee from challenging the validity of the intellectual property in a licensing contract, imposing compulsory package licensing, or stipulating exclusive grant-back conditions in a licensing contract, thereby undermining the fair competition order of foreign trade, the competent department for foreign trade under the State Council may take necessary measures to eliminate such harm.

Article 35

Where any other country or region fails to accord national treatment to natural persons or organizations of the People's Republic of China with respect to intellectual property protection, or fails to provide adequate and effective intellectual property protection for goods, technologies, or services originating from the People's Republic of China, the competent department for foreign trade under the State Council may, in accordance with this Law and other relevant laws and administrative regulations, and pursuant to international treaties or agreements concluded or acceded to by the People's Republic of China, adopt necessary measures with respect to foreign trade with that country or region.

Chapter VI: Foreign Trade Order

Article 36

In foreign trade activities, no entity or individual may engage in monopolistic conduct or acts of unfair competition in violation of the relevant laws and administrative regulations on anti-monopoly and anti-unfair competition.

Where monopolistic conduct or acts of unfair competition are committed in foreign trade activities, thereby undermining fair market competition, such conduct shall be dealt with in accordance with the relevant laws and administrative regulations on anti-monopoly and anti-unfair competition.

Article 37

In foreign trade activities, the following acts are prohibited:

1-Forging or altering marks of origin of imported or exported goods; forging, altering, buying, or selling certificates of origin of imported or exported goods, import or export quota certificates, import or export licenses, tariff quota certificates, or other import or export certification documents;

2-Evading the payment of domestic taxes payable in the export process, or fraudulently obtaining export tax rebates;



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA



3-Smuggling;

4-Evading certification, inspection, or quarantine as required by laws and administrative regulations;

5-Other acts in violation of laws and administrative regulations.

Article 38

Foreign trade operators shall, in conducting foreign trade activities, comply with the relevant provisions on customs supervision and administration, foreign exchange control, data security protection, and other applicable regulatory requirements.

Article 39

Where any violation of this Law disrupts the order of foreign trade, the competent department for foreign trade under the State Council may make a public announcement and adopt necessary measures to eliminate the harm.

Article 40

The competent department for foreign trade under the State Council may impose measures prohibiting or restricting foreign individuals or organizations under any of the following circumstances from engaging in the import or export of goods or technologies related to the People's Republic of China, as well as in international trade in services:

1-Where they endanger the sovereignty, security, or development interests of the People's Republic of China;

2-Where, in violation of normal market transaction principles, they interrupt normal transactions with individuals or organizations of the People's Republic of China, thereby seriously harming the lawful rights and interests of such individuals or organizations;

3-Where they adopt discriminatory measures against individuals or organizations of the People's Republic of China, thereby seriously harming the lawful rights and interests of such individuals or organizations.

No individual or organization may provide agency, freight, delivery, customs declaration, warehousing, third-party trading platform services, or other support, assistance, or facilitation for the purpose of evading the measures prescribed in the preceding paragraph.



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA

Chapter VII: Foreign Trade Investigations

Article 41

For the purpose of safeguarding the order of foreign trade, the competent department for foreign trade under the State Council may, either on its own initiative or jointly with other relevant departments under the State Council, conduct investigations in accordance with the provisions of laws and administrative regulations into the following matters:

- 1-The impact of the import and export of goods, the import and export of technologies, and international trade in services on domestic industries and their competitiveness;
- 2-Trade-related barriers imposed by relevant countries or regions;
- 3-Matters requiring investigation for the purpose of determining whether anti-dumping, countervailing, safeguard, or other foreign trade remedy measures should be adopted in accordance with law;
- 4-Acts circumventing foreign trade remedy measures;
- 5-Matters relating to national security interests in foreign trade;
- 6-Matters requiring investigation for the implementation of Article 10, paragraph 2 of Article 32, Article 34, and Article 35 of this Law;
- 7-Other matters affecting the order of foreign trade that require investigation.

Article 42

The initiation of a foreign trade investigation shall be announced by the competent department for foreign trade under the State Council.

Investigations may be conducted through written questionnaires, hearings, on-site inspections, commissioned investigations, or other appropriate means.

Based on the results of the investigation, the competent department for foreign trade under the State Council shall submit an investigation report or render a determination, and shall make an announcement thereof.

Article 43



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA

Relevant individuals and organizations shall cooperate with and assist in foreign trade investigations.

The competent department for foreign trade under the State Council, other relevant departments under the State Council, and their staff members shall not disclose, or illegally provide to others, any state secrets, official secrets, trade secrets, personal privacy, or personal information obtained in the course of foreign trade investigations.

Chapter VIII: Foreign Trade Remedies

Article 44

The State may, on the basis of the results of foreign trade investigations, adopt appropriate foreign trade remedy measures.

Article 45

Where products from other countries or regions enter the domestic market of the People's Republic of China by means of dumping at prices lower than normal value, thereby causing material injury or threat of material injury to an established domestic industry, or materially retarding the establishment of a domestic industry, the State may adopt anti-dumping measures to eliminate or mitigate such injury, threat of injury, or retardation.

Article 46

Where products from other countries or regions are exported to a third-country market at prices lower than normal value and thereby cause material injury or threat of material injury to an established domestic industry of the People's Republic of China, or materially retard the establishment of such an industry, the competent department for foreign trade under the State Council may, upon application by the domestic industry, conduct consultations with the government of the third country and request it to adopt appropriate measures.

Article 47

Where imported products directly or indirectly benefit from any form of specific subsidy granted by the exporting country or region, and thereby cause material injury or threat of material injury to an established domestic industry, or materially retard the establishment of a domestic industry, the State may adopt countervailing measures to eliminate or mitigate such injury, threat of injury, or retardation.



Article 48

Where a substantial increase in the quantity of imported products causes or threatens to cause serious injury to a domestic industry producing like products or directly competitive products, the State may adopt necessary safeguard measures to eliminate or mitigate such injury or threat of injury, and may provide necessary support to the relevant domestic industry.

Article 49

Where an increase in services supplied to the domestic market by service providers of other countries or regions causes or threatens to cause injury to a domestic industry providing like services or directly competitive services, the State may adopt necessary remedial measures to eliminate or mitigate such injury or threat of injury.

Article 50

Where, as a result of import restrictions imposed by a third country, the quantity of a certain product entering the domestic market of the People's Republic of China increases substantially, thereby causing injury or threat of injury to an established domestic industry, or materially retarding the establishment of a domestic industry, the State may adopt necessary remedial measures, including restricting the importation of such product.

Article 51

Where a country or region that has concluded or jointly acceded to an economic or trade treaty or agreement with the People's Republic of China violates the provisions thereof, thereby nullifying or impairing the benefits accruing to the People's Republic of China under such treaty or agreement, or impeding the attainment of its objectives, the Government of the People's Republic of China shall have the right to request the government of the relevant country or region to cease the aforesaid conduct and adopt appropriate remedial measures, and may, in accordance with the relevant treaty or agreement, suspend or terminate the performance of corresponding obligations.

Where the dispute settlement mechanism provided under a relevant treaty or agreement is unable to function properly, resulting in the nullification or impairment of the benefits accruing to the People's Republic of China under such treaty or agreement, or rendering the objectives of such treaty or agreement incapable of being achieved, the Government of the People's Republic of China may, in light of the actual circumstances, adopt corresponding measures.



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA

Article 52

The competent department for foreign trade under the State Council shall, in accordance with this Law and other relevant laws, conduct bilateral or multilateral consultations, negotiations, and dispute settlement relating to foreign trade.

Article 53

The competent department for foreign trade under the State Council and other relevant departments under the State Council shall establish and improve early warning and emergency response mechanisms for the import and export of goods, the import and export of technologies, and international trade in services, so as to address sudden and abnormal circumstances in foreign trade and safeguard national economic security.

Article 54

Where acts are undertaken to circumvent foreign trade remedy measures prescribed under this Law, the State may adopt necessary anti-circumvention measures, including adjustments to the foreign trade remedy measures provided for in Articles 45 through 51 of this Law.

Article 55

In order to address trade risks and the impact of changes in the trade environment, the relevant people's governments may, as necessary, establish trade adjustment assistance mechanisms consistent with the rules.

Chapter IX: Promotion of Foreign Trade

Article 56

The State shall formulate strategies for the development of foreign trade, promote balanced development of foreign trade, establish and improve mechanisms for the promotion of foreign trade, and strengthen coordination and consistency between trade policies and fiscal, financial, and industrial policies.

Article 57



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA



The State shall, in accordance with the needs of foreign trade development, establish and improve financial institutions serving foreign trade, enhance insurance protection measures, and promote the development of a cross-border financial services system.

Article 58

The State shall develop foreign trade through means such as import and export credits, export credit insurance, export tax rebates, and other measures to promote foreign trade.

Article 59

The State shall support and promote the innovation and development of foreign trade formats and models, including cross-border e-commerce and comprehensive foreign trade services. The competent department for foreign trade under the State Council shall, in coordination with other relevant departments of the State Council, establish and improve policies, measures, and management systems that meet the needs of the development of new foreign trade formats and models.

Article 60

The State shall support the digitalization of foreign trade, promote and strengthen the application of information technology in foreign trade activities, support the use of electronic bills of lading, electronic invoices, and the like, promote international mutual recognition of digital certificates and electronic signatures, and enhance the digitalization and facilitation of foreign trade.

The State shall support and encourage the development of digital trade, establish and improve a governance system for digital trade, enhance regulatory measures for digital trade, and advance innovation in digital trade.

Article 61

The State shall accelerate the establishment of a green trade system, encourage the import and export of green and low-carbon products, promote the development of product standards, certification, and labeling systems related to green trade, and strengthen international cooperation in green trade.



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA



Article 62

The State shall establish a public information service system for foreign trade, providing information services to foreign trade operators and other members of the public.

Article 63

The State shall encourage foreign trade operators to explore international markets, guide and assist them in preventing and responding to risks, and develop foreign trade through various forms, including overseas investment, international labor cooperation, and overseas contracting projects.

The State shall encourage professional service institutions in finance, law, accounting, and intellectual property protection to improve their service networks and provide high-quality professional services to foreign trade operators in exploring international markets, conducting business, managing risks, and safeguarding their rights and interests.

Article 64

The State supports trade promotion platforms in enhancing their functions and service capabilities, and assists foreign trade operators in carrying out foreign trade activities through domestic and international exhibitions, online trading platforms, and other means.

The State supports and promotes the development of diversified and resilient international transportation corridor systems, and improves foreign trade logistics services.

Article 65

Foreign trade operators may, in accordance with the law, establish and participate in relevant associations and chambers of commerce.

Relevant associations and chambers of commerce shall comply with laws and administrative regulations and, in accordance with their respective articles of association, provide their members with services related to foreign trade, including production, marketing, information, and training. They shall perform coordination and self-regulatory functions, lawfully submit applications for trade remedy measures, safeguard the interests of their members and the industry, reflect to the relevant government authorities suggestions from their members concerning foreign trade, and carry out trade promotion activities.





Article 66

The State shall establish and improve diversified mechanisms for the resolution of foreign trade disputes, providing foreign trade operators with fair, efficient, and convenient avenues to resolve disputes through mediation, arbitration, litigation, and other means.

Article 67

The China Council for the Promotion of International Trade shall, in accordance with its articles of association, conduct external liaison activities, organize exhibitions, provide information and consulting services, and engage in other foreign trade promotion activities.

Article 68

The State shall support and promote small, medium-sized, and micro enterprises in conducting foreign trade, and shall provide facilitation in supervision and administration, financing, foreign exchange settlement, and other related matters.

Article 69

The State shall support and promote the development of foreign trade in ethnic autonomous areas and economically underdeveloped regions.

Article 70

The State shall support and promote the development of a workforce for foreign trade, cultivate various types of professionals suited to the needs of foreign trade development, and provide talent support for the high-quality development of foreign trade.

Chapter X: Legal Liability

Article 71

Where, in violation of Article 13 of this Law, any person imports or exports goods subject to state trading administration without authorization, the competent department of foreign trade under the State Council or other relevant departments of the State Council may impose a fine of not more than RMB 500,000.



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA

Where the circumstances are serious, the competent department of foreign trade under the State Council or other relevant departments of the State Council may, within three years from the effective date of the administrative penalty decision, refuse to accept the violator's application to engage in the import or export of goods subject to state trading administration, or revoke any authorization previously granted for engaging in the import or export of other goods subject to state trading administration.

Article 72

Where, in violation of Paragraph 3 of Article 17 of this Law, a party imports or exports technology that is freely importable or exportable without completing contract record-filing registration, the competent department of foreign trade under the State Council shall order correction and issue a warning; if the party refuses to make correction, a fine of not more than RMB 50,000 shall be imposed.

Article 73

Where goods that are prohibited from import or export are imported or exported, or where goods subject to import or export restrictions are imported or exported without authorization, the Customs authorities shall handle and impose penalties in accordance with the relevant laws and administrative regulations; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Where technology that is prohibited from import or export is imported or exported, or where technology subject to import or export restrictions is imported or exported without authorization, or where the necessary measures prescribed in Articles 18 and 19 of this Law are not implemented, such acts shall be handled and penalized in accordance with the relevant laws and administrative regulations. Where no provisions exist in laws or administrative regulations, the competent department of foreign trade under the State Council shall order correction, confiscate any illegal gains, and impose a fine of not less than one time but not more than five times the illegal gains where such gains exceed RMB 500,000; where there are no illegal gains or where the illegal gains are less than RMB 500,000, a fine of not more than RMB 500,000 shall be imposed. Where a crime is constituted, criminal liability shall be pursued in accordance with the law.

From the effective date of the administrative penalty decision referred to in the preceding two paragraphs, or from the effective date of a criminal judgment, the competent department of foreign trade under the State Council or other relevant departments of the State Council may, within three years, refuse to accept applications submitted by the violator for import or export quotas or licenses, or prohibit the violator from engaging in the import or export of the relevant goods or technologies for a period of not less than one year but not more than three years.



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA

Article 74

Where a person engages in international trade in services that is prohibited, or engages without authorization in international trade in services that is restricted, or fails to implement the necessary measures prescribed in Articles 29 and 30 of this Law, such acts shall be handled and penalized in accordance with the relevant laws and administrative regulations. Where no provisions exist in laws or administrative regulations, the competent department of foreign trade under the State Council shall order correction, confiscate any illegal gains, and impose a fine of not less than one time but not more than five times the illegal gains where such gains exceed RMB 500,000; where there are no illegal gains or where the illegal gains are less than RMB 500,000, a fine of not more than RMB 500,000 shall be imposed. Where a crime is constituted, criminal liability shall be pursued in accordance with the law.

The competent department of foreign trade under the State Council may prohibit the violator, for a period of not less than one year but not more than three years from the effective date of the administrative penalty decision or the effective date of a criminal judgment as specified in the preceding paragraph, from engaging in the relevant international trade in services activities.

Article 75

Where Article 37 of this Law is violated, penalties shall be imposed in accordance with the relevant laws and administrative regulations; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

The competent department of foreign trade under the State Council may prohibit the violator, for a period of not less than one year but not more than three years from the effective date of the administrative penalty decision or the effective date of a criminal judgment as specified in the preceding paragraph, from engaging in relevant foreign trade activities.

Article 76

Where, in violation of Article 40 of this Law, a person conducts foreign trade activities with relevant overseas individuals or organizations, or provides agency, freight forwarding, delivery, customs declaration, warehousing, third-party trading platform services, or other forms of support, assistance, or facilitation, such acts shall be handled and penalized in accordance with the relevant laws, administrative regulations, or departmental rules. Where no provisions exist in laws, administrative regulations, or departmental rules, the competent department of foreign trade under the State Council shall order correction, confiscate any illegal gains, and impose a fine of not less than one time but not more than five times the illegal gains where such gains exceed RMB 500,000; where there are no illegal gains or where the illegal gains are less than RMB 500,000, a fine of not more than RMB 500,000 shall be imposed. Where a crime is constituted, criminal liability shall be pursued in accordance with the law.



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA



The competent department of foreign trade under the State Council may prohibit the violator, for a period of not less than one year but not more than five years from the effective date of the administrative penalty decision or the effective date of a criminal judgment as specified in the preceding paragraph, from engaging in relevant foreign trade activities.

Article 77

Where a person is prohibited from engaging in relevant foreign trade activities pursuant to Article 40, Paragraph 1, and Articles 73 through 76 of this Law, during the period of prohibition, the Customs authorities shall, in accordance with the relevant prohibition decision, refuse to process customs declaration and clearance procedures for the import and export of goods concerned.

The People's Bank of China, the foreign exchange administration authorities, and financial institutions shall, in accordance with the relevant prohibition decision, refuse to process procedures relating to foreign exchange settlement and sale, the receipt and payment of foreign exchange, cross-border RMB settlement, and other fund receipt and payment formalities.

Article 78

Where personnel of departments responsible for the administration of foreign trade under this Law abuse their powers, neglect their duties, engage in malpractice for personal gain, or divulge or illegally provide to others any state secrets, work secrets, trade secrets, personal privacy, or personal information known to them in the course of their duties, they shall be subject to disciplinary sanctions in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Where such personnel take advantage of their positions to extort or illegally accept another person's property in order to seek benefits for others, they shall be subject to disciplinary sanctions in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 79

Where a party to foreign trade activities is dissatisfied with an administrative act taken by a department responsible for the administration of foreign trade under this Law, the party may apply for administrative reconsideration or institute administrative litigation before a People's Court in accordance with the law.

Chapter XI: Supplementary Provisions



HEALTH LAW ASIA

Shanghai - Bologna - Milan - Rome

Copyright © 2025, All rights reserved.

ZUNARELLI GROUP – HEALTH LAW ASIA



Article 80

With respect to the administration of foreign trade involving dual-use items, military products, fissile and fusion materials or materials derived from such substances, as well as other goods, technologies, and services related to safeguarding national security and interests and fulfilling international obligations such as non-proliferation, and with respect to the administration of the import and export of cultural products, where laws or administrative regulations provide otherwise, such provisions shall prevail.

Article 81

The State shall adopt flexible measures and grant preferences and facilitation with respect to trade between border areas and the border areas of neighboring countries, as well as border residents' mutual trade. Specific measures shall be formulated by the State Council or by the relevant departments authorized by the State Council.

Article 82

This Law shall not apply to the separate customs territories of the People's Republic of China.

Article 83

This Law shall come into force on March 1, 2026.

