



# **China Regulatory Observation**

**July 2024**

## Table of Contents

<b>Message from BESTAO .....</b>	<b>2</b>
<b>Horizontal .....</b>	<b>3</b>
1. China Announces Huge Funding Support to the Renewal and Trade-in Campaign .....	3
2. Three-year Action Plan to Improve Government Procurement .....	4
<b>Agricultural and Forestry Machinery.....</b>	<b>6</b>
3. Quality Supervision and Inspection Details Issued for Three Agricultural Machinery .....	6
4. Opinions Soliciting on 18 New Agricultural Machinery Promotion Appraisal Guidelines .....	6
5. Quality Evaluation Standard for Automatic Feed Pushers Seeking Comments.....	7
<b>Construction Machinery Utility .....</b>	<b>8</b>
6. Three National Standard Drafts Calling for Comments on Construction Machinery .....	8
7. Safety Regulation Draft of Special Equipment Calling for Public Comment Again .....	9
8. Guideline Issued to Regulate Incident Management of Special Equipment .....	10
<b>Earth-moving Machinery .....</b>	<b>11</b>
9. Eight National Standard Made Progress for Electric Earth-moving Machinery .....	11
<b>Radio.....</b>	<b>13</b>
10. New Comprehensive Regulation Developed for Radars.....	13
<b>ICV and Automation .....</b>	<b>14</b>
11. Progress of ICV Regulations and Standards in China .....	14
<b>Export Control .....</b>	<b>15</b>
12. GACC Updates Import and Export Documentation Requirements.....	15
<b>Standardization.....</b>	<b>16</b>
13. Administrative Measures Regulating Participation Management to IEC Conformity Assessment System in China	16
14. China Optimized and Review Its Mandatory Standard System and Management.....	17
15. Two Mandatory Standard Drafts of Non-road Mobile Machinery Safety Calling for Comments .....	18
<b>BESTAO policy review to this Issue: .....</b>	<b>20</b>
<b>What can be expected in the following editions: .....</b>	<b>20</b>
<b>About BESTAO Consulting Co. Ltd.....</b>	<b>21</b>

# Message from BESTAO

**Dear Readers,**

We're very pleased to present you with the July 2024 edition of China Regulatory and Compliance Observation for AEM.

This edition elaborates policies, laws, regulations, certification and standards for agricultural machinery, construction machinery, earth-moving machinery, standardization and export control etc. of China in July 2024.

In the horizontal section, a summary of further action on China's efforts to promote equipment renovation are presented. Latest summary of

The agricultural machinery section has provided latest changes on China's promotion appraisal and quality inspection practice.

The construction and earth-moving machinery section brought you with news on standard updates, and some latest changes taking place for the special equipment sector.

Other important topics covered in this issue include export control, radio, standardization and ICV.

The policy briefing of this edition is a full translation of China's 2024-2026 agricultural machinery subsidy policy.

Enjoy the reading.

Best Regards,

**AEM project team of BESTAO**



# Horizontal

## 1. China Announces Huge Funding Support to the Renewal and Trade-in Campaign

On July 25, 2024, the National Development and Reform Commission (NDRC) and the Ministry of Finance issued the *Measures on Strengthening Support for Large-scale Equipment Renewal and the Trade-in of Consumer Goods* (hereinafter referred to as the Measures), which include the allocation of 300 billion yuan in funds raised by ultralong treasury bonds to increase the support to the renewal and trade-in campaign launched in March by the State Council.

The campaign consists of two major aspects, namely the equipment renewal and trade-in of consumer goods. In terms of equipment renewal, specifically, over the past four months, the campaign has delivered favourable results. Especially, in the first half of this year, investment in equipment and equipment increased by 17.3 percent year-on-year, contributing 54.8% to the total investment growth and contributing 2.1% to the total investment growth. To keep the momentum and engage different types/sizes of enterprises, the Measures make the following adjustments, specifically:

- Increasing scale. To address the shortage of funds faced by enterprises, the funding support for equipment renewal reaches 150-billion-yuan, accounting for half of the total amount.
- Lowering the threshold. The eligibility requirement that the total investment of projects is more than 100 million yuan has been removed to benefit more small and medium-sized enterprises.
- Expanding the scope. The Measures expand the coverage of the eligible equipment to elevators, energy, and power equipment.
- Simplifying the process. To ensure effective and precise funding support, NDRC has been

working together with local government to simplify the process and optimize the funding approach.

It is noteworthy that agricultural machinery falls within the equipment renewal framework. The Measures have raised the subsidy amount for agricultural machinery scrap and renewal based on the amount specified in the *Notice on Increasing Efforts to Continuously Implement the Agricultural Machinery Scrapping and Renewal Subsidy Policy* (hereinafter referred to as the Notice). (For the details of this policy, please refer to China Regulatory Observation for June 2024 by BESTAO.) Specifically, according to the Measures,

- The maximum allowance for scraping a tractor with less than 20 horsepower increased from 1,000 yuan to 1,500 yuan;
- The allowance for trade-in of combine harvesters and planters might increase by 50% at maximum;
- The maximum allowance for the trade-in of a cotton-picking machine increased from 30,000 yuan to 60,000 yuan
- The local government may add a maximum of 6 types of agricultural machinery to the subsidy scope based on their needs and define the allowance standards based on existing rules.

Especially, the Measures highlight that local governments should engage all relevant enterprises regardless of their ownership forms and registered places. Namely, foreign enterprises with legal status in China or importers may also become beneficiaries. It is reasonable to expect that the campaign will contribute to the agricultural machinery industry under this new round of funding support.

## 2. Three-year Action Plan to Improve Government Procurement

On July 4, 2024, the State Council issued the *Announcement of a Three-year Action Plan on "Rectifying Market Order, Building Regulatory System and Promoting Industrial Development" in the Field of Government Procurement (2024 -- 2026)* (hereinafter referred to as the Action Plan). In recent years, especially since the release of the *Plan for Deepening the Reform of the Government Procurement System* in 2018, China has made a series of movements in this field, including the removal of unjust rules, completing existing mechanisms with reference to international practices, revision of relevant administrative measures and legislation, etc. The ultimate goal is to leverage government procurement to create a fair-play business environment and facilitate high-quality socio-economic development.

The Action Plan clarifies nine tasks in three aspects, namely rectification, construction, and promotion. In the rectification part, the Action Plan highlights the role of competent governmental authorities in cracking down on illegal activities, carrying out regular inspections of law enforcement, and innovating the regulation methods to increase the work effects. The construction part sets forth actions to optimize the legislation, mechanisms, and standardization. Promotion-wise, actions to support technological innovation, small and medium enterprises, and green consumption are planned.

Below is a summary of the takeaways of the Action Plan worthy attention of AEM and its members:

- Alignment with international rules and practices. In the legislation part, the Action Plan indicates the reference to international rules, such as the World Trade Organization's *Agreement on Government Procurement*, and the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, to complete the existing legislation of China. Such alignment efforts with international practices might benefit foreign stakeholders who operate in multiple states.
- Standards for a domestic products procurement and equal participation. The standardization actions include the establishment of domestic products procurement standard system, which entails the formulation of relevant standards and ensures the equal participation of enterprises regardless of their ownership forms. However, based on the general reactions of foreign enterprises with legal status in China to the procurement standards released by the Ministry of Finance in 2024, the balance between favouring domestic products and equal participation of enterprises seems hard to strike. In practice, there are still possibilities that procurement standards tend to favor home-grown enterprises, instead of encouraging equal participation.
- Digital approach to improve the procurement. Digitalization is another key characteristic that facilitates transparency and information exchange. For instance, the Action Plan requires the upgrading of the central government procurement digital platform where the procurement information will be updated timely and precisely.
- Dedication to green consumption. In the promotion part, green consumption is one of the three promotion priorities. Specifically, the government will prioritize or carry out compulsory procurement of products that obtained green product certification or meet the government's green procurement requirements standards.
- Clarification of remedy channels. The Action Plan has mandated the financial authorities of local authorities to proactively publicize the information of the remedy channels, including compliant phone call numbers, address for submission of compliant letters, etc. Such action is incorporated as one of the regular inspections of law enforcement.

In short, the Action Plan sets forth a series of actions to improve government procurement in three years. To a certain extent, the actions set out positive signals to foreign stakeholders with legal status in China, especially those manufacturers who engage in technological innovation and/or are dedicated to green production. However, the Action Plan favours domestic production, which might compromise the importation of foreign goods and foreign enterprises with legal status in China as aforementioned. Therefore, AEM and its members are strongly suggested to keep up with the follow-up actions in standardization and legislation and participate in consultation meetings organized by the Ministry of Finance to better comprehend potential impacts and consequences.



## Agricultural and Forestry Machinery

### 3. Quality Supervision and Inspection Details Issued for Three Agricultural Machinery

On July 18, 2024, the State Administration for Market Regulation (SAMR) released a new batch of product quality supervision and inspection implementation details (drafts for public comment), including those for rice and wheat combine harvesters and mobile threshers.

Specifically, the Quality Supervision and Inspection Implementation Details for Rice and Wheat Combine Harvesters (Draft for Public Comment) use the following standards as their main reference:

- *GB 10395.1-2009 Agricultural and forestry machinery - Safety - Part 1: General requirements*
- *GB 10395.7-2006 Tractors and machinery for agriculture and forestry - Technical means for ensuring safety - Part 7: Combine harvesters, forage and cotton harvesters*
- *GB 19997-2005 Limits for noise emitted by combine harvesters*
- *GB/T 20790-2006 Technical requirements for head-feed combine harvester*
- *JB/T 5117-2017 Whole-feed combine harvester - Technical requirements*

While the Quality Supervision and Inspection Implementation Details for Mobile Threshers (Draft for Public Comment) use the following standards as their main reference:

- *GB/T 5982-2017 Thresher—Testing methods*
- *GB 10396-2006 Tractors, machinery for agriculture and forestry, powered lawn and garden equipment - Safety signs and hazard pictorials - General principles*
- *JB/T 9777-2018 Hand-feed rice and straw thresher – technical regulations*
- *JB/T 9778-2018 Whole-feed rice and straw thresher – technical regulations*
- *JB/T 10749-2018 Maize threshers*
- *NY 642-2013 Safety technical requirements for threshers*

These standards serve as the basis for determining whether the corresponding products are qualified. Producers and sellers of products found to be non-compliant, whose list will be publicly announced by provincial market supervision authorities, must immediately cease production and sales activities. Therefore, to reduce compliance risks, the relevant products need to meet or exceed the technical requirements of these standards.

It is noteworthy that the implementation details include recommended standards, which are often overlooked due to their non-mandatory nature. It is advised that overseas manufacturers thoroughly study the two implementation details, including the technical standards they reference.

### 4. Opinions Soliciting on 18 New Agricultural Machinery Promotion Appraisal Guidelines

On July 16, 2024, the Agricultural Mechanization Central Station of the Ministry of Agriculture and Rural Affairs released a call for comments on 18 newly drafted agricultural machinery promotion appraisal guidelines. The products involved are the following:

Seedling tray sowing equipment, tea rolling machine, tea conveyor, film laying machine, sugarcane planter, vegetable washing machine, tea leaf flattening machine, agricultural machinery tillage operation monitoring terminal, water and fertilizer integration equipment, grass seed harvester, fruit tree cutting machine, poultry scalding equipment, poultry de-feathering equipment, agricultural machinery harvesting operation monitoring terminal, mulberry branch harvester, liquid feed feeding system, oil-tea fruit harvester, and red date harvester.

The agricultural machinery promotion appraisal guidelines are the basis on which appraisals are conducted, which, in turn are one of the basic conditions for applying for agricultural machinery purchase subsidies. It is recommended that manufacturers of relevant equipment thoroughly study the documents for their corresponding products.

## 5. Quality Evaluation Standard for Automatic Feed Pushers Seeking Comments

From July 18 to August 17, 2024, the Subcommittee on Agricultural Mechanization under the National Agricultural Machinery Standardization Technical Committee (SAC/TC201/SC06) solicited opinions on the agricultural sector standard *Technical specification of quality evaluation for automatic feed pushers (draft for comments)*.

Automatic feed pushers are a key piece of equipment for achieving precise feeding in large-scale livestock and poultry farming. With the continuous increase in the number of cattle and other livestock in China, combined with the growing proportion of large-scale farming, the demand for advanced feeding equipment is becoming increasingly urgent. However, among existing national and sector standards, there is currently no unified and comprehensive technical specification standard for quality evaluation of automatic feed pushers. Therefore, the Ministry of Agriculture and Rural Affairs proposed this standard project, which is led by the Smart Equipment Technology Research Center of the Beijing Academy of Agriculture and Forestry Sciences.

The standard will specify the functional requirements, performance requirements, and

test methods for automatic feed pushers, applicable to the design, development, testing, and inspection of automatic feed pushers used in cattle farms. The objectives of the standard are to:

- Fill the gap in industry standards for automated feeding equipment, promoting standardization of quality evaluation in the feed-pushing segment of the feeding process.
- Strengthen the quality requirements for automatic feed pushers by proposing specific and clear requirements for performance, safety, and assembly quality.
- Promote the standardization of quality testing methods and inspection rules for automatic feed pushers, providing a basis for quality testing of these machines.

In the future, this standard may become the foundation for the development or revision of related promotion appraisal guidelines, special appraisal guidelines, and voluntary certification rules for automatic feed pushers, which could impact the eligibility of such products for subsidies. Therefore, overseas manufacturers should actively follow and participate in the development of this standard.





## Construction Machinery Utility

### 6. Three National Standard Drafts Calling for Comments on Construction Machinery

In July 2024, drafts of three construction machinery standards are issued by the corresponding TCs to call for public comments, and the basic information of the standards are summarized as below:

TC in Charge	Standard Name	Key Contents	Standard to be replaced	Relation with International Standard
TC227/SC3 (Bridge and Gantry Cranes)	Cranes-Information to be provided-- Part 5: Overhead travelling cranes and portal bridge cranes	It specifies information to be provided by purchasers in enquiring, or manufacturers in tendering in the process of purchasing or supplying an overhead travelling crane or portal bridge crane;	GB/T 18874.5—2002	IDT, ISO 9374-5:2021
TC227/SC3 (Bridge and Gantry Cranes)	Lifting appliances - Controls - Layout and characteristics - Part 5: Bridge and gantry cranes	It establishes the arrangement, requirements and direction of movement of the basic controls for travelling, traversing, slewing, cab movement and load hoisting and lowering operations for all cab-operated, overhead travelling cranes and portal bridge cranes, as defined in ISO 4306-1 and ISO 4306-5.	GB/T 24817.5—2009	IDT, ISO 7752-5:2021
TC332 (Industrial Trucks)	Rough-terrain trucks—Safety requirements and verification—Part 4: Additional requirements for variable-reach trucks handling freely suspended loads	It specifies the additional safety requirements and means of verification for rough-terrain variable-reach trucks (hereafter referred to as trucks) fitted with a lifting attachment for handling suspended loads which can swing freely in one or more directions. It is applicable to trucks covered by GB/T 35205.1-2017 and ISO 10896-2. It does not apply to: - the lifting of suspended loads which by design of the load or the lifting attachments does not allow the load to swing freely in any direction; - the handling of flexible intermediate bulk containers, as defined in ISO 21898, carried under the forks of the truck; any attachments/means used for lifting personnel; - lifting accessories not included as part of the lifting attachment; - freight container handling trucks. It deals with significant hazards, hazardous situations or hazardous events relevant to trucks handling a freely suspended load, when they are used as intended by the manufacturer.	Newly-drafted	IDT, ISO 10896-4:2015

Other key takeaways for AEM and AEM members include:

- All three standards are identical adoption of ISO standards (besides some very detailed editing changes), reducing burdens for AEM members' compliance team.

- **Two lifting appliance standards** are revised to stay consistent with the latest version of adopted international counterparts, and the call-for-comment period will end on September 7, 2024.
- **Standard for Rough-terrain trucks** is newly drafted to facilitate global compliance for Chinese manufacturers, and most importantly, ensure the product quality in the China market, especially under the fact that China is lack of relevant national standard as the country's development on rough-terrain truck sector has a late start comparing with international peers. The call-for-comment period will end on September 14, 2024.

## 7. Safety Regulation Draft of Special Equipment Calling for Public Comment Again

On July 8, 2024, the State Administration for Market Regulation (SAMR) issued a draft of **Regulations on Safety Supervision of Special Equipment** (hereinafter referred to as "the Regulations") to seek public opinion. The call-for-comment period will end on August 8, 2024. It is considered one of the most significant regulations in China's special equipment administration system, aiming to prevent incidents and ensure good status for such equipment so that people's safety is guaranteed.

This Regulation was first released in March of 2003 and came into force on June 1 of the same year. The first revision has taken place in the year of 2009 and that revised version has been effective ever since. Therefore, another round of revision based on the 2009 version to keep the Regulations up to date is necessary for the safety management of the special equipment sector in China. SAMR launched the revision of the Regulations in 2020 and has issued a draft of the Regulations to call for public comments at the end of 2021. The draft issued in July is already in its second round of public review.

According to the drafting experts, considerations for the modification of the Regulations include:

- Stay consistent and avoid overlapping with upper laws or other regulations in the special equipment management system, such as the **Special Equipment Safety Law of China** and the **Catalogue of Special Equipment in China** (both issued or revised in 2014)
- Technical development and new products and application scenarios of special equipment call for optimizing the supervision and management system.
- Calling for comment for a second time may indicate that there were significant dissenting opinions about the previous draft. In this newly released draft for comment, the main modifications are:
- Align relevant texts of the Regulations with the latest Special Equipment Safety Law of China. Cancelling overlapping parts and supplementing legal liability sections in the Regulations that are not specified in the Special Equipment Safety Law.
- Specify special equipment inspections should be philanthropic, and the inspection cost should only cover basic and necessary items instead of being profitable. Safety is the priority.
- Strengthen supervision and management for the special equipment inspection. Increase penalties for safety violations and fraudulent practices during inspections.
- Reinforce the responsibilities and safety supervision system in certain categories, e.g.: elevators and gas cylinder filling.
- Optimize the emergency response and incident investigation system.
- Specify sandbox management.

For AEM and AEM members, China has been optimizing its management system for special equipment from different perspectives, showing a certain focus on the sector. It is also an implementing action to

<sup>1</sup> For more details of the call-for-comment draft issued at the end of 2022, please check article #4 of 20230113 BESTAO-AEM China Compliance December 2022.

fulfil the 2024 legislation working plan set by the State Council<sup>2</sup> Relevant manufacturers, especially AEM members in the lifting appliance sector, are advised to closely monitor updates and assess any potential impact.

## 8. Guideline Issued to Regulate Incident Management of Special Equipment

On July 3, 2024, the State Administration for Market Regulation (SAMR) issued the revision of the technical specification named **Guideline of Report, Investigation and Handling for Special Equipment Accident** (specification no. TSG 03—2015, hereinafter referred to as “the Guideline”). It will come into force on October 1, 2024.

The legal basis of the Guideline is the **Special Equipment Safety Law** and the **Regulations on Safety Supervision of Special Equipment** etc. It refines the definition of accidents, clarifies the classification and investigation scope, and puts forward the procedure, form, content, and related requirements of special equipment accident reports. The Guideline aims to improve the work quality of onsite accident investigation, technical appraisal and evaluation, accident cause analysis, accident investigation report content and other relevant provisions, standardize the accident investigation report approval processing, law enforcement documents and statistics requirements, etc., as well as promoting effective implementation of special equipment safety supervision.

The draft of the Guideline was issued in October of 2023 to call for public comments, and the final implementing version made quite some modifications compared with the draft for

comment. The final version contains ten chapters with specific technical and documentation requirements. In the annexes of the Guideline, templates are presented for all forms and report formats needed in an accident investigation and handling.

The issuing of the revised guideline is another action taken by China to optimize its management and regulatory system for special equipment. The special equipment regulatory system in China has undergone a comprehensive upgrade in the past few months. Therefore, AEM and relevant AEM members are advised to observe or study all related updates in a full picture before evaluating specific impacts.

Besides the Safety Regulations (briefed in the previous article) and the Guidelines, the draft of technical specifications for special equipment is also issued for public comments, namely **Accreditation Criteria on Special Equipment Type Test Agencies**. It is the criteria to accredit type test agencies for special equipment, and a revision as the current effective version was issued in 2011. This may not have a direct impact on AEM members but it’s worth noting the change if AEM members need to work with Chinese special equipment inspection agencies.

<sup>2</sup> For further details of the legislation list that may impact AEM and AEM members please see article #1 of **20240617 BESTAO-AEM China Compliance - May 2024**.



## Earth-moving Machinery

### 9. Eight National Standard Made Progress for Electric Earth-moving Machinery

At the end of July, updates on eight national standards of electric earth-moving machinery were announced by the Standardization Administration of China (SAC).

On July 24, 2024, seven standards of the category are approved for implementation since the announcement date. Basic information of the standards is summarized as below:

Standard No.	Standard Name	Key Contents
GB/T 44254-2024	Electric earth-moving machinery — Terminology	If defines the terms and definitions associated with electric earth-moving machinery. This document applies to the basic general, whole machine, key system and component, facilities, and interfaces of electric earth-moving machinery. Products with a level B voltage or above can refer to this standard.
GB/T 44257.1-2024	Traction battery of electric earth-moving machinery—Part 1: safety requirements	It specifies the safety requirements and test methods for traction battery cells, battery packs or systems for electric earth-moving machinery.
GB/T 44257.2-2024	Traction battery of Electric earth-moving machinery—Part 2: electrical performance requirements	It specifies the electrical performance requirements and test methods for traction battery cells, battery packs, or systems for electric earth-moving machinery.
GB/T 44255-2024	Earth-moving machinery — Energy consumption for electric hydraulic excavators — Test methods	It specifies the terms and definitions, test conditions, test methods, endurance evaluation methods, and operational efficiency evaluation methods for the energy consumption test of electric hydraulic excavators. It is applicable to electric excavators using traction batteries as the only power source during the working process, and the maximum design total mass does not exceed 50000kg.
GB/T 44256-2024	Earth-moving machinery — energy consumption for battery electric wheel loaders — Test methods	It specifies the terms and definitions, the test conditions, the measurement method of energy consumption, the test method, and the energy consumption evaluation value of the energy consumption of battery electric wheel loaders, It is applicable to the test of the energy consumption of such products in which the onboard traction battery is used as the only power source during operation.

Standard No.	Standard Name	Key Contents
GB/T 44258-2024	Earth-moving machinery — Battery electric wheel loaders for plateau tunnels	It specifies the terms and definitions, requirements, test methods, inspection rules, marking, packaging, transportation, and storage of battery electric wheel loaders for tunnel construction in plateau tunnels' environmental conditions. It is applicable to the manufacture and testing of loaders with on-board traction batteries (maximum operating voltage is Class B voltage) as the only power source used in plateau tunnels. It does not apply to loaders operating in explosive atmospheres so other standards (such as GB 3836.1) can be referred to for design and requirements of such product type.
GB/T 44259-2024	Earth-moving machinery — Electric hydraulic excavator for plateau tunnels	It specifies the terms and definitions, model formulation rules and parameters, requirements, test methods, inspection rules, marking, packaging, transportation, and storage of electric hydraulic excavators for plateau tunnels. It is applicable to excavators with vehicle-mounted batteries (maximum working voltage is Class B) as the only power source and the working mass is not more than 50,000 kg used in plateau environmental conditions.

On July 30, 2024, the SAC notice on the approval of the fourth batch of national standard projects was made to public (although the internal notice issuing date is June 28, 2024). More than two hundred projects are listed, and one of them is for electric earth-moving machinery, named **Electric earth-moving machinery—Methods of noise test** (project number: 20242078-T-604). The project for a official English version of this standard is also approved.

Other key takeaways of these standards for AEM and AEM members include:

- Although all eight national standards are voluntary, they are still the first batch in the country therefore of great importance for AEM and AEM members who need to understand or study China's principle or framework for electric construction machinery.
- None of the eight standards have adopted international standards, potentially requiring more compliance efforts for AEM members if they intend to put such product into the China market.
- The seven implemented electric standards have called for comments on March 15, 2024. It takes four months to go through comment review and draft for approval. The noise standard may take similar period of time like the first 7 standard for electric earth-moving machinery.



## Radio

### 10. New Comprehensive Regulation Developed for Radars

From July 31 to August 31, 2024, the Ministry of Industry and Information Technology (MIIT) is soliciting opinions on the *Provisional Regulations on Radar Radio Management (Draft for Comments)*.

The document applies to all radar products in China. It specifies the frequency bands for radar applications in aviation, meteorology, maritime traffic, land traffic, small target detection, hydrological geological oceanic disaster prevention and mitigation, short-range detection, and unmanned aerial vehicles (UAVs). More specifically, it designates the frequency range for automotive radars as 76-79 GHz, and for short-range detection radars and UAV-mounted radars as 24-24.25 GHz.

The document provides the radio frequency technical requirements for radar radio transmission and reception equipment, while mandating that radar equipment produced in or imported into China must apply for radio transmission equipment model approval from the national radio management authority (i.e., SRRC certification).

Regarding data security, the document states that radio management agencies in provinces, autonomous regions, and municipalities, are responsible for supervising data collection and processing activities of radars that have obtained radio station licenses in their respective

jurisdictions. They are also required to conduct regular security risk assessments.

According to the draft released, the regulation is expected to come into effect on January 1, 2025. Radars that have been licensed, legally used, or procured according to current management requirements by January 1, 2026, may be used until their frequency licenses expire or the radio station equipment is decommissioned. Starting from January 1, 2026, radio transmission equipment model approval (SRRC certification) must be conducted according to this document.

As mobile machinery becomes increasingly intelligent, more products are being equipped with radars to enable precise environmental perception and functions, such as autonomous driving. In the future, mobile machinery products equipped with radars will be subject to this regulation. Overseas manufacturers of smart agricultural machinery should ensure that their radars meet the technical requirements outlined in this regulation and obtain the necessary SRRC certification.

Additionally, the document specifies that the security of radar-collected data is subject to risk assessment. Although it does not indicate the body in charge of conducting the assessments, nor does it specify the content and criteria of the assessment, this suggests that new compliance requirements are in the process of being developed and are expected to be introduced.



# ICV and Automation

## 11. Progress of ICV Regulations and Standards in China

From July 16 to 18, SAC/TC114 (automobile) held the 9th Symposium on Technologies, Standards, and Regulations for Intelligent and Connected Vehicles (ICV) in Yancheng, Jiangsu province. The aim of the event was to provide a comprehensive platform for disseminating and explaining ICV policies and regulations, engaging in international exchanges, and displaying the latest achievements of the ICV industry.

During the event, Mr. An Tiecheng, Chairman of the China Automotive Technology and Research Center (CATARC, which hosts SAC/TC114's secretariat), highlighted that the current regulatory system for ICV products in China mainly consists of four elements: (i) the issuance of the *Opinions on Strengthening the Access Management of ICV Manufacturing Enterprises and Products*, which clarifies the management principles and key directions; (ii) the implementation of self-inspection requirements for ICV enterprises, which lays the foundation for the subsequent exploration of the regulatory system; (iii) the initiation of an OTA upgrade filing system, which gradually regulates the software upgrade activities of ICV enterprises; and iv) the promotion of pilot projects for ICV access and road testing. Mr. An suggested that, in the future, China's ICV regulation will focus on three main aspects: (i) cybersecurity and data security management for ICV enterprises and products; (ii) software upgrade management for ICV enterprises and products; and (iii) access management for vehicles with Level 3 and Level 4 autonomous driving functions.

Dr. Sun Hang from SAC/TC114/SC34 (ICV) shared the current status and outlook of standardization within China's ICV sector. He noted that China's ICV standardization work has made positive progress. Specifically, China has updated the ICV standard system (i.e., the *National Vehicle Networking Industry Standard System Construction Guide – Intelligent Connected Vehicles – 2023 Edition*), issued guidelines for the construction of automotive chip standards, and established the ICV "Four-Dimensional Comprehensive Safety System" standards to address functional safety, expected functional safety, cybersecurity, and data security issues. In terms of standards, China has formulated and released 45 ICV standards; 19 other standards are pending approval; 20 additional standards are in the initiation stage, while 26 others in the project application stage. In the future, China will continue to coordinate and promote the development of standards in key areas, ensure a continuous supply of high-quality standards through testing and demonstration pilots, consolidate and expand coordination between regulations and international standards, and innovate standardization work mechanisms to optimize the entire lifecycle management of standards.

On the sidelines of the event, six sub-forums were held. Experts from domestic and international ICV-related enterprises, industry associations, and standardization organizations shared their practices and observations in the fields of automated driving, vehicular communication, functional safety, cybersecurity, intelligent cockpit, and automotive chips.



# Export Control

## 12. GACC Updates Import and Export Documentation Requirements

In July, the General Administration of Customs of China (GACC) issued a notice and a regulation for import and export management.

### Administrative Measures for Certificate of Origin

On July 30, 2024, GACC issued Administrative Measures of the People's Republic of China for the Certificate of Origin for Export Goods (hereinafter referred to as “the Administrative Measures”). It will apply to all certificates of origin that were issued in China (general and GPS etc.). It shall come into force on September 1, 2024, and replace the Administrative Measures for the ***Issuance of Non-Preferential Certificates of Origin of the People's Republic of China (2018 Second Amendment)***

The legal basis of the regulation is the ***Customs Law of China<sup>3</sup>, Law of the People's Republic of China on Import and Export Commodity Inspection (2021 Revision)***, and ***Regulation of the People's Republic of China on the Place of Origin of Import and Export Goods (2019 Revision)***, etc. The issuing of Administrative Measures covers a larger scope of certificates and is expected to help clarify the details and implementation requirements for all stakeholders.

It contains six chapters that articulate: i) basic information; ii) application, review, and issuing of the certificates; iii) post-issue, reissue, and alteration; iv) verification of place of origin; v) supervision and management; iv) miscellaneous.

### New Requirements on Filing “Date of Departure”

On July 9, 2024, GACC issued a No. 81 Notice to specify new requirements on the filling of “date of departure” in the documentation for the cargo that will be imported into China. Specifically, it states that:

- From the issuing date, all cargo imported into China should address the “Date of Departure” on all application documents as “the date that the cargo departs from the first foreign loading port” instead of “the date where the means of transport that carries the good leaves the departure port”.
- In cases where a bill of entry contains multiple departure dates, the latest departure date shall be filled into relevant documentation.

AEM and AEM members with import and export businesses are advised to check if any possible impact or changes are initiated from these two changes.

<sup>3</sup> The currently effective version was issued and implemented in April 2021.





# Standardization

## 13. Measures Regulating Participation Management to IEC Conformity Assessment System in China

On July 5, 2024, the State Administration for Market Regulation (SAMR) published the full text of *the Administrative Measures on the Participation in the Activities of the International Electrotechnical Commission's Conformity Assessment System* (herein after referred to as "the Administrative Measures"). The document has come into effect immediately upon their issuance on June 26, 2024, replacing relevant regulations concerning the management of the IEC conformity assessment system in the *Certification and Accreditation International Peer Reviewers Recommendation and Post Management Measures, Regulations on the Management of Participation in the Activities of International Organizations for Certification and Accreditation (for trial implementation), and the Certification and Accreditation International and Regional Organizations Post Management Provisions*.

The key takeaways of the Administrative Measures include:

**I. The establishment of a sub-technical committee within China's IEC national committee** (hereafter referred to as "the Sub-technical Committee"). According to the Administrative Measures, this committee will serve as an intermediary between CNCA and domestic stakeholders, including certification and accreditation bodies, enterprises, research institutes, and industry associations. The committee's responsibilities, detailed in Chapter 6 of the Administrative Measures, include:

- Voting: CNCA will seek the opinions of relevant Chinese parties through the Conformity Assessment Sub-committee.
- Proposals: Stakeholders are encouraged to propose new projects and rules to the IEC conformity assessment system. The Sub-

technical Committee will organize and demonstrate these proposals before submitting them to CNCA.

- Research: The Sub-technical Committee will study discrepancies in national standards and report findings to CNCA.

Further details on the committee's operations are expected in their forthcoming official announcement, including the establishment of the secretariat.

**II. Procedures for joining the IEC conformity assessment system** require applicants to apply to CNCA for assessment. Only organizations and personnel that meet the eligibility criteria and pass the assessment will receive CNCA's endorsement to join the IEC conformity assessment system.

Rights and responsibilities of conformity assessment bodies under the Administrative Measures:

- Conduct IEC conformity assessment activities in compliance with relevant national laws, IEC conformity assessment system rules, and the Administrative Measures' requirements.
- Accept CNCA's oversight and participate in the Sub-technical Committee.
- Regularly submit certificate issuance, evaluation acceptance, and other related information to CNCA.
- Safeguard national interests and reputation conscientiously.
- Actively foster and support experts participating in IEC conformity assessment working groups.

The National Certification and Accreditation Administration of China (CNCA) is the hosting China's national member body within the IEC Conformity Assessment System, oversees the management of China's participation in this

system. Presently, China hosts 77 conformity assessment bodies participating in the IEC system, with Chinese enterprises holding 86,700 IEC conformity assessment certificates, taking up of approximately 10% of the total global number. For foreign stakeholders, the Administrative Measures emphasize compliance with IEC conformity assessment rules, reflecting China's commitment to harmonizing with international standards. Foreign conformity assessment bodies legally operating in China are advised to monitor developments related to the Sub-technical Committee's formation and terms of reference, as

participation in its activities is mandated by the Administrative Measures.

AEM and AEM members to be aware that, the Administrative Measures may also consider a specified regulation to support *the Administrative Measures on the Participation in the Activities of the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC)* (issued by the former General Administration of Quality Supervision and has come into force on May 1, 2015.)

## 14. China Optimized and Review Its Mandatory Standard System and Management

On July 5, 2024, the Standardization Administration of China (SAC) released *the Notice on Initiating the Statistical Analysis on the Implementation of Mandatory National Standards* (hereinafter referred to as "the Notice"). The exercise can be effectively seen as a follow-up to the *Opinions on Establishing a Statistical Analysis and Reporting System for the Implementation of Mandatory Standards*<sup>4</sup>, which were issued by SAC on April 25, 2024. Please click here to find out more details. It outlines the requirements for the subjects of the statistical analysis, major considerations, methodology, reporting, and organizational implementation. The key takeaways of the Notice are summarized as follows:

- **Subject of the statistical analysis.** The Notice targets all the mandatory national standards that have been implemented since 2020, that is, those that had completed three years of implementation by the end of 2023. A list of eligible standards is annexed at the end of the main text of the Notice, together with the corresponding competent governmental authorities. Apart from the standards in the list, other standards deemed noteworthy by relevant administrative departments under The State Council can also be analysed, either because they present high risks or have a potentially high impact on the society.
- **Major considerations.** The considerations are similar to the ones of the official review of mandatory standards that takes place every five years, yet more extensive. Specifically, while carrying out the statistical analysis, the research must also look into the restrictions on implementation, implementation situation, and associated benefits, in addition to the relevancy and main coordination challenges of the standards.
- **Methodology.** The Notice details the process of the statistical analysis, from the collection of materials and information to surveying, panel discussions, statistical analysis, and data quality control. Each part entails specific requirements to ensure the accuracy of the final report.

On the same day, SAC also issued the *Notice on the Review of National Mandatory Standards in 2024* (hereinafter referred to as "the Review Notice"), which assigned to 24 corresponding authorities for standards in their own fields all the mandatory national standards. The key takeaways of this Review Notice include:

- **Legal basis:** the *Standardization Law of China* and the *Measures for Administration of Mandatory*

<sup>4</sup> Further detail of this Notice please refer to article #12 of *20240515 BESTAO-AEM China Compliance - April 2024*.

*National Standards*, which require that the competent authorities review the mandatory national standards in their respective fields, and draw conclusions of maintaining, revising or withdrawing the standards.

- **Basic requirements:** by the end of 2024, the review should be finished for all national mandatory standards that have concluded five years of implementation or that have not been reviewed for five years.
- **Review perspective:** relevancy, operable and verifiable issues, timeliness, and coordination issues. The following is a brief summary of each consideration, corresponding to specific articles of the Measures. According to the Notice, if the conclusion of the review is "withdrawn", sufficient justification should be given in general, and the corresponding transitional period should be specified.

AEM and AEM members who are interested in the country's mandatory standards and their management progress should have greater transparency and access to data. Most importantly, the review of mandatory standards is likely to lead to revisions or changes in existing standard systems, which will impact relevant sectors. Therefore, it is recommended to stay updated on the review results and related announcements

## 15. Two Mandatory Standard Drafts of Non-road Mobile Machinery Safety Calling for Comments

On July 17, 2024, the Technology Department of the Ministry of Industry and Information Technology (MIIT) issued a notice to call for comments on nine mandatory standards. The calling-for-comment period will end on September 14, 2024, and two standards below are related to non-road mobile machinery:

Project No.	Standard Name and TC in Charge	Key Contents	Standard to be replaced
20141790-Q-604	Building construction machinery and equipment-Common safety requirements  <i>by TC328 (Building Construction Machinery and Equipment)</i>	It specifies the general safety requirements for building construction machinery and equipment. It applies to concrete and mortar machinery, drilling and foundation equipment, tunnelling machinery, road construction, and road maintenance machinery, building demolition or processing machinery, construction components machinery, steel reinforcement processing machinery, and other building construction machinery and equipment It does not apply to earth-moving machinery, lifting appliances, construction lifts, overhead work baskets, window cleaners, forklifts, mining machinery, and equipment for surface mining, underground mining machinery, and equipment for mining solid minerals, etc., even if this machinery and equipment can be used for building construction or maintenance It does not apply to machines that are manufactured before the implementation of this standard.	Newly drafted

Project No.	Standard Name and TC in Charge	Key Contents	Standard to be replaced
20203577-Q-339	Safety technical specifications for tractors  <i>by TC 140 (Tractors)</i>	It specifies the safety requirements and/or measures for the design and manufacture of tractors and their test verification methods, which is the type of information provided by the manufacturer on safe operation (including residual risks). It applies to tractors used in China and does not apply to tractors produced before the promulgation of this standard	GB 18447.1-2008, GB 18447.2-2008, GB 18447.3-2008, GB 18447.4-2008

Other key takeaways of the standards for AEM and AEM members include:

### **Safety technical specifications for tractors**

- GB 18447 series, which will be replaced once this new draft comes into force, contains 4 parts and the existing effective version have been in effect since 2008.
- This standard is a type C standard in machinery safety standard system and is therefore of high importance. The reason is that China categorized its machinery safety standard system into three types: type A refers to basic standards that provide basic definitions and design principles, etc.; type B refers to general standards that cover one or multiple safety characteristics, or safety device that covers a wide application scope; type C refers to standards that specified the safety requirements for one certain unit or set of machinery. Requirements of type C standards shall prevail when they are inconsistent with those stipulated in types A and B.
- In terms of international adoption, although none are stated as direct or modified adoption, three documents are listed as normative references: ***ISO 5721-1 Agricultural tractors—Requirements, test procedures and acceptance criteria for the operator’s field of vision—Part 1: Field of vision to the front***, ***ISO 5721-2 Agricultural tractors—Requirements, test procedures and acceptance criteria for the operator’s field of vision—Part 2: Field of vision to the side and to the rear***, and ***OECD CODE 8 - OECD Standard Code for the Official Testing of Protective Structures on Agricultural and Forestry Tracklaying Tractors***.

### **Building construction machinery and equipment - Common safety requirements**

- The original standard project was approved by the Standardization Administration of China (SAC) in 2014, but the first internal draft was not ready until October of 2023.
- According to the TC members, the contents of the EU Machinery Directive of EU are used as one of the referencing materials. Yet this standard does not adopt any international standards.
- Annex A of the standard draft provides a standard list for the safety of each product category under the standard application scope, which provides a clearer view of the framework for manufacturers.
- The currently effective Chinese standards on the safety of building construction machinery and equipment are GB 22361-2008, GB 26545-2011, GB 26504-2011, GB 26505-2011, and GB 28395-2012. This new standard draft has integrated the main safety requirements from the five standards previously mentioned, and the contents will stay consistent.

Both standards are advised by the drafting TC to come into force in the 13<sup>th</sup> month after its approval. However, the final implementation date and the transition period shall be subject to the official announcement after SAC approval.

## BESTAO policy review to this Issue:

- BESTAO Translation - Opinions on Implementation of Agricultural Machinery Purchase and Application Subsidies for 2024–2026

## What can be expected in the following editions:

In the following editions, China Regulatory and Compliance Observation for AEM will still cover policies, laws, regulations, certification and standards for agriculture and forestry machinery, construction, and mining machinery of China, which will include but not limited to:

1. FAQ on China's voluntary carbon trading market
2. Standard updates of agricultural and construction machinery

## About BESTAO Consulting Co. Ltd.

Founded by senior experts with solid industry experience, BESTAO Consulting provides regulatory compliance solutions across a wide range of industries to our global clients who wish to enter Chinese markets. Our areas of expertise include Government Affairs, Industry Policies, Technical Regulations and Standards, Certifications and Market Access, Tannings and Translation Services.

Accessing the Chinese market has become increasingly more important for overseas companies of all kinds and having a better understanding of the requirements to enter this large and complex market will give you the advantage over your competition. BESTAO Consulting can help you understand the Chinese regulatory environment to gain access quick and effective access to the Chinese Market.

### What We Offer:

- The government affairs team supports our clients in identifying key stakeholders in China to build connections and improve business development.
- Our consulting team helps our clients understand China's legal framework, technical regulations, standardization system and certification schemes, including but not limited to Product Safety, CCC, China RoHS, Energy label, Medical Device Registration, Special Equipment Certification, etc. We advise our clients on market access requirements and draw comparisons between EU/US and China.
- Our intelligence collection team gathers up-to-date information on China's technical regulations and standardization in sectors like electrical and electronics products, consumer products, mechanical products, automotive, etc. We also make tailor-made observations for our clients upon their requests. We make sure that our clients stay informed on the latest developments in regulations, certification, and standardization in China.
- Our training team is dedicated to conducting workshops for overseas companies to facilitate their entry into Chinese markets.
- Our translation team provides high-quality English translations of laws, regulations, standards, and technical specifications.
- We also offer China representative, "virtual office" services and tailor-made China regulatory retainer services for overseas clients.

For more information on how BESTAO can help your company enter and grow in the Chinese market, please contact us at:

BESTAO Consulting Co., Ltd.  
No.9, Xinyuanjie, Chaoyang District  
Beijing, 100102. P R China  
Phone: +86 10 6599 6261  
Fax: +86 10 6474 9117  
Email: [assistant@bestao-consulting.com](mailto:assistant@bestao-consulting.com)  
Website: [www.bestao-consulting.com](http://www.bestao-consulting.com)