



Shanghai CILS Law Firm
上海信石律师事务所

Room 2615, Enterprise Square
No. 228 Meiyuan Road, Jingan
Shanghai 200070
People's Republic of China

中国上海静安区梅园路 228 号
企业广场 2615 室，邮编：200070

Tel: +86-21-80127725
Fax: +86-21-80127724
www.cilslaw.com

法律法规简报

Legal Update

2025-09



Shanghai CILS Law Firm
上海信石律师事务所



Shanghai CILS Law Firm
上海信石律师事务所

Room 2615, Enterprise Square
No. 228 Meiyuan Road, Jingan
Shanghai 200070
People's Republic of China

中国上海静安区梅园路 228 号
企业广场 2615 室, 邮编: 200070

Tel: +86-21-80127725
Fax: +86-21-80127724
www.cilslaw.com

目录

Contents

1. 上期所扩大合格境外投资者参与商品期货、期权交易范围
SHFE Expands the Investment Scope of Qualified Foreign Investors in Commodity Futures and Options

2. 四部门发布《关于进一步规范知识产权资产评估若干问题的通知》
Four Departments Release the Circular on Several Issues Concerning Further Regulating Intellectual Property Asset Appraisal

3. 国家外汇局发布通知深化跨境投融资外汇管理改革
SAFE Releases Circular to Deepen the Reform of Foreign Exchange Administration for Cross-border Investment and Financing

4. 海关总署就进境农产品境外企业申报管理要求征求意见
GAC Seeks Comments on Requirements for the Declaration Management of Overseas Enterprises Exporting Agricultural Products to China

5. 上海市修订《中国（上海）自由贸易试验区条例》
Shanghai Revises Regulations for China (Shanghai) Pilot Free Trade Zone

6. 国家药监局发布《医疗器械网络销售质量管理规范现场检查指导原则》
NMPA Issues Guidelines for Quality Management Standardization On-Site Inspections for the Online Sale of Medical Devices



Shanghai CILS Law Firm
上海信石律师事务所

Room 2615, Enterprise Square
No. 228 Meiyuan Road, Jingan
Shanghai 200070
People's Republic of China

中国上海静安区梅园路 228 号
企业广场 2615 室，邮编：200070

Tel: +86-21-80127725
Fax: +86-21-80127724
www.cilslaw.com

1. 上期所扩大合格境外投资者参与商品期货、期权交易 2025.09.01 **SHFE Expands the Investment Scope of Qualified Foreign Investors in Commodity Futures and Options**

为便于合格境外机构投资者和人民币合格境外机构投资者（下称“合格境外投资者”）进一步参与期货交易所商品期货、期权的交易，上海期货交易所（下称“上期所”）发布《关于进一步扩大合格境外投资者参与商品期货、期权交易范围的公告》。

In order to facilitate the further participation of Qualified Foreign Institutional Investors and RMB Qualified Foreign Institutional Investors (collectively referred to as Qualified Foreign Investors, “QFI”) in the trading of commodity futures and options in exchanges, Shanghai Futures Exchange (“SHFE”) has issued the *Circular on Further Expanding the Investment Scope of Qualified Foreign Investors in Commodity Futures and Options*.

经中国证监会同意，自 2025 年 9 月 10 日（即当日 9:00 开盘）起，上期所将进一步扩大合格境外投资者可交易品种范围，新增开放以下商品期货、期权合约：一、石油沥青期货合约；二、燃料油、石油沥青、纸浆期权合约。

With the approval of the China Securities Regulatory Commission (CSRC), starting from 9:00 a.m. on September 10th, 2025, SHFE will further expand the investment scope of QFI to include the following commodity futures and options contracts: 1. Bitumen futures contracts; and 2. Fuel oil, bitumen, and woodpulp options contracts.

(Source:

https://www.shfe.com.cn/publicnotice/notice/202509/t20250901_828825.html

https://www.shfe.com.cn/eng/CircularNews/Circular/202509/t20250901_828823.html)

2. 四部门发布《关于进一步规范知识产权资产评估若干问题的通知》 2025.09.01 **Four Departments Release the Circular on Several Issues Concerning Further Regulating Intellectual Property Asset Appraisal**

为强化知识产权资产评估规范管理，提升资产评估服务知识产权运用和保护能力，推动知识产权资产价值释放，加快推进知识产权强国建设，依据相关法律法规，财政部等四部门联合发出《关于进一步规范知识产权资产评估若干问题的通知》（下称《通知》），自发布之日起施行。



Shanghai CILS Law Firm
上海信石律师事务所

Room 2615, Enterprise Square
No. 228 Meiyuan Road, Jingan
Shanghai 200070
People's Republic of China

中国上海静安区梅园路 228 号
企业广场 2615 室，邮编：200070

Tel: +86-21-80127725
Fax: +86-21-80127724
www.cilslaw.com

In order to strengthen the standardized management of intellectual property asset assessment, enhance the capability of asset assessment services in the utilization and protection of intellectual property, promote the release of intellectual property asset value, and accelerate the construction of an intellectual property powerhouse, in accordance with relevant laws and regulations, the Ministry of Finance and three other departments have jointly released the *Circular on Several Issues Concerning Further Regulating Intellectual Property Asset Appraisal* (the “Circular”), which came into effect as of the date of release.

《通知》要求，充分发挥资产评估在知识产权运用和保护中的专业作用；规范知识产权资产评估执业行为；加强知识产权资产评估监督管理和自律管理；落实知识产权资产评估各方责任。

The *Circular* requires that the professional role of asset assessment in the application and protection of intellectual property shall be brought into full play; that professional practices for intellectual property asset assessment shall be regulated, that the oversight, administration, and self-discipline of intellectual property asset assessment shall be enhanced, and that the responsibilities of all parties involved shall be fulfilled.

(Source: https://zcgls.mof.gov.cn/zhengcefabu/202509/t20250918_3972658.htm)

3. 国家外汇局发布通知深化跨境投融资外汇管理 2025.09.15 **SAFE Issues Circular to Deepen the Reform of Foreign Exchange Administration for Cross-border Investment and Financing**

为扩大高水平开放，服务经济高质量发展，国家外汇管理局决定深化跨境投融资外汇管理改革，发出《关于深化跨境投融资外汇管理改革有关事宜的通知》（下称《通知》）进一步提升跨境投融资便利，自发布之日起实施。

In order to expand high-level opening-up and support high-quality economic development, the State Administration of Foreign Exchange (SAFE) has decided to deepen the reform of foreign exchange management for cross-border investment and financing. SAFE has issued the *Circular on Matters Concerning Further Deepening the Reform of Foreign Exchange Management for Cross-Border Investment and Financing* (“Circular”) to further facilitate cross-border investment and financing, which came into effect as of the date of its issuance.



Shanghai CILS Law Firm
上海信石律师事务所

Room 2615, Enterprise Square
No. 228 Meiyuan Road, Jingan
Shanghai 200070
People's Republic of China

中国上海静安区梅园路 228 号
企业广场 2615 室, 邮编: 200070

Tel: +86-21-80127725
Fax: +86-21-80127724
www.cilslaw.com

《通知》主要内容包括：（一）取消境内直接投资前期费用基本信息登记；（二）取消外商投资企业境内再投资登记；（三）允许外商直接投资项下外汇利润境内再投资；（四）便利境内非企业科研机构接收境外资金；（五）扩大跨境融资便利；（六）简化跨境融资便利化业务登记管理要求；（七）缩减资本项目收入使用负面清单；（八）优化资本项目外汇收入支付便利化业务；（九）便利境外个人境内购房结汇支付。

The main contents of the *Circular* include: (1) canceling basic information registration for pre-investment expenditures for direct investment in China; (2) canceling domestic reinvestment registration for FIEs; (3) allowing domestic reinvestment of foreign exchange profits under foreign direct investment; (4) facilitating the receipt of foreign funds by domestic non-enterprise research institutions; (5) expanding cross-border financing facilitation; (6) streamlining registration administration requirements for cross-border financing activities subject to facilitation; (7) reducing the negative list for the use of receipts under capital account; (8) optimizing services for foreign exchange receipts and payments under capital account subject to facilitation; (9) facilitating foreign exchange settlement and payment for overseas individuals purchasing residential property in China.

(Source: <https://www.safe.gov.cn/safe/2025/0915/26538.html>)

4. 海关总署就进境农产品境外企业申报管理要求征求意见 2025.09.24 **GAC Seeks Comments on Requirements for the Declaration Management of Overseas Enterprises Exporting Agricultural Products to China**

为维护进境农产品检疫安全，进一步强化溯源管理，提升口岸申报的便利化水平，海关总署起草了《海关总署关于进境农产品境外企业申报管理有关要求的公告（征求意见稿）》（下称《征求意见稿》）。

In order to safeguard the quarantine safety of imported agricultural products, further strengthen traceability management, and enhance the facilitation of customs declaration at ports, the General Administration of Customs (GAC) has drafted the *Announcement on Relevant Requirements for the Declaration Management of Overseas Enterprises Exporting Agricultural Products to China (Draft for Comment)* (the “Draft”).

《征求意见稿》主要内容包括：一是明确需境外官方推荐注册的农产品目录。根据进境农产品的检疫风险评估结果、结合国际惯例，确定需官方推荐注册登记的进境农产品种类清单，明确公开查询方式，便于企业查询填报。二是



Shanghai CILS Law Firm
上海信石律师事务所

Room 2615, Enterprise Square
No. 228 Meiyuan Road, Jingan
Shanghai 200070
People's Republic of China

中国上海静安区梅园路 228 号
企业广场 2615 室，邮编：200070

Tel: +86-21-80127725
Fax: +86-21-80127724
www.cilslaw.com

明确境外企业信息查询途径。通过“进境动植物及其产品境外企业检疫注册登记名单”统一公布已经注册的境外企业，明确查询方式，便于企业查询使用。三是明确境外企业申报要求。对进境农产品的境外企业申报要求作出规范，指导企业规范申报。

The main contents of the *Draft* include: (1) determining the catalog of agricultural products requiring registration upon official overseas recommendation: Based on quarantine risk assessments for imported agricultural products and international practices, a list of categories of imported agricultural products that require registration upon official recommendation will be established, along with clear methods for public inquiry to facilitate enterprise declarations. (2) specifying the information inquiry channels for overseas enterprises: Registered overseas enterprises will be uniformly published through the “List of Overseas Enterprises Registered for Quarantine of Imported Animals, Plants, and Their Products”, with clear inquiry methods specified to facilitate enterprise access and use. (3) clarifying declaration requirements for overseas enterprises: The *Draft* standardizes the declaration requirements for overseas enterprises exporting agricultural products to China and provides guidance to ensure compliance of enterprises in declarations.

(Source:

<http://www.customs.gov.cn/customs/302452/302329/zjz/6750604/index.html>)

5. 上海市修订《中国（上海）自由贸易试验区条例》 2025.09.25 **Shanghai Revises Regulations for China (Shanghai) Pilot Free Trade Zone**

上海市人民代表大会常务委员会修订通过《中国（上海）自由贸易试验区条例》（下称《条例》），于 2025 年 9 月 29 日起施行。

The Standing Committee of the Shanghai Municipal People's Congress adopted the revised *Regulations for China (Shanghai) Pilot Free Trade Zone* (“*Regulations*”), which came into effect on September 29th, 2025.

《条例》明确自贸试验区实行外商投资准入前国民待遇加负面清单管理，推动贸易便利化、金融创新开放、科技和人才政策优化。支持境外投资备案管理、跨境服务贸易负面清单、国际船舶登记、离岸金融、数字经济、数据跨境流动、知识产权保护、绿色金融、全产业链创新发展。规定自贸试验区内企业享有公平待遇，优化营商环境，完善政务服务、监管机制和涉外法律服务。

The *Regulations* specify that the Pilot Free Trade Zone implements pre-entry national treatment and negative-list management for foreign investment, and promotes trade facilitation, financial innovation and openness, and optimization of science,



Shanghai CILS Law Firm
上海信石律师事务所

Room 2615, Enterprise Square
No. 228 Meiyuan Road, Jingan
Shanghai 200070
People's Republic of China

中国上海静安区梅园路 228 号
企业广场 2615 室，邮编：200070

Tel: +86-21-80127725
Fax: +86-21-80127724
www.cilslaw.com

technology, and talent policies. The *Regulations* support outbound investment registration management, negative lists for cross-border service trade, international ship registration, offshore finance, the digital economy, cross-border data flows, intellectual property protection, green finance, and comprehensive industrial chain innovation and development. Enterprises within the Pilot Free Trade Zone are entitled to fair treatment, with improvements to the business environment, government services, regulatory mechanisms, and foreign-related legal services.

(Source: <https://www.shrd.gov.cn/n8347/n8467/u1ai276695.html>)

6. 国家药监局发布《医疗器械网络销售质量管理规范现场检查指导原则》

2025.09.26

NMPA Issues Guidelines for Quality Management Standardization On-Site Inspections for the Online Sale of Medical Devices

为贯彻实施《医疗器械监督管理条例》《医疗器械经营监督管理办法》《医疗器械网络销售监督管理办法》等，规范和指导医疗器械网络销售现场检查工作，国家药监局组织制定了《医疗器械网络销售质量管理规范现场检查指导原则》（下称《指导原则》）。

In accordance with the *Regulations on the Supervision and Administration of Medical Devices*, the *Measures for the Supervision and Administration of Medical Device Distribution*, the *Measures for the Supervision and Administration of Online Sales of Medical Devices*, and other relevant regulations, and with the aim of standardizing and guiding the on-site inspection for the online sale of medical devices, the National Medical Products Administration (NMPA) has issued *Guidelines For Quality Management Standardization On-Site Inspections For The Online Sale Of Medical Devices* (“*Guidelines*”).

本《指导原则》适用于负责药品监督管理的部门依法对医疗器械网络销售经营者、医疗器械电子商务平台经营者开展的监督检查。鉴于医疗器械网络销售经营者、医疗器械电子商务平台经营者在经营服务方式、经营范围等方面可能有所不同，检查过程中，经营者可以根据其经营服务方式、经营范围等特点，对照指导原则确定合理缺项项目，并书面说明理由，由负责药品监督管理的部门派出的检查组予以确认。

The *Guidelines* apply to the supervision and inspections conducted by the competent drug regulatory departments in accordance with the law, targeting online medical device sellers and e-commerce platform operators. Given that these sellers and platform operators may differ in their business service models and scope, during an



Shanghai CILS Law Firm
上海信石律师事务所

Room 2615, Enterprise Square
No. 228 Meiyuan Road, Jingan
Shanghai 200070
People's Republic of China

中国上海静安区梅园路 228 号
企业广场 2615 室，邮编：200070

Tel: +86-21-80127725
Fax: +86-21-80127724
www.cilslaw.com

inspection, an operator may, based on its specific characteristics, identify justifiably omitted items by referencing the *Guidelines*. A written justification must be provided and confirmed by the inspection team dispatched by the competent drug regulatory department.

(Source:

<https://www.nmpa.gov.cn/xxgk/fgwj/gzwj/gzwjylqx/20250926145725125.html>)

本期编辑：顾琪芸

Editor: Keira Gu

Tel: 86-21-80127725-821

Email: keira.gu@cilslaw.com

This publication is for informational purposes only. It does not cover every aspect of the topics with which it deals. It should not be construed or relied on as legal advice or to create a lawyer-client relationship. For any further legal advice, please contact us.

Shanghai CILS[®] Law Firm, a partnership registered at Room 2615, Enterprise Square, No. 228 Meiyuan Road, Shanghai, PRC.

CILS[®] 2025