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# FOREIGN TRADE LAW OF THE PEOPLE'S REPUBLIC OF CHINA

(Adopted at the Seventh Meeting of the Standing Committee of the Eighth National People's Congress on May 12, 1994, revised for the first time at the Eighth Meeting of the Standing Committee of the Tenth National People's Congress on April 6, 2004, amended for the first time in accordance with the Decision of the Standing Committee of the Twelfth National People's Congress on Amending Twelve Laws including the Foreign Trade Law of the People's Republic of China adopted at the Twenty-Fourth Meeting of the Standing Committee of the Twelfth National People's Congress on November 7, 2016, amended for the second time in accordance with the Decision of the Standing Committee of the Thirteenth National People's Congress on Amending the Foreign Trade Law of the People's Republic of China adopted at the Thirty-Eighth Meeting of the Standing Committee of the Thirteenth National People's Congress on December 30, 2022, revised for the second time at the Nineteenth Meeting of the Standing Committee of the Fourteenth National People's Congress on December 27, 2025)



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## Chapter I: General Provisions

### Article 1

This Law is enacted in accordance with the Constitution for the purposes of advancing high-standard opening-up, promoting the high-quality development of foreign trade, maintaining foreign trade order, protecting the lawful rights and interests of foreign trade operators, facilitating the sound development of the socialist market economy, and safeguarding national sovereignty, security, and developmental interests.

### Article 2

This Law applies to foreign trade and the protection of intellectual property rights related to foreign trade.

For the purposes of this Law, “foreign trade” refers to the import and export of goods, the import and export of technologies, and international trade in services.

### Article 3

Foreign trade work shall serve national economic and social development and advance the building of a strong trading nation.

### Article 4

The competent department of foreign trade under the State Council shall, in accordance with this Law, be in charge of foreign trade work nationwide.

### Article 5

The State implements a unified foreign trade system, encourages the development of foreign trade, and maintains a fair and free foreign trade order.

### Article 6

The State actively aligns with international high-standard economic and trade rules, actively participates in the formulation of international economic and trade rules, safeguards the multilateral trading system and a fair and equitable international economic and trade order, expands the network of high-standard free trade zones, optimizes the environment for open cooperation, and promotes the building of an open world economy.

### Article 7

The State establishes a trade policy compliance mechanism aligned with internationally accepted rules.

Departments under the State Council and local people’s governments at or above the county level and their departments shall, when formulating policies and measures involving foreign trade and intellectual property rights related to foreign trade, conduct trade policy compliance assessments in accordance with relevant State regulations.

### Article 8

The People’s Republic of China shall, in accordance with the principles of equality and mutual benefit, promote and develop trade relations with other countries and regions, conclude or accede to regional economic and trade agreements such as customs union agreements and free trade zone agreements, and participate in regional economic organizations.

### Article 9

In foreign trade, the People’s Republic of China shall, in accordance with the international treaties or agreements it has concluded or acceded to, grant most-favored-nation treatment, national treatment, and other treatment to other contracting parties or participating parties, or grant such treatment on the basis of the principles of reciprocity and mutual benefit.

### Article 10

Where any country or region adopts discriminatory prohibitions, restrictions, or other similar measures against the People’s Republic of China in trade, the People’s Republic of China may, in light of the actual circumstances, adopt corresponding measures against that country or region.

## Chapter II: Foreign Trade Operators

### Article 11

For the purposes of this Law, “foreign trade operators” refers to individuals and organizations that have completed business entity registration or other practice procedures in accordance with the law and engage in foreign trade activities in accordance with this Law and other relevant laws and administrative regulations.

### Article 12

Engaging in foreign labor cooperation shall require obtaining foreign labor cooperation operation

qualifications in accordance with the law. Specific measures shall be prescribed by the State Council. Engaging in foreign contracted projects shall require filing in accordance with relevant State regulations; where laws or administrative regulations require approval, such provisions shall apply.

#### **Article 13**

The State may implement state trading administration for the import and export of certain goods. Import and export business of goods subject to state trading administration may only be conducted by authorized enterprises; except where the State allows a certain quantity of such business to be conducted by non-authorized enterprises.

The catalog of goods subject to state trading administration and the list of authorized operating enterprises shall be formulated, adjusted, and published by the competent department of foreign trade under the State Council in conjunction with other relevant departments under the State Council.

Violating the provisions of the first paragraph of this Article by importing or exporting goods subject to state trading administration without authorization shall result in customs denying release.

#### **Article 14**

Foreign trade operators may, within their business scope, handle foreign trade business on behalf of others upon entrustment.

#### **Article 15**

Foreign trade operators shall, in accordance with regulations issued by the competent department of foreign trade under the State Council or other relevant departments under the State Council in accordance with the law, submit documents and materials related to their foreign trade operations to the relevant departments. The relevant departments shall keep confidential the business secrets of the providers.

### **Chapter III: Import and Export of Goods and Technologies**

#### **Article 16**

The State permits the free import and export of goods and technologies, except as otherwise provided by laws and administrative regulations.

#### **Article 17**

For the purpose of monitoring import and export situations, the competent department of foreign trade under the State Council may implement automatic import and export licensing for certain freely imported and exported goods and publish a catalog thereof.

For goods subject to automatic licensing, where the consignee or consignor applies for automatic licensing before completing customs declaration procedures, the competent department of foreign trade under the State Council or its entrusted agency shall grant the license; customs shall handle clearance procedures based on the submitted automatic licensing certificate.

For technologies that are freely imported or exported, contract filing registration shall be completed with the competent department of foreign trade under the State Council or its entrusted agency.

#### **Article 18**

The State may, based on the following reasons, prohibit or restrict the import and export of relevant goods and technologies, or take other necessary measures:

1. To safeguard national security, public interests, or public morals;
2. To protect human health or safety, or the life or health of animals or plants, or to protect the environment;
3. To implement measures related to the import and export of gold or silver;
4. Due to domestic supply shortages or to effectively protect exhaustible natural resources;
5. Due to limited market capacity in the destination country or region;
6. Due to serious disruption of export order;
7. To establish or accelerate the establishment of a particular domestic industry;
8. Where it is necessary to restrict the import of agricultural, livestock, or fishery products in any form;
9. To safeguard the country's international financial position and balance of payments;
10. Other circumstances where it is necessary to prohibit or restrict the import and export of relevant goods and technologies, or to take other necessary measures, as provided by laws or administrative regulations;
11. Other circumstances where it is necessary to prohibit or restrict the import and export of rel-

evant goods and technologies, or to take other necessary measures, as provided by international treaties or agreements concluded or acceded to by the People's Republic of China;

12. Other circumstances where it is necessary to prohibit or restrict the import and export of relevant goods and technologies, or to take other necessary measures.

#### **Article 19**

The State may take any necessary measures to safeguard national security with respect to the import and export of goods and technologies related to fissionable, fusionable materials, or materials derived therefrom, and the import and export related to weapons, ammunition, or other military supplies. During wartime or other emergencies in international relations, or to maintain international peace and security, the State may take any necessary measures regarding the import and export of goods and technologies.

#### **Article 20**

The competent department of foreign trade under the State Council, in conjunction with other relevant departments under the State Council, shall formulate, adjust, and publish the catalog of goods and technologies prohibited or restricted from import and export in accordance with Articles 18 and 19 of this Law.

The competent department of foreign trade under the State Council or jointly with other relevant departments under the State Council may, with the approval of the State Council and within the scope prescribed in Articles 18 and 19 of this Law, temporarily decide to prohibit or restrict the import and export of specific goods and technologies not included in the catalog mentioned in the preceding paragraph.

#### **Article 21**

The State shall administer restricted import and export goods through quotas, licenses, and other means; and administer restricted import and export technologies through licenses.

Goods and technologies subject to quota or license administration may be imported or exported only after obtaining permission from the competent department of foreign trade under the State Council or jointly with other relevant departments under the State Council in accordance with State Council regulations.

The State may implement tariff-rate quota administration for certain import and export goods.

#### **Article 22**

Import and export quotas and tariff-rate quotas shall be allocated by the competent department of foreign trade under the State Council or other relevant departments under the State Council within their respective responsibilities, in accordance with the principles of openness, fairness, impartiality, and efficiency. Specific measures shall be prescribed by the State Council.

#### **Article 23**

Foreign trade operators may engage in processing trade in accordance with the law, importing all or part of the materials and parts, and re-exporting the finished products after processing, assembly, or repair. Foreign trade operators shall comply with State prohibitions or restrictions on processing trade goods. The competent department of foreign trade under the State Council, in conjunction with other relevant departments under the State Council, shall formulate, adjust, and publish the catalog of goods prohibited or restricted for processing trade. Where imported materials and parts or finished products from processing trade cannot be re-exported, they may be converted for domestic sale in accordance with the law. For converted processing trade imported materials and parts or finished products that belong to goods subject to quota, license, or tariff-rate quota administration, quota certificates, licenses, or tariff-rate quota certificates shall be obtained.

#### **Article 24**

The State implements a unified product conformity assessment system. Certification, inspection, and quarantine of import and export goods shall be conducted in accordance with relevant laws and administrative regulations.

#### **Article 25**

The State administers the origin of import and export goods. The specific determination of the origin of import and export goods shall be carried out in accordance with relevant laws and regulations of the State Council and its departments.

#### **Article 26**

For cultural relics, wildlife and plants and their

products, etc., where other laws or administrative regulations have prohibitions or restrictions on import and export, such provisions shall apply.

## **Chapter IV: International Trade in Services**

### **Article 27**

The State encourages the development of international trade in services through various modes such as cross-border supply, consumption abroad, commercial presence, and movement of natural persons.

### **Article 28**

The competent department of foreign trade under the State Council and other relevant departments under the State Council shall administer international trade in services in accordance with this Law and other relevant laws and administrative regulations.

### **Article 29**

The State may, based on the following reasons, prohibit or restrict relevant international trade in services, or take other necessary measures:

1. To safeguard national security, public interests, or public morals;
2. To protect human health or safety, or the life or health of animals or plants, or to protect the environment;
3. To establish or accelerate the establishment of a particular domestic service industry;
4. To safeguard the country's foreign exchange balance of payments;
5. Other circumstances where it is necessary to prohibit or restrict relevant international trade in services, or to take other necessary measures, as provided by laws or administrative regulations;
6. Other circumstances where it is necessary to prohibit or restrict relevant international trade in services, or to take other necessary measures, as provided by international treaties or agreements concluded or acceded to by the People's Republic of China;
7. Other circumstances where it is necessary to prohibit or restrict relevant international trade in services, or to take other necessary measures.

### **Article 30**

The State may take any necessary measures to safe-

guard national security with respect to international trade in services related to military affairs and international trade in services related to fissionable, fusionable materials, or materials derived therefrom. During wartime or other emergencies in international relations, or to maintain international peace and security, the State may take any necessary measures regarding international trade in services.

### **Article 31**

The State implements a negative list management system for cross-border trade in services conducted by foreign service suppliers through cross-border supply, consumption abroad, and movement of natural persons (hereinafter collectively referred to as cross-border trade in services).

The competent department of foreign trade under the State Council, in conjunction with other relevant departments under the State Council, shall formulate, adjust, and publish the negative list for cross-border trade in services.

Foreign service suppliers engaging in international trade in services through commercial presence shall comply with the provisions of the Foreign Investment Law of the People's Republic of China and other laws and administrative regulations.

Where international treaties or agreements concluded or acceded to by the People's Republic of China provide more favorable provisions for conducting international trade in services, such provisions may be applied.

## **Chapter V: Protection of Intellectual Property Rights Related to Foreign Trade**

### **Article 32**

The State strengthens the protection of intellectual property rights related to foreign trade and protects intellectual property rights related to foreign trade in accordance with laws and administrative regulations on intellectual property rights.

Where imported goods infringe intellectual property rights and harm foreign trade order, the competent department of foreign trade under the State Council may take measures such as prohibiting the import of relevant goods produced or sold by the infringer for a certain period.

### **Article 33**

The State conducts international exchanges and

cooperation on intellectual property rights related to foreign trade, actively promotes negotiations on intellectual property rights related to foreign trade, establishes and improves overseas intellectual property rights early warning and rights protection assistance information platforms, and enhances the intellectual property rights compliance level and risk response capability of foreign trade operators.

#### **Article 34**

Where an intellectual property rights holder prevents the licensee from challenging the validity of intellectual property rights in the license agreement, imposes mandatory package licensing, or stipulates exclusive grant-back conditions in the license agreement, and such acts harm the fair competition order in foreign trade, the competent department of foreign trade under the State Council may take necessary measures to eliminate the harm.

#### **Article 35**

Where any country or region fails to grant national treatment to individuals or organizations of the People's Republic of China in intellectual property protection, or cannot provide adequate and effective intellectual property protection for goods, technologies, or services originating from the People's Republic of China, the competent department of foreign trade under the State Council may, in accordance with this Law and other relevant laws and administrative regulations, and based on international treaties or agreements concluded or acceded to by the People's Republic of China, take necessary measures against foreign trade with that country or region.

### **Chapter VI: Foreign Trade Order**

#### **Article 36**

In foreign trade activities, monopoly or unfair competition practices shall not be implemented in violation of relevant anti-monopoly and anti-unfair competition laws and administrative regulations. Where monopoly or unfair competition practices in foreign trade activities harm fair market competition, they shall be dealt with in accordance with relevant anti-monopoly and anti-unfair competition laws and administrative regulations.

#### **Article 37**

In foreign trade activities, the following acts shall

not be committed:

1. Forging or altering marks of origin on import and export goods, forging, altering, or buying or selling certificates of origin, import and export quota certificates, import and export licenses, tariff-rate quota certificates, or other import and export documents;
2. Evading payment of export-related domestic taxes, or fraudulently obtaining export tax rebates;
3. Smuggling;
4. Evading certification, inspection, or quarantine required by laws or administrative regulations;
5. Other acts in violation of laws or administrative regulations.

#### **Article 38**

Foreign trade operators shall, in foreign trade activities, comply with customs supervision, foreign exchange administration, data security protection, and other relevant regulations.

#### **Article 39**

Where acts violate this Law and harm foreign trade order, the competent department of foreign trade under the State Council may announce them to the public and take necessary measures to eliminate the harm.

#### **Article 40**

The competent department of foreign trade under the State Council may, against foreign individuals or organizations under any of the following circumstances, take measures such as prohibiting or restricting their import and export of goods and technologies related to the People's Republic of China and international trade in services:

1. Harming the sovereignty, security, and developmental interests of the People's Republic of China;
2. Violating normal market transaction principles, interrupting normal transactions with individuals or organizations of the People's Republic of China, and seriously damaging the lawful rights and interests of individuals or organizations of the People's Republic of China;
3. Taking discriminatory measures against individuals or organizations of the People's Republic of China and seriously damaging their lawful rights and interests.

No individual or organization shall provide agency,

freight, delivery, customs declaration, warehousing, third-party trading platform services, or other support, assistance, or facilitation for acts aimed at circumventing the measures prescribed in the preceding paragraph.

## **Chapter VII: Foreign Trade Investigations**

### **Article 41**

For the purpose of maintaining foreign trade order, the competent department of foreign trade under the State Council may, either independently or jointly with other relevant departments under the State Council, conduct investigations into the following matters in accordance with laws and administrative regulations:

1. The impact of import and export of goods and technologies and international trade in services on domestic industries and their competitiveness;
2. Trade-related barriers in relevant countries or regions;
3. Matters requiring investigation to determine whether foreign trade remedy measures such as anti-dumping, countervailing, or safeguard measures should be taken in accordance with the law;
4. Acts of circumvention of foreign trade remedy measures;
5. Matters concerning national security interests in foreign trade;
6. Matters requiring investigation to implement Articles 10, 32(2), 34, and 35 of this Law;
7. Other matters affecting foreign trade order that require investigation.

### **Article 42**

The initiation of a foreign trade investigation shall be announced by the competent department of foreign trade under the State Council.

Investigations may be conducted through written questionnaires, hearings, on-site investigations, entrusted investigations, and other means.

The competent department of foreign trade under the State Council shall, based on the investigation results, submit an investigation report or make a ruling and announce it.

### **Article 43**

Relevant individuals and organizations shall coop-

erate and assist in foreign trade investigations.

The competent department of foreign trade under the State Council and other relevant departments under the State Council and their staff shall not disclose or illegally provide state secrets, work secrets, business secrets, personal privacy, and personal information obtained during foreign trade investigations.

## **Chapter VIII: Foreign Trade Remedies**

### **Article 44**

The State may take appropriate foreign trade remedy measures based on foreign trade investigation results.

### **Article 45**

Where products from other countries or regions enter the Chinese market through dumping at less than normal value, causing material injury or threat of material injury to an established domestic industry, or materially retarding the establishment of a domestic industry, the State may take anti-dumping measures to eliminate or mitigate such injury or threat of injury or retardation.

### **Article 46**

Where products from other countries or regions are exported to a third country market at less than normal value, causing material injury or threat of material injury to an established domestic industry in China, or materially retarding the establishment of a domestic industry in China, the competent department of foreign trade under the State Council may, upon application by the domestic industry, conduct consultations with the government of that third country, requesting it to take appropriate measures.

### **Article 47**

Where imported products directly or indirectly receive any form of specific subsidy from the exporting country or region, causing material injury or threat of material injury to an established domestic industry, or materially retarding the establishment of a domestic industry, the State may take countervailing measures to eliminate or mitigate such injury or threat of injury or retardation.

### **Article 48**

Where a sharp increase in the quantity of imported

products causes serious injury or threat of serious injury to a domestic industry producing like or directly competitive products, the State may take necessary safeguard measures to eliminate or mitigate such injury or threat of injury, and may provide necessary support to that industry.

#### **Article 49**

Where an increase in services supplied to China by service suppliers from other countries or regions causes injury or threat of injury to a domestic industry supplying like or directly competitive services, the State may take necessary remedy measures to eliminate or mitigate such injury or threat of injury.

#### **Article 50**

Where restrictions on imports by a third country lead to a sharp increase in the quantity of a certain product entering the Chinese market, causing injury or threat of injury to an established domestic industry, or retarding the establishment of a domestic industry, the State may take necessary remedy measures to restrict the import of that product.

#### **Article 51**

Where a country or region that has concluded or jointly acceded to an economic and trade treaty or agreement with the People's Republic of China violates the provisions of the treaty or agreement, causing the loss or impairment of benefits enjoyed by the People's Republic of China under that treaty or agreement, or impeding the achievement of the treaty or agreement objectives, the government of the People's Republic of China has the right to require the government of the relevant country or region to cease such acts, take appropriate remedial measures, and may suspend or terminate the performance of relevant obligations in accordance with the relevant treaty or agreement.

Where the dispute settlement mechanism provided in the relevant treaty or agreement cannot function normally, causing the loss or impairment of benefits enjoyed by the People's Republic of China under that treaty or agreement, or the inability to achieve the treaty or agreement objectives, the government of the People's Republic of China may take corresponding measures in light of the actual circumstances.

#### **Article 52**

The competent department of foreign trade under

the State Council shall conduct bilateral or multilateral consultations, negotiations, and dispute settlement work on foreign trade in accordance with this Law and other relevant laws.

#### **Article 53**

The competent department of foreign trade under the State Council and other relevant departments under the State Council shall establish and improve early warning and emergency response mechanisms for import and export of goods and technologies and international trade in services to respond to sudden and abnormal situations in foreign trade and safeguard national economic security.

The competent department of foreign trade under the State Council shall conduct trade policy assessments of relevant countries or regions as needed.

#### **Article 54**

The State may take necessary anti-circumvention measures, such as adjusting the foreign trade remedy measures prescribed in Articles 45 to 51 of this Law, against acts of circumvention of foreign trade remedy measures provided in this Law.

#### **Article 55**

To address the impact of trade risks and changes in the trade environment, relevant people's governments may establish trade adjustment assistance systems consistent with World Trade Organization rules and actively carry out trade adjustment assistance work to stabilize industrial and supply chains.

### **Chapter IX: Promotion of Foreign Trade**

#### **Article 56**

The State formulates foreign trade development strategies, promotes balanced development of foreign trade, establishes and improves foreign trade promotion mechanisms, and strengthens coordination and consistency between trade policies and fiscal, tax, financial, industrial, and other policies.

#### **Article 57**

The State establishes and improves financial institutions serving foreign trade based on the needs of foreign trade development, improves insurance safeguard measures, and promotes the construction of cross-border financial service systems.

#### **Article 58**

The State develops foreign trade through import and export credits, export credit insurance, export tax rebates, and other means of promoting foreign trade.

#### **Article 59**

The State supports and promotes innovative development of foreign trade formats and models such as cross-border e-commerce and integrated foreign trade services. The competent department of foreign trade under the State Council shall, jointly with other relevant departments under the State Council, establish and improve policy measures and management systems that meet the development needs of new foreign trade formats and models.

#### **Article 60**

The State supports the digital development of foreign trade, promotes and strengthens the application of information technology in foreign trade activities, supports the use of electronic bills of lading, electronic invoices, etc., promotes international mutual recognition of digital certificates, electronic signatures, etc., and enhances the digitalization and facilitation level of foreign trade.

The State supports and encourages the development of digital trade, establishes and improves digital trade governance systems, improves digital trade regulatory measures, and promotes innovative development of digital trade.

#### **Article 61**

The State accelerates the establishment of a green trade system, encourages the import and export of green and low-carbon products, promotes the construction of product standards, certification, and labeling systems related to green trade, and strengthens international cooperation in green trade.

#### **Article 62**

The State establishes a foreign trade public information service system to provide information services to foreign trade operators and other members of the public.

#### **Article 63**

The State encourages foreign trade operators to explore international markets, guides and assists foreign trade operators in preventing and responding to risks, and develops foreign trade through various

forms such as outward investment, foreign labor cooperation, and foreign contracted projects.

The State encourages professional service institutions such as finance, law, accounting, and intellectual property protection to improve their service networks and provide high-quality professional services to foreign trade operators in exploring international markets, conducting business, responding to risks, and safeguarding rights.

#### **Article 64**

The State supports trade promotion platforms in enhancing their functions and service levels, helping foreign trade operators conduct foreign trade through domestic and international exhibitions, online trade platforms, and other means.

The State supports and promotes the construction of diversified and resilient international transport channel systems and improves foreign trade logistics services.

#### **Article 65**

Foreign trade operators may establish and join relevant associations and chambers of commerce in accordance with the law.

Relevant associations and chambers of commerce shall comply with laws and administrative regulations, provide services related to production, marketing, information, training, etc., to their members in accordance with their Articles of association, play a coordinating and self-regulatory role, apply for foreign trade remedy measures in accordance with the law, safeguard the interests of members and the industry, reflect members' suggestions on foreign trade to relevant government departments, and carry out foreign trade promotion activities.

#### **Article 66**

The State establishes and improves diversified foreign trade dispute resolution mechanisms, providing fair, efficient, and convenient channels for foreign trade operators to resolve disputes through mediation, arbitration, litigation, and other means.

#### **Article 67**

China Council for the Promotion of International Trade shall carry out external contacts, hold exhibitions, provide information, consulting services, and other foreign trade promotion activities in accordance with its Articles of association.

#### **Article 68**

The State supports and assists small, medium, and micro enterprises in conducting foreign trade, providing facilitation in supervision, financing, foreign exchange settlement, and other aspects.

#### **Article 69**

The State supports and assists ethnic autonomous areas and economically underdeveloped areas in developing foreign trade.

#### **Article 70**

The State supports and promotes the development of foreign trade talent teams, cultivates various talents meeting the needs of foreign trade development, and provides talent support for the high-quality development of foreign trade.

### **Chapter X: Legal Liability**

#### **Article 71**

Violating Article 13 of this Law by importing or exporting goods subject to state trading administration without authorization may result in a fine of up to 500,000 yuan imposed by the competent department of foreign trade under the State Council or other relevant departments under the State Council; if the circumstances are serious, the authorities may, within three years from the effective date of the administrative penalty decision, refuse to accept applications from the violator for import and export business of goods subject to state trading administration, or revoke the authorization already granted for import and export of other goods subject to state trading administration.

#### **Article 72**

Violating Article 17(3) of this Law by importing or exporting technologies that are freely imported or exported without completing contract filing registration shall result in an order to make corrections and a warning issued by the competent department of foreign trade under the State Council; refusal to make corrections may result in a fine of up to 50,000 yuan.

#### **Article 73**

Importing or exporting goods prohibited from import or export, or importing or exporting goods restricted from import or export without permission,

shall be dealt with and penalized by customs in accordance with relevant laws and administrative regulations; if a crime is constituted, criminal liability shall be investigated in accordance with the law. Importing or exporting technologies prohibited from import or export, importing or exporting technologies restricted from import or export without permission, or failing to implement the necessary measures prescribed in Articles 18 and 19 of this Law shall be dealt with and penalized in accordance with relevant laws and administrative regulations; where laws or administrative regulations do not provide, the competent department of foreign trade under the State Council shall order corrections, confiscate illegal gains, impose a fine of one to five times the illegal gains if the illegal gains are 500,000 yuan or more, or impose a fine of up to 500,000 yuan if there are no illegal gains or the illegal gains are less than 500,000 yuan; if a crime is constituted, criminal liability shall be investigated in accordance with the law.

Within three years from the effective date of the administrative penalty decision or the effective date of the criminal penalty judgment prescribed in the preceding two paragraphs, the competent department of foreign trade under the State Council or other relevant departments under the State Council may refuse to accept applications from the violator for import and export quotas or licenses, or prohibit the violator from engaging in import and export activities of relevant goods or technologies for a period of one to three years.

#### **Article 74**

Engaging in international trade in services that are prohibited, engaging in international trade in services that are restricted without permission, or failing to implement the necessary measures prescribed in Articles 29 and 30 of this Law shall be dealt with and penalized in accordance with relevant laws and administrative regulations; where laws or administrative regulations do not provide, the competent department of foreign trade under the State Council shall order corrections, confiscate illegal gains, impose a fine of one to five times the illegal gains if the illegal gains are 500,000 yuan or more, or impose a fine of up to 500,000 yuan if there are no illegal gains or the illegal gains are less than 500,000 yuan; if a crime is constituted, criminal liability shall be investigated in accordance with the law.

The competent department of foreign trade under the State Council may prohibit the violator from engaging in relevant international trade in services activities for a period of one to three years from the effective date of the administrative penalty decision or the effective date of the criminal penalty judgment prescribed in the preceding paragraph.

#### **Article 75**

Violating Article 37 of this Law shall be penalized in accordance with relevant laws and administrative regulations; if a crime is constituted, criminal liability shall be investigated in accordance with the law. The competent department of foreign trade under the State Council may prohibit the violator from engaging in relevant foreign trade activities for a period of one to three years from the effective date of the administrative penalty decision or the effective date of the criminal penalty judgment prescribed in the preceding paragraph.

#### **Article 76**

Violating Article 40 of this Law by conducting foreign trade activities with relevant foreign individuals or organizations or providing agency, freight, delivery, customs declaration, warehousing, third-party trading platform services, or other support, assistance, or facilitation shall be dealt with and penalized in accordance with relevant laws, administrative regulations, and departmental rules; where laws, administrative regulations, or departmental rules do not provide, the competent department of foreign trade under the State Council shall order corrections, confiscate illegal gains, impose a fine of one to five times the illegal gains if the illegal gains are 500,000 yuan or more, or impose a fine of up to 500,000 yuan if there are no illegal gains or the illegal gains are less than 500,000 yuan; if a crime is constituted, criminal liability shall be investigated in accordance with the law.

The competent department of foreign trade under the State Council may prohibit the violator from engaging in relevant foreign trade activities for a period of one to five years from the effective date of the administrative penalty decision or the effective date of the criminal penalty judgment prescribed in the preceding paragraph.

#### **Article 77**

For those prohibited from engaging in relevant foreign trade activities in accordance with

Article 40(1) and Articles 73 to 76 of this Law, during the prohibition period, customs shall not handle customs clearance procedures for relevant import and export goods based on the relevant prohibition decision, and the People's Bank of China, foreign exchange administration departments, and financial institutions shall not handle foreign exchange settlement and sale, receipt and payment of foreign exchange, cross-border RMB settlement, and other fund receipt and payment procedures based on the relevant prohibition decision.

#### **Article 78**

Where staff members of departments responsible for foreign trade management in accordance with this Law abuse their authority, neglect their duties, engage in malpractices for personal gain, or disclose or illegally provide state secrets, work secrets, business secrets, personal privacy, or personal information obtained during their work, they shall be given sanctions in accordance with the law; if a crime is constituted, criminal liability shall be investigated in accordance with the law.

Where staff members of departments responsible for foreign trade management in accordance with this Law take advantage of their positions to demand property from others, or illegally accept property from others to seek benefits for others, they shall be given sanctions in accordance with the law; if a crime is constituted, criminal liability shall be investigated in accordance with the law.

#### **Article 79**

Where parties involved in foreign trade activities are dissatisfied with administrative acts made by departments responsible for foreign trade management in accordance with this Law, they may apply for administrative reconsideration or file an administrative lawsuit with a people's court in accordance with the law.

### **Chapter XI: Supplementary Provisions**

#### **Article 80**

For foreign trade management related to dual-use items, military products, fissionable and fusionable materials or materials derived therefrom, and other items related to safeguarding national security and interests and fulfilling international obligations such as non-proliferation, as well as import and ex-

port management of cultural products, where other laws or administrative regulations provide, such provisions shall apply.

**Article 81**

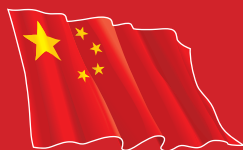
The State adopts flexible measures and provides preferential treatment and facilitation for trade between border areas and neighboring countries' border areas and border resident mutual trade. Specific measures shall be prescribed by the State Council or relevant departments authorized by the State Council.

**Article 82**

This Law does not apply to separate customs territories of the People's Republic of China.

**Article 83**

This Law shall become effective on March 1, 2026.



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