www.dachenglaw.com
北京市东直门南大街 3 号国华投资大厦 5 层/12 层/15 层（100007）
5/F, 12/F, 15/F, Guohua Plaza, 3 Dongzhimennan Avenue,
Beijing 100007, China
Tel: +8610-58137799
Fax: +8610-58137788

DACHENG LAW OFFICES
大成律师事务所

中国法通讯
China Law Newsletter

跨境贸易与投资
Cross-border Trade and Investment

第 6 期 • Issue 6
2012 年 1 月 • January 2011

编者按：本刊旨在报道中国法下跨境贸易与投资的最新动态与我们的实务经验，但本刊不可替代个案的正式法律意见。您若重复收到本刊或者要订阅、退订或进一步了解本刊的内容，请与大成的有关律师联系。

Editor's note: the purpose of this publication is to report the most recent developments in the field of cross-border trade and investment in China, as well as our practical experience therein. However, this publication should not be treated as a substitute for a formal legal opinion in individual cases. If you have received this publication more than once, or would like to subscribe or unsubscribe to this publication, or follow up on any issues raised in this publication, please be in contact with the lawyer you usually deal with at Dacheng Law Offices.

目录
CONTENTS

立法新闻 LEGISLATIVE NEWS [6]

[1] 两部门加强外商投资公司审批管理

Two Ministries Strengthen the Administration the Examination and Approval of Foreign-funded Investment Companies

[2] 《〈内地与香港关于建立更紧密经贸关系的安排〉补充协议八》在香港签署

Supplement Ⅷ to the Mainland and Hong Kong Closer Economic Partnership Arrangement signed in Hong Kong

[3] 上海市出台意见 鼓励外商投资

Shanghai Issues Opinions to Encourage Foreign Investment

[4] 我国拟立法明确外国人停留管理和居留管理

China to Make Laws to Define Stay Management and Residence Management of Foreigners

[5] 《外商投资产业指导目录（2011 年修订）》发布

Foreign Investment Industrial Guidance Catalogue (Revised in 2011) Released

[6] 上海市印发《上海市鼓励跨国公司设立地区总部的规定》

Shanghai issues the Provisions on Encouraging the Establishment of Regional Headquarters by Multinational Companies

投资动态 INVESTMENT DEVELOPMENTS [7]

[7] 海外房地产投资成新宠

Overseas Real Estate Became a New Favorite

[8] 我国 1 月至 11 月实际使用外资金额 1037.69 亿美元

China's Foreign Capital in Actual Use from January to November Reached USD103.769 Billion

[9] 我国 1 至 11 月非金融类对外直接投资超 500 亿美元

China's Non-Financial OFDI from January to November Exceeded USD50 Billion

[10] 中西部地区出口增长迅猛

Export of central and western regions saw rapid growth

[11] 中国将成为全球资产规模最大的银行业市场

China to Become a Banking Market with the Largest Asset Scale in the World

[12] 外资大举进入将加剧中国医药市场竞争

Foreign Capital's Inflow to Upgrade Competition in Chinese Pharmaceutical Market

[13] 上海市境外投资支持服务工作研讨会提出从四方面开展境外投资工作

Shanghai to support overseas investment from four aspects

热点追踪 HOT TOPICS [2]

[14] 中国企业赴美投资受阻案例所涉金额超 200 亿美元

The Case of Chinese Enterprises Going to the US for Investment Being Hindered Involved More than USD20 Billion

[15] 中国企业扳倒美国商务部美法院叫停“反补贴”

US court halts tariffs tied to Chinese subsidies

立法新闻
LEGISLATIVE NEWS

- **两部门加强外商投资公司审批管理（来源：商务部，2011 年 12 月 13 日）**

  Two Ministries Strengthen the Administration the Examination and Approval of Foreign-funded Investment Companies (source: www.mofcom.gov.cn, 13 December 2011)

为规范外商投资性公司的审批和外汇管理，推动外商投资性公司进一步发展，商务部、外汇局日前下发《商务部、外汇局关于进一步完善外商投资性公司有关管理措施的通知》(《通知》)，其中明确外商投资性公司的境内贷款不得用于境内再投资。

In order to regulate the examination and approval and foreign exchange management of foreign-funded investment companies and promote the further development of foreign-funded investment companies, the Ministry of Commerce and the State Administration of Foreign Exchange have recently issued the "Circular on the Further Improvement of the Management Measures Concerning Foreign-funded Investment Companies" (the "Circular"), specifying that no domestic loans of foreign-funded investment companies shall be used for domestic reinvestment.

根据《通知》，外商投资性公司可将其在中国境内获得的人民币利润、先行回收投资、清算、股权转让、减资的人民币合法所得，经所在地外汇局核准后，直接用于境内投资；外国投资者也可将其上述合法所得向投资性公司注册资本出资（或增资）后开展境内投资。

According to the Circular, foreign-funded investment companies may directly use the renminbi profit obtained from China, the renminbi legitimate income from investment advance recovery, liquidation, equity transfer and capital reduction for domestic investment after the approval by the foreign exchange bureau where such foreign-funded investment companies locate; foreign-funded investment companies may also carry out domestic investment after using the above legitimate income to make the contribution to themselves as the registered capital (or capital increase).

Top

- **《〈内地与香港关于建立更紧密经贸关系的安排〉补充协议八》在香港签署（来源：www.gov.cn，2011 年 12 月 14 日）**

  Supplement Ⅷ to the Mainland and Hong Kong Closer Economic Partnership Arrangement signed in Hong Kong (source: www.gov.cn, 14 December 2011)

《〈内地与香港关于建立更紧密经贸关系的安排〉补充协议八》(CEPA8) 12 月 13 日在香港签署，将从 2012 年 4 月 1 日起实施。“补充协议八”涵盖 32 项服务贸易开放和便利贸易投资的措施，其中包括 16 个服务领域的 23 项开放措施，以及加强两地在金融、旅游和创新科技产业等领域的合作。根据“补充协议八”，法律、建筑、技术检验分析与货物检验、人员提供与安排、分销、保险、银行、证券、医院、旅游、

DACHENG LAW OFFICES
大成律师事务所

公路运输、专业技术人员资格考试和个体工商户等 13 个原有领域将进一步开放。

Supplement Ⅷ to the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA8) was signed in Hong Kong on December 13, which will come into force from April 1, 2012. CEPA8 provides for a total of 32 services liberalization and trade and investment facilitation measures, including 23 liberalization measures in 16 service sectors, and strengthens co-operation in areas such as finance, tourism, innovation and technology. According to CEPA8, market access conditions will be further relaxed in 13 existing sectors, namely, legal; construction; technical testing, analysis and product testing; placement and supply services of personnel; distribution; insurance; banking; securities; hospital; tourism; road transport; qualification examinations for professionals and technicians; and individually owned stores.

Top

- **上海市出台意见 鼓励外商投资（来源：中国上海，2011 年 12 月 16 日）**

Shanghai Issues Opinions to Encourage Foreign Investment (source: www.shanghai.gov.cn, 16 December 2011)

近日，上海市人民政府贯彻《国务院关于进一步做好利用外资工作的若干意见》的实施意见（《意见》）发布。《意见》提出，优化外商投资结构，促进利用外资方式多样化，深化外商投资管理体制改革。鼓励跨国公司设立地区总部和功能性机构。鼓励外商投资现代服务业、先进制造业，鼓励外商投资企业转型升级、开展研发活动。鼓励外资参与国内企业改组改造、兼并重组。拓宽外商投资企业融资渠道。下放外商投资项目核准和企业审批权限等。

Recently, Shanghai People's Government has issued the Opinions of the State Council on Implementing the Opinions on Further Enhancing Utilization of Foreign Investment (the "Opinions"). The Opinions put forward to optimize foreign investment structure, deepen the system reform of foreign investment management, and promote the diverge utilization of foreign investment; to encourage MNCs to establish regional headquarters and functional organizations in Shanghai; to encourage foreign capital to invest in modern service sector and advanced manufacturing sector, as well as to participate in restructuring, reform and merger of domestic enterprises; to encourage foreign-invested enterprises to transfer, upgrade and conduct R&D activities; to expand the financing channels for foreign-invested enterprises; and to empower verification of foreign-invested projects as well as enterprise examination and approval.

Top

- **我国拟立法明确外国人停留管理和居留管理（来源：新华网，2011 年 12 月 27 日）**

China to Make Laws to Define Stay Management and Residence Management of Foreigners (source: Xinhua Net, 27 December 2011)

全国人大常委会２６日首次审议的出境入境管理法草案，明确划分了外国人停留管理和居留管理。草案以１８０日作为外国人入境停留和居留的界限。外国人所持签证注明的停留期限不超过１８０日的，凭签证并按照签证注明的停留期限停留；超过１８０日的，应当自入境之日起３０日内，向所在地公安机关出入境管理机构申请办

理外国人居留证件，办理居留证件应当留存指纹信息。

On December 26, NPC Standing Committee reviewed the draft of Exit and Entry Management Law, clearly dividing stay management and residence management of foreigners. The draft takes 180 days as the boundary for entry stay and residence of foreigners. If the stay period stated on the foreigner's visa does not exceed 180 days, the holder shall stay according to the stay period stated on the visa; for those exceeding 180 days, the holder shall apply to the exit and entry management institution of the local public security organ for foreigner residence certificate within 30 days after entry, and fingerprint information shall be reserved when transacting residence certificate.

Top

- **《外商投资产业指导目录（2011 年修订）》发布（来源：发改委网站，2011 年 12 月 29 日）**

Foreign Investment Industrial Guidance Catalogue (Revised in 2011) Released (source: www.ndrc.gov.cn, 29 December 2011)

近日，国家发展改革委、商务部公布《外商投资产业指导目录（2011 年修订）》，自 2012 年 1 月 30 日起施行。新《目录》增加了鼓励类条目，减少了限制类和禁止类条目，取消部分领域对外资的股比限制。新《目录》将高端制造业作为鼓励外商投资的重点领域，促进外资使用新技术、新工艺、新材料、新设备，改造和提升传统产业。鼓励外商投资循环经济，鼓励类增加了废旧电器电子产品、机电设备、电池回收处理条目；增加了 9 项服务业条目；增加了新能源汽车关键零部件、基于 IPv6 的下一代互联网系统设备等条目。将汽车整车制造，多晶硅、煤化工等条目从鼓励类删除。

Recently, the National Development and Reform Commission (NDRC) and the Ministry of Commerce (MOFCOM) have jointly released the Foreign Investment Industrial Guidance Catalogue (Revised in 2011), which will take effect as of Jan. 30, 2012. More encouraged items less prohibited and limited items, as well as cancellation of ratio limit on foreign capital in some areas are found in the new Catalogue. According to the new catalogue, high-end product manufacture becomes the key area for foreign investment to encourage foreign investors to transform and upgrade traditional industries with new technologies, techniques, materials and equipment. Foreign investors are encouraged to invest in recycling economy. The followings are added to the encouraged industries: disposal of crap and old electrical and electronic appliances, machinery and equipment, as well as battery recycling; 9 items in service sector; and key parts of new-energy automobiles and internet system equipment of the next generation based on IPv6. Complete automobile manufacture, poly-silicon and coal chemicals are deleted from the encouraged industries.

Top

- **上海市印发《上海市鼓励跨国公司设立地区总部的规定》（来源：上海市人民政府，2011 年 12 月 30 日）**

Shanghai issues the Provisions on Encouraging the Establishment of Regional Headquarters by Multinational Companies (source: People's Government of Beijing

Municipality, 30 December 2011)

2011 年 12 月 19 日，上海市政府发出沪府发[2011]98 号通知，印发《上海市鼓励跨国公司设立地区总部的规定》。根据该规定，在上海市范围内设立的跨国公司地区总部及其设立的研发中心引进国内优秀人才的，可以为其优先办理本市户籍。 该规定还为跨国公司地区总部的相关人员出入境手续进行了简化，包括对因商务需要赴香港、澳门、台湾地区或者国外的地区总部的中国籍人员，提供出境便利。

People's Government of Beijing Municipality issued a notice numbered "Hu Fu Fa [2011] No. 98" on December 19 to print and distribute the Provisions on Encouraging the Establishment of Regional Headquarters by Multinational Companies. According to the Provisions, regional headquarters established in Shanghai by multinational companies and their R&D centers may apply for Shanghai residency for the Chinese talents they recruit on a priority basis. The Provisions also streamline the border entry and exit formalities for the staff of regional headquarters of multinational companies, including the Chinese staff that needs to go to Hong Kong, Macau, Taiwan region, or other regional headquarters in other countries.

Top

投资动态
INVESTMENT DEVELOPMENTS

- 海外房地产投资成新宠（来源：一财网，2011 年 12 月 9 日）

  Overseas Real Estate Became a New Favorite (source: First Financial Daily, 9 December 2011)

根据胡润百富的调查显示，中国高净值人群中拥有海外资产的已经达到 33%，海外资产在可投资总资产中的平均占比为 19%。投资标的以房地产为主。在目前没有海外资产的高净值人群中，也有将近 30%的人在未来 3 年有进行海外投资的计划。

Hurun investigation has shown that the high-net-worth crowd in China that own overseas assets have reached 33%, and the average proportion of overseas assets in total investable assets is 19%. The investment targets are predominated by real estate. Among high-net-worth crowd that do not have overseas assets, also nearly 30% plan to conduct overseas investment in the next 3 years.

Top

- 我国 1 月至 11 月实际使用外资金额 1037.69 亿美元（来源：新华社，2011 年 12 月 16 日）

  China's Foreign Capital in Actual Use from January to November Reached USD103.769 Billion (source: Xinhua Net, 16 December 2011)

商务部 15 日发布数据，1 至 11 月，我国实际使用外资金额 1.37.69 亿美元，同比增长 13.15%。美国实际投入外资金额 27.39 亿美元，同比下降 23.05%。从外资来源看，亚洲主要国家（地区）对华投资持续增长，欧盟投资略有增长，美国投资降幅进一步扩大。1 至 1 月，包括香港、澳门、台湾省、日本、菲律宾、泰国、马来西亚、新加坡、印尼、韩国在内的亚洲十国（地区）实际投入外资金额 895.85 亿美元，同比增长 17.98%。美国实际投入外资金额 27.39 亿美元，同比下降 230.5%。欧盟 27 国实际投入外资金额 59.82 亿美元，同比增长 0.29%。

The Ministry of Commerce released data on December 15 that from January to November, China's foreign capital in actual use reached USD103.769 billion, a year-on-year increase of 13.15%. The United States actually input foreign capital of USD2.739 billion during this period, a year-on-year decrease of 23.05%. As seen from foreign capital sources, the investments of major Asian countries (regions) in China continued to grow, EU investments increased slightly, and the decrease of US investments further expanded. From January to November, ten Asian countries (regions), including Hong Kong, Macao, Japan, the Philippines, Thailand, Malaysia, Singapore, Indonesia and South Korea, actually input foreign capital of USD89.585 billion, a year-on-year increase of 17.98%. The United States actually input foreign capital of USD2.739 billion, a year-on-year decrease of 23.05%. The 27 EU countries have actually input foreign capital of USD5.982 billion, a year-on-year increase of 0.29%.

Top

- **我国 1 至 11 月非金融类对外直接投资超 500 亿美元（来源：新华社，2011 年 12 月 16 日）**

China's Non-Financial OFDI from January to November Exceeded USD50 Billion (source: Xinhua Net, 16 December 2011)

商务部 15 日发布数据，今年 1 至 11 月月，我国境内投资者共对全球 130 个国家和地区进行了非金融类直接投资，累计实现直接投资 500.1 亿美元，同比增长 5.2%。截至 2011 年 11 月底，我国累计非金融类对外直接投资达到 3120 亿美元。1-11 月，以并购方式实现的直接投资 162 亿美元，占同期投资总额的 32.4%。1-11 月，我国内地对中国香港、东盟、欧盟、澳大利亚、美国、俄罗斯、日本等七个主要经济体的投资达 372.27 亿美元，占同期对外直接投资总额的 74.4%。

The Ministry of Commerce released data on December 15 that from January to November, domestic investors in China have made non-financial direct investment in 130 countries and regions all over the world and realized direct investment of USD50.01 billion, a year-on-year increase of 5.2%. By the end of November 2011, China's accumulative non-financial OFDI (outward foreign direct investment) reached USD312 billion. From January to November, direct investment realized through M&A was USD16.2 billion, accounting for 32.4% of the total investment in the same period. During this period, Mainland China’s investment in seven major economies—Hong Kong, ASEAN, EU, Australia, US, Russia and Japan reached USD37.227 billion, accounting for 74.4% of the total OFDI in the same period.

Top

- **中西部地区出口增长迅猛（来源：海关总署，2011 年 12 月 20 日）**

Export of central and western regions saw rapid growth (source: General Administration of Customs, 20 December 2011)

据海关总署 2011 年 12 月 20 日消息，据海关统计，2011 年前 11 月，我国中西部地区出口增速明显高于全国同期总体出口增速，其中重庆、河南、贵州和江西的出口增速分别为 1.8 倍、78.4%、56.3%和 68.1% 。统计显示，2011 年 1—10 月，重庆市外贸进出口总值达 213.5 亿美元，同比增长 1.3 倍，增幅连续四个月保持全国第一；河南省进出口总值 243.4 亿美元，几乎相当于 2007 年全年的 2 倍，进出口增速排名全国第二。

Statistics released by General Administration of Customs (GAC) revealed that in the first 11 months of 2011, the growth rate of export in central and western regions was notably higher than the national export growth. The export growth rate in Chongqing, Henan, Guizhou and Jiangxi reached 180%, 78.4%, 56.3% and 68.1% respectively. Statistics showed that from January to October, the import and export value of Chongqing totaled USD 21.35 bn, up 130% year on year, ranking top for the fourth consecutive month in terms of growth rate. Import and export value of Henan almost doubled compared with 2007, totaling USD 24.34 bn, with its growth rate ranking the second in the country.

Top

- **中国将成为全球资产规模最大的银行业市场（来源：英国《金融时报》，2011 年 12 月 21 日）**

China to Become a Banking Market with the Largest Asset Scale in the World (source: Financial Times in Britain, 21 December 2011)

根据普华永道(PwC)的数据，到 2023 年，中国有望将取代美国，成为全球资产规模最大的银行业市场，较先前的预测提前了 20 年。这反映出自全球金融危机以来，发达国家经济放缓，而中国的增长远比发达国家更稳、更快。

According to data from PricewaterhouseCoopers (PwC), by 2023, China is expected to overtaken the US to become a banking market with the largest asset scale in the world, which is 2 decades ahead of the prior prediction. This reflects that since the global financial crisis, developed countries' economy has slowed down and China has seen far more stable and faster economic growth than developed countries.

Top

- **外资大举进入将加剧中国医药市场竞争（来源：安邦资讯，2011 年 12 月 22 日）**

Foreign Capital's Inflow to Upgrade Competition in Chinese Pharmaceutical Market (source: Anbound, 22 December 2011)

国外的制药业巨头正在将研发基地移入中国，暗示着外资看好中国这一行业未来的市场前景，竞争对手的强势进驻，势必引发和本土企业间的激烈竞争。

Overseas pharmaceutical giants are moving their R&D bases to China, indicating their confidence in the outlook of Chinese market in this industry, and the powerful entry of overseas competitors is sure to upgrade the fierce competition with local enterprises.

全球第二大医药巨头默沙东公司日前宣布在中国成立亚洲研发总部，进行创新药物的研发，未来五年内在中国投入 15 亿美元的研发资金。

Merck and Schering-Plough (MSD), the second largest pharmaceutical company in the world has announced to establish its Asia R&D headquarters in China for the research and development of innovative medicine, with investment of R&D fund amounting to USD1.5 billion in China in the following 5 years.

2010 年 3 月 IMS 发布的研究报告提出，2011 年中国药品销售额将超过法国和德国，成为继美国和日本之后的全球第三大药品市场。自 2001 年勃林格殷格翰出资 1 亿欧元用于在华扩建生产工厂和设立化学品研发中心，2002 年诺和诺德在中国成立跨国药企第一家致力于生物技术研究的研发中心，此后数年内，罗氏、阿斯利康、礼来、诺华、强生、GSK 和辉瑞都陆续大手笔投入在中国设立研发中心上。

According to a research report issued by IMS in March 2010, the medicine sales in China in 2011 is to surpass that of France and Germany, becoming the third largest pharmaceutical market, just behind the U.S. and Japan. In 2001, Boehringer-Ingelheim invested Euro 100 million to expand its manufacturing plants and to establish a chemical R&D center in China. In 2002, Novo Nordisk established the first R&D center of pharmaceutical MNC in China, engaging in the research of biological technology. And in the years thereafter, Roche, AstraZeneca, Lilly, Novaritis, Johnson, GSK and Pfizer invested heavily in establishing R&D centers in China.

Top

- **上海市境外投资支持服务工作研讨会提出从四方面开展境外投资工作（来源：国家发展和改革委员会，2011 年 12 月 26 日）**

Shanghai to support overseas investment from four aspects (source: National Development and Reform Commission, 26 December 2011)

2011 年 12 月 15 日，上海市发改委举行了上海市境外投资支持服务工作研讨会。上海市发改委副主任顾洪辉提出了下一步上海将着重在四个方面来开展境外投资工作。一是深化本市境外投资管理的体制改革，突出企业投资主体的地位。二是积极研究鼓励和支持本市企业赴境外投资的支持政策，改进支持方式。三是充分发挥多层次合作机制作用，加强双边沟通，充分发挥信息支持，投资促进，权利维护等工作。四是进一步完善协调机制，加强对本市境外投资企业的指导和协调工作。

On December 15, 2011, Shanghai Municipal Development and Reform Commission (SMDRC) held the Shanghai overseas investment supporting service work seminar. Vice director-general of SMDRC pointed out that Shanghai will focus on four aspects to support overseas investment: (1) deepen the system reform of overseas investment management in Shanghai, and give play to the role of enterprises as investors; (2) actively study the policies for encouraging and supporting Shanghai enterprises to make overseas investment; (3) fully

leverage multi-level cooperation mechanism, strengthen bilateral communication, and fully leverage the work of information support, investment promotion, rights protection; and (4) further improve the coordination mechanism, and strengthen the guidance and coordination to overseas investment enterprises in Shanghai.

Top

热点追踪
HOT TOPICS

- **中国企业赴美投资受阻案例所涉金额超 200 亿美元（来源：中国经济网，2011 年 12 月 19 日）**

The Case of Chinese Enterprises Going to the US for Investment Being Hindered Involved More than USD20 Billion (source: www.ce.cn, 19 December 2011)

商务部披露，美方援引《2007 年外国投资于国家安全法》等法律法规，对中国企业赴美投资受阻案例涉及的投资额超过 200 亿美元，是中国对美投资总额的 5 倍多，严重影响了中国企业赴美投资的信心。据悉，目前中美就贸易摩擦问题频频“过招”。12 月 14 日，商务部刚刚做出决定对美国的部分汽车征收“双反税”的裁决，而前不久美国将中美的“肉鸡”争端也诉诸 WTO。就在美国对我国的太阳能电池发起“双反”调查后，商务部随即又启动了对美国可再生能源的贸易壁垒的调查。

The Ministry of Department revealed that by citing laws and regulations such as Foreign Investment and National Security Act of 2007, the United States has hindered Chinese enterprises going to the US for investment, involving more than USD20 billion. This is more than five times China's total investments in the US, thus seriously influencing Chinese enterprises' confidence to go there for investment. It is reported that China and the US has frequently conducted confrontation with each other on trade frictions. On December 14, the Ministry of Commerce decided to impose anti-dumping and anti-subsidy duties on certain vehicles imported from the US, while not long before, the US appealed to WTO on "meat chicken" disputes between China and the US. After the US launched anti-dumping and anti-subsidy investigation on solar cells imported from China, the Ministry of Commerce immediately initiated trade barrier investigation on the US renewable energy.

Top

- **中国企业扳倒美国商务部美法院叫停“反补贴”（来源：中国外汇网，2011 年 12 月 21 日）**

US court halts tariffs tied to Chinese subsidies (source: Chinaforex.com, 21 December 2011)

美国时间 2011 年 12 月 19 日，美国联邦巡回上诉法院就《GPX 国际轮胎公司和河北兴茂轮胎有限公司诉美国政府案》做出判决：在非市场经济条件下的政府财政援

助不能够被认为是补贴，“反补贴法律对非市场经济国家不适用”。该判决从根本上确认了美国商务部（DOC）对中国出口企业进行反倾销和反补贴调查“不合法”。此外，该案的中国代理方美国温斯顿律师事务所律师黎宇指出，受益的将不仅仅是河北兴茂，以及涉及到工程轮胎出口的 10 多家企业。过去 5 年来，美方向中国所发起的 30 多项反补贴调查案例，都需要纠正，比如最近的一个大案例太阳能电池。

On December 19, 2011, U.S. Federal Circuit Court of Appeals ruled that the United States countervailing duty law does not apply to non-market economy countries, regarding the case of GPX International Tire Corp and Hebei Xingmao Tire Co. V. US Government. In this case involving the U.S. Department of Commerce's imposition of countervailing duties on Chinese tire imports at the behest of US producers, the court ruled the action on the Chinese tires was illegal. An attorney of the Chinese side pointed out that not only Hebei Xingmao Tire Co., but over ten tire exporters in China will benefit from the ruling. The U.S has initiated over 30 anti-subsidy investigations against Chinese enterprises in the past five years, which all need to be rectified, like the recent case requesting imposition of both anti-dumping and countervailing duties on imports of Chinese solar cells.

Top

Please consider the environment before printing this paper

大成律师事务所建立了覆盖全国、遍布世界重要地区和城市的大成全球法律服务网络。大成的总部设在北京，在中国境内的长春、长沙、常州、成都、重庆、福州、广州、哈尔滨、海口、杭州、呼和浩特、济南、昆明、南京、南宁、南通、青岛、上海、沈阳、深圳、太原、天津、武汉、乌鲁木齐、无锡、厦门、西安、西宁、银川、郑州、吉林、舟山、合肥等 33 个城市设有分所。

Dacheng Law Offices has built a global network of legal service covering China as well as the major regions and cities worldwide. With its head office based in Beijing, Dacheng has established branch offices in 33 Chinese cities, including Changchun, Changsha, Changzhou, Chengdu, Chongqing, Fuzhou, Guangzhou, Harbin, Haikou, Hangzhou, Hohhot, Jinan, Kunming, Nanjing, Nanning, Nantong, Qingdao, Shanghai, Shenyang, Shenzhen, Taiyuan, Tianjin, Wuhan, Urumqi, Wuxi, Xiamen, Xi’an, Xining, Yinchuan, Zhengzhou, Jilin, Zhoushan and Hefei.

大成律师事务所在纽约、洛杉矶、巴黎、新加坡、香港、台湾设立了当地的大成律师事务所，可以为客户提供全面本地业务的法律服务。大成还吸收了 5 家外国律师事务所作为大成网络境外成员单位，并与 7 家外国律师事务所建立了长期稳定的战略合作伙伴关系。

Dacheng Law Offices has incorporated local Dacheng law firms in New York, Los Angeles, Paris, Singapore, Hong Kong and Taiwan, which is qualified to render a full range of local legal services. Dacheng has 5 foreign associated firms in its oversea network and maintain long standing steady strategic partnership with another 7 foreign law firms.

2009 年，大成作为中国区唯一成员加入了世界最大的、汇集全球顶级律师事务所、会计师事务所、投资公司、金融机构等专业性服务企业和公司的独立专业服务组织 World Service Group（世界服务集团），与 100 多个国家的律师事务所、8 万多名律师建立起了长期稳定的信息交换渠道和业务合作平台，将大成全球化法律服务网络与 WSG 全球网络实现了链接，使大成客户服务体系更广泛地覆盖全球，更有效地满足法律服务市场多样化、多层次的需求。

In 2009, Dacheng Law Offices joined the World Services Group (WSG) as its only member in China. WSG is the world's largest independent multidisciplinary professional service organization with members including professional service providers such as leading law firms, accounting firms, investment companies and financial institutions in the world, whereby Dacheng has established long term steady channel for exchanges, communications and cooperation with law firms and more than 80000 lawyers from more than 100 countries. Dacheng’ global network of legal service is linked with WSG’s global network through its membership, which launches Dacheng’ client service system to the international arena and puts Dacheng into a better position to serve the diversified and comprehensive demands of the legal service market.