



Guiding Opinions on Participation of Foreign-Invested Enterprises in Standardisation Work of China (Issued on 6 November 2017)

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For the implementation of requirements stipulated in *Notice on Measures for Opening Wider to the Outside World and Active Utilisation of Foreign Capital* (No.46, 2017 of the State Council), the promotion of participation of foreign-invested enterprises in standardisation work of China, the further improvement on the openness and transparency of standardisation work of China and the upgrading of internationalisation level of China's standards, the following guiding opinions are put forward.

- I. Foreign-invested enterprises participating in standardisation work of China are entitled to the same treatment as the one for domestic enterprises. Foreign-invested enterprises as referred herein mean Chinese foreign equity joint ventures, Chinese foreign cooperative joint ventures and foreign-funded enterprises, excluding foreign enterprises and other branches of foreign economic organisations in China's territory.
- II. Foreign-invested enterprises participating in standardisation work of China shall conform to *Standardisation Law of the People's Republic of China, Administrative Measures on National Standards* and other relative laws, regulations and rules.
- III. Representatives from foreign-invested enterprises participating in standardisation work of China shall be equipped with certain basic knowledge and experience in standardisation work, corresponding professional skills and adequate oral and written skills in Chinese.
- IV. Foreign-invested enterprises can participate in the drafting work of national standards and the translation work of foreign language edition of national standards, and can also give advices and suggestions in the course of standard project approval, opinion solicitation, standard implementation, etc.
- V. Standard development shall protect the intellectual property of foreign-invested enterprises pursuant to laws and regulations. For standards involving intellectual property of foreign enterprises, its development shall be done in accordance with intellectual property concerned administrative regulations of national standard.
- VI. Representatives from foreign-invested enterprises can join national standardisation technical committees (including subcommittees, working groups, etc.) as members or observers, are entitled to certain rights according to the requirements of *Administrative Measures for Standardisation Technical Committees* and also are obligated to perform corresponding duties.
- VII. It is encouraged for foreign-invested enterprises to carry out standardisation work in providing services like standard consultation, standard information exchange, standard comparative analysis, standard follow-up research, etc.
- VIII. Foreign-invested enterprises can attend events held by international standardisation organisations pursuant to *Administrative Measures on Participation in International Standardisation Events of International Standardisation Organisation (ISO) and of International Electrotechnical Commission (IEC)*. It is encouraged for foreign-invested



enterprises to play its role as a bridge in bilateral (multilateral) events of international standardisation, to carry out standardisation cooperation and communication and to upgrade the internationalisation level of China's standards.

- IX. Foreign-invested enterprises participating in standardisation work shall earnestly fulfil corresponding duties, meet relevant job requirements and conform to confidentiality provisions, however, shall not engage in unfair market competition or seek unfair profit in the name of attending standardisation events.
- X. Relevant administrative authorities under the State Council, relevant trade associations, local administrative authorities for standardisation and various national standardisation technical committees shall be fully aware of the importance of participation of foreign-invested enterprises in standardisation work of China, attract foreign-invested enterprises to participate in standardisation work of China, make endeavour to create an open, fair and just standardisation work environment for both domestic and foreign-invested enterprises and boost the healthy development of standardisation work.

These Opinions go into effect on the day of promulgation. These Opinions apply to enterprises founded with investment coming from investors of HongKong Special Administrative Region, Macao Special Administrative Region and Taiwan. Industry standards, local standards and association standardisation work can refer to these Opinions.



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Introduction of SESEC Project

The Seconded European Standardization Expert in China (SESEC) is a visibility project co-financed by the European Commission (EC), the European Free Trade Association (EFTA) secretariat and the three European Standardization Organizations (CEN, CENELEC and ETSI).



Since 2006, there has been two SESEC projects in China, SESEC I (2006-2009) and SESEC II (2009-2012). In Dec 2014, SESEC III was officially launched in Beijing, China. Dr. Betty XU was nominated as the SESEC expert and will spend the next 36 months on promoting EU-China standardization information exchange and EU-China standardization cooperation.

The SESEC project supports the strategic objectives of the European Union, EFTA and the European Standardization Organizations (ESOs). The purpose of SESEC project is to

- Promote European and international standards in China;
- Improve contacts with different levels of the Chinese administration, industry and standardization bodies;
- Improve the visibility and understanding of the European Standardization System (ESS) in China;
- Gather regulatory and standardization intelligence.

The following areas have been identified as sectoral project priorities by the SESEC project partners: Internet of Things (IoT) & Machine-to-Machine (M2M) communication, communication networks & services, cybersecurity & digital identity, Smart Cities (including transport, power grids & metering), electrical & electronic products, general product safety, medical devices, cosmetics, energy management & environmental protection (including eco-design & labelling, as well as environmental performance of buildings).

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