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法律法规简报

Legal Update

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目录

Contents

1. 国家药监局调整医疗器械分类

NMPA Adjusts Medical Device Classification

2. 三部门发布《利用外资固稳促优行动方案》

Three Departments Issue Action Plan for Stabilizing and Optimizing the Use of Foreign Capital

3. 五家期货交易所修订结算管理办法

Five Futures Exchanges Revise Settlement Management Rule

4. 全国人大常委会表决通过新修订的《商标法》

NPC Standing Committee Passes Newly Revised Trademark Law

5. 金融法草案等八部法律草案征求意见

Eight Draft Laws Including the Financial Law Draft Seek Comment



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1. 国家药监局调整医疗器械分类

2026.06.01

NMPA Adjusts Medical Device Classification

为加强医疗器械分类管理，根据《医疗器械监督管理条例》《医疗器械注册与备案管理办法》《体外诊断试剂注册与备案管理办法》等相关要求，国家药监局发布《关于医疗器械分类调整有关工作的公告》（2026 年第 52 号）进一步明确调整医疗器械产品管理属性和管理类别后注册备案相关工作，自发布之日起实施。

To strengthen the classified management of medical devices, and in accordance with the *Regulations on the Supervision and Administration of Medical Devices*, the *Measures for the Registration and Filing of Medical Devices*, the *Measures for the Registration and Filing of In Vitro Diagnostic Reagents*, and other relevant requirements, the National Medical Products Administration (NMPA) issued the *Announcement on Matters Concerning the Adjustment of Medical Device Classification (2026 No. 52)* (the “*Announcement*”), which further clarifies the work related to registration and filing after the adjustment of the attribute and class of medical device products. The *Announcement* shall take effect from the date of issuance.

《公告》就医疗器械管理类别调整后的注册备案有关要求、由不作为医疗器械管理调整为按照医疗器械管理产品有关要求及调整后不作为医疗器械管理产品有关要求均予以明确。此外，《公告》还对管理类别或者管理属性调整文件的特殊规定、分类调整后的注册备案过渡期安排、企业主体责任及监管部门职责作出补充规定。

The *Announcement* sets forth the requirements concerning registration and filing after the adjustment of medical device management categories, the requirements for products that are reclassified from non-medical-device management to medical device management, and the requirements for products that are reclassified as non-medical-device management after the adjustment. In addition, the *Announcement* also provides supplementary provisions on special provisions in documents adjusting management categories or attributes, transitional arrangements for registration and filing after classification adjustments, the primary responsibilities of enterprises, and the duties of regulatory authorities.

(Source:

<https://www.nmpa.gov.cn//xxgk/ggtg/ylqxggtg/ylqxqtggtg/20260601172053198.html>)

2. 三部门发布《利用外资固稳促优行动方案》

2026.06.16



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Three Departments Issue Action Plan for Stabilizing and Optimizing the Use of Foreign Capital

商务部、国家发展改革委、财政部联合发布《利用外资固稳促优行动方案》（商资发〔2026〕97号）（“《方案》”）。《方案》围绕扩大市场准入、提升外商投资便利度、提高投资促进水平、健全外商投资服务保障体系、优化外资管理五个方面提出 15 条具体举措。

The Ministry of Commerce, the National Development and Reform Commission, and the Ministry of Finance jointly issued the *Action Plan for Stabilizing and Optimizing the Use of Foreign Capital (Shang Zi Fa [2026] No. 97)* (the “Plan”). The Plan sets forth 15 specific measures across five key areas: expanding market access, enhancing the convenience of foreign investment, improving investment promotion, strengthening the service and support system for foreign investment, and optimizing foreign investment management.

《方案》提出的具体措施包括深化服务业领域开放；稳步提升金融业开放水平；支持外资参与医药等产业高质量发展；完善外资并购管理制度；优化数据跨境流动管理；促进外资境内再投资；吸引外资企业在华设立研发中心；强化“投资中国”品牌影响力；统筹做好外资项目规范招引；全面落实外资企业国民待遇；支持外资企业参与提振消费行动；优化营商环境网络环境；强化重大和重点外资项目服务保障；推动区域引资协同；提升外商投资管理信息化水平。The specific measures of the Plan include: deepening opening-up in the services sector; steadily enhancing the level of opening-up in the financial sector; supporting foreign participation in the high-quality development of industries such as pharmaceuticals; improving the regulatory framework for foreign acquisitions; optimizing cross-border data flow management; promoting reinvestment of foreign capital within China; attracting foreign enterprises to establish R&D centers in China; strengthening the “Invest in China” brand; coordinating and standardizing the solicitation of foreign-invested projects; fully implementing national treatment for foreign-invested enterprises; supporting the participation of foreign-invested enterprises in consumption-boosting initiatives; improving the online business environment; strengthening services and support for major and key foreign-invested projects; promoting regional coordination in attracting investment; and enhancing the informatization level of foreign investment management.

(Source: https://www.gov.cn/zhengce/zhengceku/202606/content_7072838.htm)

3. 五家期货交易所修订结算管理办法

2026.06.18

Five Futures Exchanges Revise Settlement Management Rules



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为进一步规范期货市场结算管理，保障市场平稳运行，上海期货交易所、郑州商品交易所、大连商品交易所、中国金融期货交易所、广州期货交易所分别发布修订后的结算管理办法，此次修订经各交易所理事会或董事会审议通过，并已报告中国证监会，均自 2026 年 6 月 21 日起实施。

To further standardize settlement management in the futures market and ensure the stable operation of the market, the Shanghai Futures Exchange, Zhengzhou Commodity Exchange, Dalian Commodity Exchange, China Financial Futures Exchange, and Guangzhou Futures Exchange respectively issued their revised settlement management rules. The revisions were reviewed and approved by the respective exchange's board of directors or council, and have been reported to the China Securities Regulatory Commission. All revised rules took effect on June 21st, 2026.

各交易所对结算管理办法中关于保证金利息结转的条款进行统一修订，明确交易所根据会员每日交易保证金和结算准备金余额中的货币资金部分，在每年 3 月、6 月、9 月、12 月下旬存管银行向交易所支付利息后，将利息转入会员结算准备金。具体执行利率由交易所确定、调整并公布。

The exchanges have uniformly revised the provisions concerning the transfer of interest on margin funds in their settlement management rules. The revisions clarify that, based on the monetary fund portion of each member's daily trading margin and settlement reserve balance, after the depository banks pay interest to the exchanges in the late periods of March, June, September, and December each year, the exchanges shall transfer such interest into the members' settlement reserves. The specific applicable interest rates shall be determined, adjusted, and announced by the exchanges.

(Source:

https://www.cfachina.org/industrydynamics/mediaviewoffuturesmarket/202606/t20260622_88790.html)

4. 全国人大常委会表决通过新修订的《商标法》 2026.6.26 NPC Standing Committee Passes Newly Revised Trademark Law

第十四届全国人民代表大会常务委员会第二十三次会议表决通过了新修订的《中华人民共和国商标法》(下称“《商标法》”), 自 2027 年 1 月 1 日起施行。商标作为知识产权的重要组成部分, 不仅是商誉的载体和诚信的象征, 更是企业参与市场竞争的核心工具。《商标法》自施行以来, 在保护注册商标



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专用权，促使生产经营者保证商品服务质量，保障消费者和生产经营者利益等方面，发挥了重要法治保障作用。

At the 23rd Session of the Standing Committee of the 14th National People's Congress (NPC), the newly revised *Trademark Law of the People's Republic of China* ("Trademark Law") is deliberated and passed. The *Trademark Law* will take effect on January 1st, 2027. As an essential component of intellectual property, the trademark is not only a carrier of goodwill and a symbol of good faith, but also a core tool for enterprises to participate in market competition. Since the implementation of the *Trademark Law*, it has played an important role in safeguarding the rule of law in protecting the exclusive right to use registered trademarks, prompting producers and operators to ensure the quality of goods and services, and protecting the interests of consumers, producers, and operators.

新修订的《商标法》共 9 章 87 条，聚焦商标领域突出问题，明确商标工作的总体要求，完善商标注册条件，完善驰名商标相关制度，优化商标授权确权程序，强化商标管理，加强对商标代理机构及从业人员的监督管理，完善注册商标专用权保护措施。

The newly revised *Trademark Law*, consisting of 9 chapters and 87 articles, focuses on prominent issues in the trademark field, clarifies the overall requirements for trademark work, improves the conditions for trademark registration, refines the systems related to well-known trademarks, optimizes the procedures for trademark authorization and confirmation, strengthens trademark administration, enhances the supervision and management of trademark agencies and their practitioners, and improves the measures for protecting the exclusive right to use registered trademarks.

(Source: http://www.npc.gov.cn/npc/c2/c30834/202606/t20260626_455819.html
http://www.npc.gov.cn/npc/c2/c30834/202606/t20260626_455842.html
http://www.npc.gov.cn/npc/c2/c30834/202606/t20260629_455885.html)

5. 金融法草案等八部法律草案征求意见 2026.06.26 Eight Draft Laws Including the Financial Law Draft Seek Comments

第十四届全国人民代表大会常务委员会第二十三次会议对《中华人民共和国金融法（草案）》（下称“《金融法草案》”）、《中华人民共和国律师法（修正草案）》、《中华人民共和国招标投标法（修订草案）》等八部法律草案进行了审议，现对外公布全文，面向社会征求意见，截止日期为 2026 年 7 月 25 日。

The 23rd Session of the Standing Committee of the 14th National People's Congress (NPC) has deliberated eight draft laws, including the *Financial Law of the People's*



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Republic of China (Draft) (the “Financial Law Draft”), Law on Lawyers of the People’s Republic of China (Amendment Draft), and the Bidding Law of the People’s Republic of China (Revision Draft) with the full text of these draft laws announced to solicit public comments by July 25th, 2026.

《金融法草案》立足金融领域基础性法律定位，统筹发展和安全。聚焦完善金融基本法律制度，强化对金融各领域法律法规的协调统领，既引导促进金融高质量发展，又针对监管措施不足、风险处置机制不健全等突出问题作出制度安排，强化金融监管和风险防控。《金融法草案》共 11 章 95 条，主要包括明确金融工作方向性总体性要求、建设现代中央银行制度、规范金融机构行为活动、提升金融产品和服务规范性、优化金融市场体系功能、全面加强金融监管、健全金融风险处置机制等内容。

The *Financial Law Draft* is positioned as a foundational law in the financial sector, balancing development and security. It focuses on improving the basic legal system for finance, strengthening the coordination and overarching guidance of laws and regulations across various financial sectors. The draft not only guides and promotes high-quality financial development but also addresses prominent issues such as inadequate regulatory measures and imperfect risk disposal mechanisms through institutional arrangements, thereby reinforcing financial supervision and risk prevention and control. The *Financial Law Draft* consists of 11 chapters and 95 articles. Its main contents include: clarifying the directional and general requirements for financial work; building a modern central banking system; regulating the conduct and activities of financial institutions; enhancing the standardization of financial products and services; optimizing the functions of the financial market system; comprehensively strengthening financial supervision; and improving the mechanisms for financial risk disposal.

(Source: http://www.npc.gov.cn/npc/c2/kgfb/202606/t20260626_455840.html
http://www.npc.gov.cn/npc/c2/c30834/202606/t20260626_455746.html)

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