

China Regulatory & Compliance Observation

September 2023



Table of Contents

Highlights of this edition	3
Automotive and Machinery	4
1. New Batch of Machinery Sector Standards Announced for Implementations	4
2. China is to Revise Mandatory Motor Vehicle Brake Fluids Standard	5
CCC	7
3. CNCA Optimizes CCC Certificate and Mark Management	7
4. CNCA Runs CCC Pilot Project on Four Automotive Products	7
Standardization	10
5. Clear Provisions Available for Association Standards Converting into National Standards	10
Energy and Energy Efficiency	11
6. China will Revise a Batch of Mandatory Energy Efficiency Standards	11
Cybersecurity and Data Protection	13
7. Seeking Public Opinion: Security Requirements for Key Data Processing	13
8. FAQ for China Cross Border Data Transfer	14
Electrical and Electronics	18
9. General Briefing on Battery Compliance in China	18
BESTAO Reviews and Translations	19
10. China RoHS 2.0 Catalogue, Exemption List and FAQ	19
11. English Translation - CNCA-C09-01 2023 CCC Implementation Rules - Electronic Products and Safety Accessories	19
12. English Translation Available – New Edition of GB 19517 for the Safety of Electrical Equipment	20
13. English Translation – Regulations of the People's Republic of China on Certification and Accreditation (draft for Comments)	20
About BESTAO Consulting	21

Highlights of this edition

China is to Revise Mandatory Motor Vehicle Brake Fluids Standard

The Standardization Administration of China (SAC) issued a call for public comments on launching the revision of mandatory national standard "GB 12981-2012 Motor vehicle brake fluids".

Full article available at Page 6 or visit:

https://www.bestao-consulting.com/detail?id=1534&status=china_compliance

Clear Provisions Available for Association Standards Converting into National Standards

SAC issued the Interim Provisions on Conversion of Association Standards into Recommended National Standards. It is the first time that a national provision has been issued to specify a clear pathway and requirements for association standards to become national ones.

Full article available at Page 11 or visit:

https://www.bestao-consulting.com/detail?id=1529&status=china_compliance

FAQ for China Cross Border Data Transfer

The "Measures for Security Assessment of Cross-Border Data Transfer" officially came into effect on September 1, 2022. This article have selected ten questions worth attention for enterprises, and provided answers.

Full article available at Page 15 or visit:

https://www.bestao-consulting.com/detail?id=1538&status=china_compliance

General Briefing on Battery Compliance in China

This briefing will provide a general introduction on China's battery compliance requirements.

Full article available at Page 19 or visit:

https://www.bestao-consulting.com/detail?id=1533&status=china_compliance



Automotive and Machinery

1. New Batch of Machinery Sector Standards Announced for Implementations

On August 16, 2023, the Ministry of Industry and Information Technology (MIIT) issued a batch of sector standards that were approved for final implementation.

It contains a total of 412 standards. The ones that may relate to machinery have been picked out and have their key points summarized as follows:

Standard No.	Name	Main Contents	Standard to-be replaced	Implementation Date
JB/T 14422-2023	Turbochargers - Impeller low cycle fatigue test method	The standard specifies the facilities and conditions of low cycle fatigue test of turbocharger impellers for internal combustion engines. It describes the corresponding test method and specifies the data acquisition and data processing. This standard applies to low-cycle fatigue detection activities of turbochargers used in internal combustion engines (including diesel engines, gasoline engines and natural gas engines) for automotive, marine, construction, agricultural, and forestry machinery, as well as power generation with other applications.	None	2024/2/1
JB/T 8168-2023	Pulse capacitors and DC capacitors	The standard specifies type naming and product classification, conditions of use, technical requirements, test classification, and test items of pulse and DC capacitors. It describes the corresponding test methods and specifies the safety requirements and marks. It applies to the manufacture of pulse capacitors and DC containers from 1kV to 500kV. And the application scope does not cover the following capacitors: <ul style="list-style-type: none">- Capacitors for power electronics (see GB/T 17702);- DC filter capacitors for HVDC transmission systems (see GB/T 20993);- Fixed capacitors for electronic devices (see GB/T 6346, GB/T 14579-2013);-- Power electronic capacitors for rail transit rolling stock equipment (see GB/T 25121 series).	JB/T 8168-1999	2024/2/1

Standard No.	Name	Main Contents	Standard to-be replaced	Implementation Date
JB/T 14410-2023	Diesel engines - Coated vanadium SCR catalyst - Chemical composition analysis method	This standard stipulates the chemical composition analysis method of coated vanadium SCR (selective catalytic reduction) catalyst for diesel engines. It applies to the content analysis of active elements in catalysts such as Vanadium (V) and Tungsten (W).	None	2024/2/1
JB/T 14411-2023	Diesel engines - Coated zeolite SCR catalyst - Chemical composition analysis method	This standard stipulates the chemical composition analysis method of coated zeolite SCR (selective catalytic reduction) catalyst for diesel engines. It applies to the content analysis of active elements in catalysts such as Copper (Cu) and Iron (Fe).	None	2024/2/1
SJ/T 11915-2023	Terms of the Industrial Internet platform	This standard defines the terms and definitions commonly used in the field of industrial Internet platforms and is intended for research, teaching, and application in the field of industrial Internet platforms.	None	2023/11/1

Foreign stakeholders, especially manufacturers are advised to review and evaluate whether these standards may initiate an impact on their products.

2. China is to Revise Mandatory Motor Vehicle Brake Fluids Standard

On September 6, the Standardization Administration of China (SAC) issued a call for public comments on launching the revision of mandatory national standard “GB 12981-2012 *Motor vehicle brake fluids*”.

Whereas ISO 4925: 2020 and automobile OEM manufacturers have put forward the requirements for Class 7-equivalent brake fluids and the reserve alkalinity index, domestic R&D, manufacturing, use, and evaluation of brake fluid products have basically reached the average level of the world, and some Class 7 level products have been put on the market domestically and internationally, the National Energy Administration proposed to revise the currently effective mandatory national

standards of brake fluid: GB 12981-2012, adding the quality level equivalent to Class 7 and the index of reserve alkalinity.

The new standard will specify requirements, test methods, and inspection rules for non-petroleum based brake fluids used in hydraulic braking and hydraulic clutch systems of motor vehicles. The new standard will also include requirements for the marking, packaging, transportation and storage of the brake fluids.

The new standard will be applicable to motor vehicle brake fluids that are made of non-petroleum based raw materials as the base fluid and a variety of additives and in contact with seals made of styrene butadiene rubber

(SBR) or ethylene propylene diene monomer (EPDM).

Society of Automotive Engineers Standard SAE J1703-2019 and SAEJ1704-2019, etc.

A number of international standards will be used as reference in the revision, including "*ISO 4925-2020 Road vehicles - non-petroleum based brake fluid*", the United States Federal Department of Transportation standard FMVSS No.116-2019, the American

The main changes will take place in introducing the quality level of HZY7 and the corresponding index requirements, and increasing the performance index of reserve alkalinity for all quality levels.



3. CNCA Optimizes CCC Certificate and Mark Management

On August 8, 2023, the Certification and Accreditation Administration of China (CNCA) issued a notice on the optimized management of the certificate and mark of China Compulsory Certification (CCC).

The measures were established per requirements from the *Opinions on Accelerating the Expansion of the Applications of Electronic Licenses and Certificates and their Mutual Recognition Nationwide* (issued by the State Council on January 20, 2023). The *Opinions on Accelerating the Expansion of the Applications of Electronic Licenses and Certificates and their Mutual Recognition Nationwide* stated that the use of electronic certificates in certification services should be expanded and that the key role that markets can play in resource allocation should be promoted.

Therefore, the details of the updated measures include:

- The application of CCC electronic certificates. The paper certificate will only be issued per the client's request. The previously issued paper certificates will stay valid and shall be replaced by electronic ones following the process of renewal or revision. Both certificate formats have the same legal effect.
- The making of the CCC certificate and mark should conform to requirements stipulated in the *Management Requirements of China Compulsory Certification Certificate* and the *Management Requirements of China Compulsory Certification Mark*.

Please check the full translation of these two documents from the links below:

Management Requirements of China Compulsory Certification Certificate

https://www.bestao-consulting.com/detail?id=1527&status=bestao_library

Management Requirements of China Compulsory Certification Mark

https://www.bestao-consulting.com/detail?id=1528&status=bestao_library

The measures will become effective on January 1, 2024, with the nullification of the *Mark Application Management Requirements of China Compulsory Certification* (issued by the CNCA in 2018).

For foreign stakeholders, such change will offer ease of access to certificates with clearer mark and certificate management requirements.

4. CNCA Runs CCC Pilot Project on Four Automotive Products

On August 21, 2023, the Certification and Accreditation Administration of China (CNCA) issued an announcement to carry out the reform of CCC self-inspection and self-certification reform in the field of automobile products, with flatbed, stake, van and dump trucks (hereinafter referred to as “the four types of vehicles”) produced by modification

enterprises that are commissioned by vehicle enterprises as the pilot. The details of the announcement are translated as follows:

Announcement of CNCA on Launching the Pilot Project of Self-inspection and Self-certification of Compulsory Product Certification in the Automotive Sector

To further exert the main responsibility of enterprises, stimulate the vitality of the automobile market, and promote the high-quality development of the automobile industry, the CNCA has decided to carry out the reform of China Compulsory Certification (CCC) self-inspection and self-certification reform in the field of automobile products, with flatbed, stake, van and dump trucks (hereinafter referred to as four types of vehicles) produced by modification enterprises that are commissioned by vehicle enterprises as the pilot. The relevant matters are hereby announced as follows:

a. Measures of the Pilot Project

(1) Clarify that the whole-vehicle enterprise is the responsible entity for certification.

For the four types of vehicles entrusted by the whole-vehicle enterprise to be produced by different modification companies, the whole-vehicle enterprise shall submit an application to the certification body as the certification client, and the modification enterprise cannot apply for CCC certification alone. The whole-vehicle enterprise shall also file the list of modification enterprises involved in the CCC certificate with the certification body.

(2) Carry out self-inspection and self-certification for the four types of vehicles

When applying for CCC for the four types of vehicles, whole-vehicle enterprises can use the test report issued by their own laboratory instead of the third-party ones, and can be exempted from submitting application materials in terms of production capacity, technical strength and quality assurance system on the premise of making relevant commitments.

b. Implementation requirements

(1) Vehicle enterprises should have a sound factory quality assurance capability based on product property and their production and processing characteristics, to ensure product consistency in accordance with the requirements of CCC and **Implementation Rules - Factory Quality Assurance Capability Requirements (CNCA-00C-005)** and **Compulsory Product Certification Implementation Rules - Automobile (CNCA-C11-01: 2020)**.

(2) Whole-vehicle enterprises should strengthen the daily management of modification enterprises, ensure that they have production resources that meet the requirements of the implementation rules, and establish corresponding quality assurance capabilities and product consistency control measures. If there is a product quality problem in the four types of vehicles, or the modification enterprise cannot guarantee the continuous production of products that meet the requirements of CCC certification, the vehicle enterprise should immediately stop the commission, take corrective measures in time and inform the certification body.

(3) Whole-vehicle enterprises should strengthen the daily management of refit enterprises to ensure that they have production resources that meet the requirements of the implementation rules, and establish corresponding quality assurance capabilities and product consistency control measures. If there are product quality problems in four types of vehicles, or when the modification enterprise cannot guarantee the continuous production of products that meet the requirements of CCC certification, the vehicle enterprise should immediately stop the production of related products of the modification enterprise, take corrective measures in time and inform the certification body.

(4) When the risk situation stipulated in the implementation rules occurs in the four types of vehicles, the certification body shall carry out on-site inspection of the corresponding whole-vehicle enterprise and modification enterprise as required. If there is a violation of CCC requirements, the corresponding certificate should be dealt with according to law. If a whole-vehicle enterprise submits false application materials, the certification body shall take corresponding measures for the certification application of the subsequent four types of vehicles according to the actual situation.

c. Other matters

(1) Each certification body shall, in accordance with the implementation rules and the requirements of this document, refine the work plan, revise its implementation rules, and file with the CNCA before September 30, 2023.

(2) Each certification body shall submit the work development, existing problems and work suggestions before December 29, 2023, and the CNCA will adjust and improve the pilot measures in a timely manner based on the needs of the sector and the actual works.



Standardization

5. Clear Provisions Available for Association Standards Converting into National Standards

On August 6, 2023, the Standardization Administration of China (SAC) issued the *Interim Provisions on Conversion of Association Standards into Recommended National Standards* (hereinafter referred to as “the Interim Provisions”). It is the first time that a national provision has been issued to specify a clear pathway and requirements for association standards to become national ones.

The Interim Provisions contains 17 articles that elaborate on the qualification of the to-be-converted standards, basic rules, documentation required, and conversion assessment criteria. The details of key contents are summarized below:

- Conversion qualification:
 - Complying with the development requirements and scope of recommended national standards, the technical contents in the association standards are advanced and leading.
 - Formulated and released by the social organizations that comply with the standard of Good Practice of Social Organization Standardization.
 - Published on the National Association Standards information platform for 2 years, reaching sound effects.
- Applications can be submitted by a suggestion from a national TC to the association that formulated the standard or applied by the association to a national TC.
- Evaluation items for standard conversion:
 - Whether meet the qualifications
 - The necessity of conversion standards, including i) whether the standard users are extensive; ii) need and urgency of conversion standards.
 - Feasibility of conversion standards
- The converted national standard will skip the formulation step and have a shortened call-for-comment period compared with regular standard developing procedures.

With the clarification of such conversion, association standards will practically play a more important role in China’s system. The reputable associations in China that have been formulating professional and applicable standards shall weigh in more into the country’s standard system. It also opens an indirect but more feasible and easier pathway for foreign stakeholders to participate in China’s standardization work.



Energy and Energy Efficiency

6. China will Revise a Batch of Mandatory Energy Efficiency Standards

On September 6, the Standardization Administration of China (SAC) issued a call for public comments on launching the revision of the following mandatory national standards.

No.	Standards	Main contents
1	Maximum allowable values of the energy, water consumption and grades for household electric washing machines, clothes dryers, washer-dryers	This standard specifies the technical requirements and test methods for grades and limit values of the energy efficiency and water efficiency of electric washing machines, clothes dryers and laundry dryers. This standard applies to household electric washing machines, dryers and laundry-dryers with rated capacity of not greater than 25.0kg and single-phase rated voltage not exceeding 250V.
2	The maximum allowable values of the energy consumption and energy efficiency grade for household refrigerators	This document specifies the limits of power consumption, energy efficiency grades, test methods for household refrigerator as well as the implementation requirements of the standard. It applies to household refrigerators, wine storage cabinets, and built-in refrigerating appliance that are driven by motors. It doesn't applicable to refrigerator products for exhibiting or other special purposes.
3	Minimum allowable values of energy efficiency and energy efficiency grades for projectors	This standard specifies the energy efficiency limits, energy efficiency grades, energy efficiency calculations and testing methods for liquid crystal display (LCD) and digital light processing (DLP) projectors. This standard applies to projectors with high pressure mercury lamp, metal halide lamp, laser, or LED lamp as the light source. It can be used as reference for projectors with silicon based liquid crystal (LCOS) as display devices. This standard does not apply to integrated projection units with projection screens and projectors and to professional projectors for cinema projection.
4	Minimum allowable values of energy efficiency and energy efficiency grades of	This standard applies to LED luminaires for road and tunnel lighting with a rated voltage of AC 220V and a frequency of 50Hz (including LED light sources and their control devices, excluding independently mounted interconnected control

	LED luminaires for road and tunnel lighting	components or other functional accessories unrelated to lighting). The main technical content of this standard includes the energy efficiency grades, energy efficiency limit values, control device efficiency, light flux maintenance rate, color rendering index, standby power, network standby power and test methods of LED lamps for road and tunnel lighting.
--	---	--

Deadline for making comments is October 6, 2023.



Cybersecurity and Data Protection

7. Seeking Public Opinion: Security Requirements for Key Data Processing

On August 25, 2023, China's National Information Security Standardization Technical Committee (SAC/TC260) issued the draft for comments on "Information security technology - Security requirements for the processing of Key Data" (hereinafter referred to as the Security Requirements). This standard forms a crucial component of China's data classification management system, wherein data is categorized into three levels: core data, key data, and generic data. Each level carries specific protection prerequisites and processing protocols. The Security Requirements are tailored for the handling of key data. Public comments are welcome until October 24, 2023.

The Security Requirements encompass six main sections: application scope, normative reference documents, terminology and definitions, device security, security measures for data processing, and operations and management security. It applies not only to key data processors but also serves as a guideline for supervisory authorities, evaluation bodies, and other stakeholders involved in overseeing and assessing key data processing activities.

Of particular relevance to foreign stakeholders, especially those engaged in cross-border data transfers, is Article 5.4.6 of the Security Requirements. This section outlines the responsibilities for entities transferring key data to overseas recipients, which include:

Reporting to the Cyberspace Administration of China and undergoing a cross-border security assessment.

Implementing technical and managerial measures aligned with the intended purpose,

Data transfer will have on different objects (Form 1):

scope, method, data type, scale, etc., of the transfer. Transfer activities must align with the submitted report to the Cyberspace Administration of China for security assessment. Handling user complaints related to cross-border data transfer.

Maintaining relevant cross-border data transfer logs for a minimum of three years.

Providing information in plain, legible form to the competent department or law enforcement agency verifying the type and scope of key data to be transferred overseas.

Halting transfer activities and implementing effective measures to safeguard the transferred data's security if competent authorities do not authorize the transfer.

Refraining from disclosing key data stored in China to foreign judicial or law enforcement agencies without prior approval from the relevant Chinese authorities.

For foreign stakeholders, the initial step is to assess if the data collected from China falls within the purview of key data. The classification must be determined based on the national or industry-specific key data catalogues released by public authorities, as outlined in the Cyber Security Standards Practice Guide - Guidelines on Classification and Classification of Network Data released by SAC/TC260. In the absence of such catalogues, data processors will need to refer to the forthcoming key data grading rules and standards and conduct a thorough assessment of the potential impact of cross-border data transfers.

Data Grading	Impact Objects			
	National Security	Public Security	Personal Legitimate Rights	Legitimate Rights of Organizations
Core Data	Ordinary damage or Serious Damage	Serious Damage	/	/
key data	Minor Damage	Ordinary Damage or Minor Damage	/	/
General Data	No Damage	No Damage	No damage, Minor Damage, Ordinary Damage or Serious Damage	No damage, Minor Damage, Ordinary Damage, or Serious Damage

Form 1: Framework for Data Grading

As outlined in the Guide, impact objects are classified into four distinct types: (i) national security, (ii) public interest, (iii) personal legitimate rights, and (iv) legitimate rights of organizations. Similarly, the level of impact is categorized into four types: (i) severe damage, (ii) moderate damage, (iii) minor damage, and (iv) negligible damage. Data that, if manipulated, destroyed, disclosed, or unlawfully accessed or utilized, could potentially result in minor harm to national security or moderate to minor harm to public security, will be classified as key data.

As of now, there isn't an established key data catalogue specifically tailored for the agricultural and construction machinery industry. Stakeholders in this sector have the option to either refer to the key data definition outlined in the automotive industry, as stipulated in the Several Provisions on the Management of Automobile Data Security (for Trial Implementation), or conduct an initial impact assessment to preliminarily determine the data's classification level.

8. FAQ for China Cross Border Data Transfer

As the most important supporting regulation of the "Personal Information Protection Law," the "Measures for Security Assessment of Cross-Border Data Transfer" (the "Measures") officially came into effect on September 1, 2022. Article 20 of the "Measures" provides a six-month grace period for enterprises that have already engaged in cross-border data activities. This means that relevant enterprises should complete rectification by March 1 of this year (the "deadline"). Enterprises that have not yet triggered the obligation to declare a security assessment can also choose to do so. Considering that the deadline is approaching, we have selected ten questions worth attention for enterprises, combined with some confusion encountered by some enterprises in the assessment and our practical experience, and provided answers. We hope this will be helpful for enterprises concerned about the security assessment of cross-border data transfer.

Q1: How can an enterprise determine if it needs to apply for a security assessment for cross-border data transfer?

Answer: Enterprises should primarily refer to Article 4 of the Measures and assess based on their own business situation. Specifically, if an enterprise falls into any of the following situations, it is obliged to complete the declaration of the security assessment of cross-border data transfer within the specified time frame: the enterprise processes personal information of over one million individuals and provides such information to overseas parties; the enterprise is an operator of critical information infrastructure ("CIIO") and provides personal information to overseas parties; the enterprise has provided personal information to overseas parties one million times in two years; the enterprise has provided sensitive personal information to overseas parties ten thousand times in two years; or the enterprise provides important data to overseas parties. Of course, the methods for determining each of these situations and the actual process of conducting self-assessment may vary. For example, in the case of CIIO, in practice, it is often confirmed based on whether the competent authority has issued a notice and combined with self-assessment. For enterprises that handle personal information of one million individuals, even if there is only a small amount of cross-border data transfer (such as employee data transfer), according to the provisions of the Measures, they should still apply for a security assessment. Regarding important data, except for a few industries (such as automobiles and surveying), most industries do not have specific regulations or guidelines for determining whether data constitutes important data. In the process of conducting self-assessment, when determining whether the data being transmitted across borders constitutes important data, enterprises often need to combine the definition of important data and conduct self-assessment based on the results of potential damages in the event of data leakage.

Regarding personal information, according to the response we obtained from the Cyberspace Administration of China ("CAC"), when an enterprise assesses the volume of cross-border personal information or sensitive personal information over the past two years, it needs to estimate the total number of cross-border individuals based on various business scenarios in the past two years. This is used to determine whether it triggers the obligation to declare a security assessment. Specifically, let's assume that an enterprise's volume of cross-border personal information in 2021 and 2022 is 50,000 individuals each year. By early 2023, after interpreting the regulations, the enterprise believes that from January 1 of the previous year (2022) to 2023, the volume of personal information it transmitted across borders did not exceed 100,000 individuals, so it chooses not to apply for a security assessment. However, according to regulatory requirements, the aforementioned determination is considered a misinterpretation of "avoiding" the statutory obligation to declare and is not compliant. When determining whether the conditions for triggering the declaration of a security assessment for cross-border data transfer are met (i.e., two years with 100,000 individuals' worth of personal information or 10,000 individuals' worth of sensitive personal information), enterprises should estimate the total volume of cross-border personal information based on the actual business conducted in the past two years. For example, when assessing whether a security assessment for cross-border data transfer is required in 2023, the correct method is to estimate whether the enterprise triggers the obligation to declare a security assessment based on the total number of cross-border individuals or sensitive personal information over the complete two-year period from 2021 to 2022.

Q2: When enterprises apply for a security assessment of cross-border data transfer, they should follow the guidance provided in the "Guidelines for Filing Security Assessments of Cross-Border Data Transfer (First Edition)" and its attachments.

Answer: We understand that for the outbound transfer of personal information, it is feasible for domestic data processors and foreign data recipients to sign the "Standard Contract for Outbound Transfer of Personal Information" released by the Cyberspace Administration of China (CAC) to meet the requirements of the Measures for a "legal document". This approach is practical because both the Measures and the Standard Contract are issued by the CAC, providing regulatory consistency. Upon careful examination of Article 9 of the Measures and the clauses of the Standard Contract, it is evident that most of the requirements in Article 9 of the Measures are covered by the terms of the Standard Contract. However, certain aspects of Article 9(1) and 9(4) of the Measures are not explicitly reflected in the template clauses of the Standard Contract. In such cases, data processors and foreign recipients should supplement and specify these relevant clauses by adding them as appendices during the process of signing the Standard Contract for Outbound Transfer of Personal Information.

Q3: How should we understand the relationship between the requirements of the "Measures" regarding "legal documents" and the Appendix "Standard Contract for Cross-Border Data Transfer of Personal Information" in the "Provisions on the Standard Contract for Cross-Border Data Transfer of Personal Information (Draft for Solicitation of Comments)"?

Answer: We understand that for the cross-border transfer of personal information, domestic data handlers and overseas data recipients sign the "Standard Contract for Cross-Border Data Transfer of Personal Information" released by the Cyberspace Administration of China (CAC) to meet the "legal documents" requirement of the "Measures." This approach is practical because both the "Measures" and the "Standard Contract for Cross-Border Data Transfer of Personal Information" are issued by the CAC. From the perspective of regulatory authorities, this approach is consistent. By carefully reviewing Article 9 of the "Measures" and the clauses of the "Standard Contract for Cross-Border Data Transfer of Personal Information," it is not difficult to see that most of the requirements in Article 9 of the "Measures" are covered by the clauses specified in the "Standard Contract for Cross-Border Data Transfer of Personal Information." However, some content from Article 9(1) and 9(4) of the "Measures" is not reflected in the template clauses of the "Standard Contract for Cross-Border Data Transfer of Personal Information." Therefore, data handlers and overseas recipients should add relevant clauses and make supplementary agreements in the process of signing the "Standard Contract for Cross-Border Data Transfer of Personal Information."

Q4: How should we understand the relationship between the requirements of the "Measures" regarding "legal documents" and the Appendix "Standard Contract for Cross-Border Data Transfer of Personal Information" in the "Provisions on the Standard Contract for Cross-Border Data Transfer of Personal Information (Draft for Solicitation of Comments)"?

Answer: We understand that for the cross-border transfer of personal information, domestic data handlers and overseas data recipients sign the "Standard Contract for Cross-Border Data Transfer of Personal Information" released by the Cyberspace Administration of China (CAC) to

meet the "legal documents" requirement of the "Measures." This approach is practical because both the "Measures" and the "Standard Contract for Cross-Border Data Transfer of Personal Information" are issued by the CAC. From the perspective of regulatory authorities, this approach is consistent. By carefully reviewing Article 9 of the "Measures" and the clauses of the "Standard Contract for Cross-Border Data Transfer of Personal Information," it is not difficult to see that most of the requirements in Article 9 of the "Measures" are covered by the clauses specified in the "Standard Contract for Cross-Border Data Transfer of Personal Information." However, some content from Article 9(1) and 9(4) of the "Measures" is not reflected in the template clauses of the "Standard Contract for Cross-Border Data Transfer of Personal Information." Therefore, data handlers and overseas recipients should add relevant clauses and make supplementary agreements in the process of signing the "Standard Contract for Cross-Border Data Transfer of Personal Information."

Regarding the cross-border transfer of personal information, based on the response we obtained from the Cyberspace Administration of China (CAC), domestic data handlers and overseas data recipients estimate the total number of cross-border transfers in the past two years based on various business scenarios to determine whether the threshold for triggering a security assessment declaration obligation under the "Measures" has been met. Specifically, if, for example, a company's cross-border transfer of personal information in 2021 and 2022 is 50,000 times, when evaluating in early 2023 whether a security assessment declaration is required, the correct method is to estimate the total number of cross-border transfers of personal information or sensitive personal information in complete two years from 2021 to 2022.



Electrical and Electronics

9. General Briefing on Battery Compliance in China

Currently, the applicable compulsory standard in China is **GB 24427-2021 Content limitation of Mercury, Cadmium, and Lead for Zinc Anode Primary Battery**.

As of April 30th, 2021, the State Administration for Market Regulation (SAMR), in collaboration with the Standardization Administration of the P.R.C (SAC) established GB 24427-2021. This regulation repeals both **GB 24427-2009 Limitation of mercury, cadmium, and lead contents for alkaline and non-alkaline zinc manganese dioxide batteries** and **GB 24428-2009 Limitation of mercury content for zinc silver-oxide, zinc oxygen, and zinc manganese dioxide button batteries**. Specifically, amendments to the 2009 regulations include:

- Revised substance concentration limits,
- Methods of testing, and
- Determining compliance with requirements for cadmium, lead, and mercury in the standard: zinc-manganese dioxide batteries, zinc silver oxide batteries, and zinc-air batteries.

Substance Limits for Standard Batteries in China

Battery Type	Cadmium (ppm)	Lead (ppm)	Mercury (ppm)
Alkaline zinc-air button	≤ 40	≤ 500	≤ 5
Alkaline zinc manganese dioxide	≤ 10	< 40	< 1
Alkaline zinc manganese dioxide button cells	≤ 20	< 40	≤ 5
Non-alkaline zinc manganese dioxide	< 100	≤ 1000	< 1
Zinc silver oxide button	< 40	≤ 200	≤ 5

Furthermore, the new Chinese testing standard for mercury, cadmium, and lead in batteries is GB/T 20155. Analysts employ parallel testing, and two parts from a given batch produce the results for this determination.



BESTAO Reviews and Translations

10. English Translation Available! China RoHS 2.0 Catalogue, Exemption List and FAQ

In January 2016, 8 Ministries including the MIIT and the AQSIQ, which later merged into the State Administration for Market Regulation (SAMR), jointly published the final revised version of the Administrative Measures for the Restriction of Hazardous Substances in Electrical and Electronic Products (more commonly known as China RoHS 2.0 or China RoHS II).

The new regulation came into effect on 1 July 2016. China RoHS II expanded product scope from electronic information products to cover electrical and electronic products with voltage rating <1,500 V DC and <1,000 V AC which are dependent on electric currents or electromagnetic fields, plus their auxiliary products.

Then in 2018, Ministry of Industry and Information Technology (MIIT) issued two important files under China RoHS II: *Compliance Management Catalogue of China RoHS II (First Batch)* and *Exemptions List of Compliance Management Catalogue of China RoHS II (First Batch)*. They have entered into force on 12 March 2019.

Products listed in the Compliance Management Catalogue must comply with the China RoHS hazardous substance restriction limits unless they fall into the Exemption List. The exemption list includes 39 applications for lead, cadmium, mercury and hexavalent chromium in electrical and electronic products.

BESTAO has translated the three critical documents of China RoHS 2.0 in English:

- Compliance Management Catalogue of China RoHS II (First Batch)

With 6 pages and 1651 words, file available with preview at:

https://www.bestao-consulting.com/detail?id=1169&status=bestao_library

- Exemptions List of Compliance Management Catalogue of China RoHS II (First Batch)

With 6 pages and 1547 words, file available with preview at:

https://www.bestao-consulting.com/detail?id=1168&status=bestao_library

- English Version of Official FAQs on China RoHS II - 2016

With 23 pages and 7433 words, file available with preview at:

https://www.bestao-consulting.com/detail?id=1187&status=bestao_library

11. English Translation - CNCA-C09-01 2023 CCC Implementation Rules - Electronic Products and Safety Accessories

Price: USD 98.00

Page: 17

Number of Words: 3720

Releasing Unit: The Certification and Accreditation Administration of China (CNCA)

For preview or purchase of this document, please visit:

https://www.bestao-consulting.com/detail?id=1502&status=bestao_library

12. English Translation Available – New Edition of GB 19517 for the Safety of Electrical Equipment

Price: USD 80.00

Page: 30

Number of Words: 8958

Mandatory national standard "GB 19517-2023 National technical specification for the safety of electric equipment" was released in May 2023 and will come into force in June 2024.

GB 19517 is so-called China's "Low Voltage Directive". It lays down the market access requirements for almost all low voltage electric equipment. Any product that doesn't follow the requirements of this standard will face huge compliance risk in China, including hefty fine or denied access.

GB 19517-2023 stipulates the basic safety requirements for various types of electrical equipment intended for indoor and outdoor use, including handheld, portable, and fixed equipment, with an AC rated voltage of 1000V (1140V) or below and a DC rated voltage of 1500V or below.

For preview or purchase of this document, please visit:

https://www.bestao-consulting.com/detail?id=1306&status=bestao_library

13. English Translation – Regulations of the People's Republic of China on Certification and Accreditation (draft for Comments)

Price: USD 120.00

Page: 19

Number of Words: 10197

On July 13, 2023, the State Administration for Market Regulation issued the draft of Regulations of the People's Republic of China on Certification and Accreditation to call for public comments. The call-for-comment period ends on July 29, 2023.

BESTAO has translated the full text into English for the convenience of global stakeholders.

Regulations of the People's Republic of China on Certification and Accreditation (Call for Comments)

With 19 pages and 10197 English words, file available with preview as below.

For preview or purchase of this document, please visit:

https://www.bestao-consulting.com/detail?id=1494&status=bestao_library

About BESTAO Consulting

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 Standards and Regulations, Certification and Market Access, 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 quickly and effectively gain 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 CCC, China RoHS, Medical Device Registration, and Special Equipment Certification. 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 areas such as China Energy Labelling scheme, Green Design and Manufacturing policies, and Regulation Development of New Energy Vehicles, etc. We make sure that our clients stay informed on the latest developments in regulation and standardization.
- Our training team is dedicated to conducting workshops for Overseas companies on understanding key China Technical Regulations to facilitate their entry into Chinese markets.
- Our translation team provides high-quality English translation of laws and regulations, standards, and technical specifications.

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.

Building No.5, Niuwangmiao, Chaoyang District
Beijing, 100102. P R China
Phone: +86 10 6599 6261
Fax: +86 10 6474 9117
Email: assistant@bestao-consulting.com
Website: www.bestao-consulting.com