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法律法规简报

Legal Update

2025-11



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1. 市场监管总局发布《经营者集中申报规范》行业标准 2025.10.01 SAMR Issues Industry Standard Specification for Notification of Concentrations of Undertakings

为服务企业规范、高效申报经营者集中，近日，市场监管总局发布市场监管行业标准《经营者集中申报规范》（MR/T 0002-2025）（以下简称“《申报规范》”），自 2025 年 10 月 1 日起实施。

In order to support businesses in standardizing and efficiently submitting the concentration of undertakings notifications, State Administration for Market Regulation (SAMR) recently issued the industry standard *Specification for Notification of Concentration of Undertakings (MR/T 0002-2025)* (“*Specification for Notification*”), which took effect on October 1st, 2025.

《申报规范》明确了经营者集中申报的申报条件、申报材料、申报流程的相关要求，包括：范围、规范性引用文件、术语和定义，以及经营者集中申报条件、申报材料、申报流程及附录等内容。《申报规范》出台的主要意义在于促进政务服务标准化规范化便利化、助力企业投资并购激活市场投资活力、积极响应企业诉求强化助企服务并健全完善经营者集中监管制度体系。

The *Specification for Notification* specifies the requirements regarding the notification criteria, required documents, and procedural steps for concentrations of undertakings, which include the scope, normative references, terms and definitions, along with the notification conditions, supporting materials, process flow, and appendices. The introduction of the *Specification for Notification* is primarily significant for promoting the standardization, normalization, and facilitation of government services; facilitating corporate investment and stimulating market investment vitality; proactively addressing corporate concerns to enhance business support services; and improving the regulatory framework for the control of concentrations of undertakings.

(Source:

https://www.samr.gov.cn/zw/zfxxgk/fdzdgknr/wszx/art/2025/art_1963f6e4cab24ed3be8b8d9f0f6b7e01.html

https://www.samr.gov.cn/zw/zfxxgk/fdzdgknr/xwxc/art/2025/art_fa9bb10423904c93b139b0e1e5b8c987.html)

2. 国家药监局修订《医疗器械生产质量管理规范》 2025.11.04 NMPA Revises Good Manufacturing Quality Practice for Medical Devices



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为加强医疗器械生产质量管理,规范医疗器械生产行为,促进行业规范发展,保障公众用械安全有效,根据《医疗器械监督管理条例》《医疗器械生产监督管理办法》等有关法规规章规定,国家药监局修订了《医疗器械生产质量管理规范》(以下简称“《规范》”),自2026年11月1日起施行。

In order to strengthen the quality management of medical device production, standardize manufacturing practices, promote regulated industry development, and ensure the safety and efficacy of medical devices for public use, the National Medical Products Administration (NMPA) has revised the *Manufacturing Quality Practice for Medical Devices* (“Practice”) in accordance with the *Regulations on the Supervision and Administration of Medical Devices* and the *Measures for the Supervision and Administration of Medical Devices Production*, which shall come into effect on November 1st, 2026.

修订后的《规范》共15章132条,增加了质量保证、验证与确认、委托生产与外协加工三个章节,其他章节条款也进行了不同程度的修改。新版《规范》体现以下特点:一是进一步强化质量风险管理理念,确保从研发设计到售后服务风险管理一以贯之;二是进一步强化质量管理体系中质量保证系统建设,确保规模化生产制造过程的持续稳定;三是进一步强化委托生产等新业态管理要求,明晰各环节责任,确保全链条高水平安全;四是进一步强化“验证与确认”这一关键环节在操作规范和提升结果可靠性方面的重要价值,确保产品生产过程关键要素得到有效控制;五是进一步强化鼓励生产制造数智化转型,确保人工智能、信息技术和医疗器械唯一标识的有效应用。

The revised *Practice* consists of 15 chapters and 132 articles, with new chapters added on Quality Assurance, Verification and Validation, and Contract Manufacturing and Outsourced Processing. Other chapters and articles have also been modified to varying degrees. The new *Practice* reflects the following key features: (1) It further reinforces the concept of quality risk management, ensuring consistent risk management from R&D and design to after-sales services; (2) It strengthens the development of the quality assurance system within the quality management framework, ensuring the continuous stability of large-scale manufacturing processes; (3) It enhances regulatory requirements for emerging models such as contract manufacturing, clarifying responsibilities across all stages to ensure high-level safety throughout the entire chain; (4) It emphasizes the critical role of “verification and validation” in standardizing operations and improving result reliability, ensuring effective control over key elements in the production process; (5) It promotes the digital and intelligent transformation of manufacturing, ensuring the effective application of artificial intelligence, information technology, and the Unique Device Identification system.



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(Source:

<https://www.nmpa.gov.cn/xxgk/fgwj/xzhgfxwj/20251104173724174.html>

<https://yjj.gansu.gov.cn/yjj/c114403/202511/174242715.shtml>)

3. 广期所铂钯期货上市

2025.11.07

Listing of Platinum and Palladium Futures on the GFEX

《广州期货交易所铂期货合约》《广州期货交易所铂期权合约》《广州期货交易所铂期货、期权业务细则》《广州期货交易所钯期货合约》《广州期货交易所钯期权合约》《广州期货交易所钯期货、期权业务细则》已由广州期货交易所董事会审议通过, 并报告中国证监会, 现予以发布并自 2025 年 11 月 7 日起实施。

The *Guangzhou Futures Exchange Platinum Futures Contract, Guangzhou Futures Exchange Platinum Options Contract, Platinum Futures and Options Rules of the Guangzhou Futures Exchange, Guangzhou Futures Exchange Palladium Futures Contract, Guangzhou Futures Exchange Palladium Options Contract, Palladium Futures and Options Rules of the Guangzhou Futures Exchange* have been deliberated and approved by the Board of the Guangzhou Futures Exchange (GFEX) and reported to the China Securities Regulatory Commission, which are hereby released and shall come into effect on November 7th, 2025.

铂期货合约自 2025 年 11 月 27 日 (星期四) 起上市交易。交易时间为每周一至周五 (北京时间, 国家法定假日和交易所公告的休市日除外) 9:00-10:15, 10:30-11:30 和 13:30-15:00, 及交易所规定的其他时间。首批上市交易合约为 PT2606、PT2608、PT2610。铂期权合约自 2025 年 11 月 28 日 (星期五) 起上市交易, 交易时间与铂期货合约交易时间一致。首批上市交易合约为以 PT2606、PT2608、PT2610 期货合约为基础的铂期权合约。

The listing of Platinum Futures Contracts is on Thursday, November 27th, 2025. The trading hours are from 9:00-10:15, 10:30-11:30 and 13:30-15:00 every Monday to Friday (Beijing Time, except for national statutory holidays and Exchange-announced market closures), as well as other times specified by the Exchange. The first batch of Futures Contracts to be listed for trading are PT2606, PT2608, and PT2610. The listing of Platinum Options Contracts is on Friday, November 28th, 2025, with trading hours consistent with the Platinum Futures Contracts. The first batch of Options Contracts to be listed are those with PT2606, PT2608, and PT2610 Futures Contracts as the underlying assets.



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钯期货合约自 2025 年 11 月 27 日 (星期四) 起上市交易。交易时间为每周一至周五(北京时间, 国家法定假日和交易所公告的休市日除外)9:00~10:15, 10:30~11:30 和 13:30~15:00, 及交易所规定的其他时间。首批上市交易合约为 PD2606、PD2608、PD2610。钯期权合约自 2025 年 11 月 28 日 (星期五) 起上市交易, 交易时间与钯期货合约交易时间一致。首批上市交易合约为以 PD2606、PD2608、PD2610 期货合约为基础的钯期权合约。

The listing of Palladium Futures Contracts is on Thursday, November 27th, 2025. The trading hours are from 9:00-10:15, 10:30-11:30, and 13:30-15:00 every Monday to Friday (Beijing Time, except for national statutory holidays and Exchange-announced market closures), as well as other times specified by the Exchange. The first batch of Futures Contracts to be listed for trading are PD2606, PD2608, and PD2610. The listing of Palladium Options Contracts is on Friday, November 28th, 2025, with trading hours consistent with the Palladium Futures Contracts. The first batch of Options Contracts to be listed are those with PD2606, PD2608, and PD2610 Futures Contracts as the underlying assets.

(Source:

<http://www.gfex.com.cn/gfex/tzts/202508/d5ccac1795874b4ea00a6bb97c115949.shtml>

<http://www.gfex.com.cn/gfex/tzts/202508/734ea461693a4f8ba4af5caaca609f5e.shtml>

<http://www.gfex.com.cn/gfex/tzts/202508/4d8af56888c84490b525d5d8fdd729f6.shtml>

<http://www.gfex.com.cn/gfex/tzts/202508/74d5bfec548a4e38b4c272c559b21dae.shtml>

<http://www.gfex.com.cn/gfex/tzts/202508/5ff7c8717a4a44708e650a08b198254f.shtml>

<http://www.gfex.com.cn/gfex/tzts/202508/a1038d11daba43ea9fd4111f528e186b.shtml>)

4. 生态环境部下发做好全国碳排放权交易市场钢铁、水泥、铝冶炼行业配额总量和分配方案
2025.11.16
MEE Issues Total Quota and Allocation Plan for the Steel, Cement, and Aluminum Smelting Industries in the National Carbon Emissions Trading Market

2025 年 3 月, 经国务院批准, 钢铁、水泥、铝冶炼行业纳入碳排放权交易市场管理, 覆盖的温室气体种类为二氧化碳 (CO₂)、四氟化碳 (CF₄) 和六氟



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化二碳 (C₂F₆)。近日，生态环境部下发《2024、2025 年度全国碳排放权交易市场钢铁、水泥、铝冶炼行业配额总量和分配方案》(以下简称“《方案》”)。In March 2025, the steel, cement, and aluminum smelting industries were included in the national carbon emissions trading market management with the approval of State Council. The covered greenhouse gas types are carbon dioxide (CO₂), carbon tetrafluoride (CF₄), and hexafluoroethane (C₂F₆). Recently, the Ministry of Ecology and Environment (MEE) issued the *Total Quota and Allocation Plan for the Steel, Cement, and Aluminum Smelting Industries in the National Carbon Emissions Trading Market for 2024 and 2025* (“Plan”).

《方案》的总体思路主要体现在，一是保持政策框架的延续性和稳定性；二是突出管控重点，体现“抓大放小”的原则；三是合理控制企业配额盈缺率。同时，为推动《方案》落地实施，生态环境部将开展首次配额清缴、实施月度信息化存证、完成 2025 年度配额分配和清缴。此外，为确保数据质量，生态环境部将进一步健全核算报告核查 (MRV) 制度体系，不断加强数据质量日常监管和监督检查，持续提升企业碳排放统计核算能力，以此加强数据质量全过程管理。

The overall approach of the *Plan* is primarily reflected in the following aspects: first, maintaining the continuity and stability of the policy framework; second, highlighting key control areas and embodying the principle of “focusing on the major while easing control on minor ones”; third, reasonably controlling the quota surplus and shortage rate of the enterprises. Meanwhile, to facilitate the implementation of the *Plan*, the MEE will carry out the first quota settlement, implement monthly digitalized certification, and complete the allocation and settlement of quota for 2025. Furthermore, to ensure data quality, the MEE will further improve the Monitoring, Reporting, and Verification (MRV) system framework, continuously strengthen daily supervision and inspection of data quality, and persistently enhance enterprises’ capabilities in carbon emission statistical accounting, thereby reinforcing the entire process management of data quality.

(Source:

https://www.mee.gov.cn/xxgk2018/xxgk/xxgk03/202511/t20251118_1134175.html
https://www.mee.gov.cn/ywdt/zbft/202511/t20251119_1134197.shtml)

5. 国知局发文加强商标使用管理

2025.11.17

CNIPA Strengthens Regulation of Trademark Use



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为公正合理保护，着力引导全社会合理规范使用商标，不断加大对商标违法违规使用行为的监管和治理力度，严格规制通过商标实施虚假描述等欺骗误导公众的行为，坚决维护正当有序的商标使用秩序，有力保障消费者和生产经营者的利益，积极营造诚信经营、公平竞争的市场环境，助力构建全国统一大市场，国家知识产权局办公室发布关于加强商标使用管理的通知（以下简称“《通知》”）。

In order to ensure fair and reasonable protection, guide the whole society in the proper and standardized use of trademarks, continuously strengthen the supervision and regulation of illegal and non-compliant trademark use, strictly curb deceptive practices such as false descriptions through trademarks that mislead the public, resolutely maintain a legitimate and orderly trademark usage environment, effectively safeguard the interests of consumers and business operators, actively foster a market environment characterized by integrity and fair competition, and contribute to the establishment of a unified national market, the Office of China National Intellectual Property Administration has issued a *Notice on Strengthening the Regulation of Trademark Use* (“*Notice*”).

《通知》列举了需要重点关注的违法违规行为：（一）使用带有欺骗性等禁用的未注册商标；（二）欺骗性使用注册商标；（三）冒充注册商标使用；（四）应当使用而未使用注册商标；（五）商业活动中突出使用“驰名商标”字样；（六）违规使用集体商标、证明商标；（七）商标代理机构违法代理。此外，《通知》还提出了包括健全工作机制、开展重点摸排、及时处置线索、加强合规引导、强化综合治理在内的具体工作措施。

The *Notice* lists key illegal and non-compliant behaviors requiring special attention: (1) the use of unregistered trademarks that contain deceptive or other prohibited elements; (2) the deceptive use of registered trademarks; (3) the fraudulent use of registered trademarks as; (4) failure to use a registered trademark where its use is required; (5) prominent use of the term “Well-Known Trademark” in commercial activities; (6) improper use of collective or certification marks; (7) unlawful representation by trademark agencies. Furthermore, the *Notice* outlines specific operational measures, including improving working mechanisms, conducting targeted investigations, promptly addressing leads, strengthening compliance guidance, and enhancing comprehensive governance.

(Source: https://www.cnipa.gov.cn/art/2025/11/21/art_546_202675.html)

6. 两部门就《大型网络平台个人信息保护规定》征求意见 2025.11.22 Two Departments Seek Comments on the Provisions on Personal Information Protection by Large Online Platforms



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为规范大型网络平台个人信息处理活动，保护个人信息合法权益，促进平台经济健康发展，根据《中华人民共和国个人信息保护法》《中华人民共和国数据安全法》《中华人民共和国网络安全法》《网络数据安全条例》等法律法规，国家互联网信息办公室、公安部起草了《大型网络平台个人信息保护规定（征求意见稿）》（以下简称“《意见稿》”），现向社会公开征求意见，意见反馈截止时间为 2025 年 12 月 22 日。

In order to regulate personal information processing activities by large online platforms, protect the lawful rights and interests related to personal information, and promote the healthy development of the platform economy, the Cyberspace Administration of China and the Ministry of Public Security have drafted the *Provisions on Personal Information Protection by Large Online Platforms (the Draft for Comments)* (the “Draft”) in accordance with laws and regulations including the *Personal Information Protection Law of the People’s Republic of China*, the *Data Security Law of the People’s Republic of China*, the *Cybersecurity Law of the People’s Republic of China*, and the *Regulations on the Administration of Network Data Security*. The *Draft* is now released to seek public comments, with the feedback deadline on December 22nd, 2025.

《意见稿》共 24 条，涉及对大型网络平台的认定，个人信息保护负责人应当履行的职责等。《意见稿》提出对大型网络平台的认定，主要考虑的因素包括：注册用户 5000 万以上或者月活跃用户 1000 万以上；提供重要网络服务或者经营范围涵盖多个类型业务；掌握处理的数据一旦被泄露、篡改、损毁，对国家安全、经济运行、国计民生等具有重要影响；国家网信部门、国务院公安部门规定的其他情形。根据《意见稿》，大型网络平台服务提供者应当按照法律法规有关规定指定个人信息保护负责人，并公开个人信息保护负责人的联系方式。此外，《意见稿》还明确，大型网络平台服务提供者应当为个人行使查阅、复制、更正、补充、删除、限制处理其个人信息，或者注销账号、撤回同意等权利提供便捷的方法和途径。

The *Draft* consists of 24 articles, covering aspects such as the identification of large online platforms and the responsibilities to be fulfilled by the personal information protection officer. The *Draft* proposes that the identification of large online platforms shall primarily consider the following factors: having registered users exceeding 50 million or monthly active users exceeding 10 million; providing essential online services or operating across multiple business sectors; processing data which, if leaked, altered, or damaged, could significantly impact national security, economic operations, or people’s livelihoods; and other circumstances specified by the Cyberspace Administration of China and the State Council’s public security department. According to the *Draft*, large online platform services providers shall, in



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accordance with relevant laws and regulations, designate a personal information protection officer and make the contact details of this officer publicly available. Furthermore, the *Draft* stipulates that large online platform services providers shall provide convenient methods and channels for individuals to exercise their rights, such as accessing, copying, correcting, supplementing, deleting, or restricting the processing of the personal information, as well as canceling accounts or withdrawing consent.

(Source: <https://www.csrc.gov.cn/csrc/c100028/c7591251/content.shtml>)

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