

The Special Administrative Measures on Access to Foreign Investment (2020 edition) (“2020 National Negative List”)

No.	Special management measures
I. Agriculture, forestry, animal husbandry and fishery	
1	The Chinese Party for the selection of new wheat varieties and seed production shall hold no less than 34% of the shares, and the selection of new corn varieties and seed production must be controlled by the Chinese Party.
2	Investment in research and development, cultivation and plantation of Chinese rare and unique precious fine varieties, as well as manufacturing of the relevant propagative materials, (including excellent genes of planting, husbandry and aquaculture) shall be prohibited.
3	Investment in breeding genetically modified varieties of crop seeds, livestock and poultry breeds and aquatic breeds, as well as manufacturing of genetically modified seeds (seedlings) thereof, shall be prohibited.
4	Investment in fishing of aquatic products in sea area under Chinese jurisdiction and within Chinese territorial waters shall be prohibited.
II. Mining	
5	Investment in exploration, mining and beneficiation of rare earth, radioactive minerals and tungsten shall be prohibited.
III. Manufacturing	
6	Printing of publications must be controlled by the Chinese Party.
7	Investing in the application of steaming, stir-frying, moxibustion, calcination of Chinese herbal medicines and other processing techniques as well as the production of confidential prescription products of proprietary Chinese medicines shall be prohibited.
8	Except for special purpose vehicles, new energy vehicles and commercial vehicles, the Chinese party in complete automobile manufacturing shall hold not less than 50% of the shares; a foreign investor may establish two or less equity joint ventures in China to manufacture the same type of complete automobile products. (The restriction on the shareholding percentage of foreign investors in the manufacturing of passenger cars and the restriction that one foreign investor may establish two or less joint ventures in China to manufacture the same type of vehicles will be removed in 2022)
9	Satellite television broadcasting ground receiving facilities and key components production.
IV. Production and supply of electricity, heat, gas and water	

10	For construction and operation of nuclear power plants, controlling stake shall be held by the Chinese Party.
V. Wholesale and retail trade	
11	Investment in wholesale, retail of tobacco, cigarettes, re-dried leaf tobacco and other tobacco products shall be prohibited.
VI. Transportation, warehousing and postal industries	
12	Domestic water transport companies must be controlled by the Chinese Party.
13	The controlling stake of public air transport companies shall be held by the Chinese Party, the investment ratio of a foreign investor and its affiliates shall not exceed 25%, and the legal representative shall be a Chinese citizen. The legal representative of a general aviation enterprise shall be a Chinese citizen; the general aviation enterprises serving the agricultural, forestry and fishery industries shall be limited to the form of equity joint venture; controlling stake in other general aviation enterprises shall be held by the Chinese party.
14	For construction and operation of civil airports, comparative controlling stake shall be held by the Chinese Party. And foreign parties may not participate in the construction and operation of the airport tower.
15	Investment in postal companies and domestic express mail business shall be prohibited.
VII. Information transmission, software and information technology services	
16	Telecommunications companies are subject to the provision of telecommunications services opened up pursuant to China's WTO commitments; the foreign share ratio for value-add telecommunications services (except for ecommerce, domestic multi-party communications, storage-forwarding and call centers) shall not exceed 50%; and the controlling stake shall be held by the Chinese party for basic telecommunications services.
17	Investment in Internet news service, Internet publishing service, Internet audio-visual program service, cyber culture operation (except for music) and Internet information dissemination service (except for contents opened up in China's WTO commitments) shall be prohibited.
VIII. Leasing and business service	
18	Investment in Chinese legal matters (except for provision of information on impact on Chinese legal environment) shall be prohibited and a foreign investor shall not be appointed as a partner of a domestic law firm.
19	Market surveys shall only be limited to the form of equity joint venture; for radio and television ratings survey therein, controlling stake shall be held by the Chinese Party.

20	Investment in social surveys shall be prohibited.
IX. Scientific research and technical services	
21	It is prohibited to invest in the development and application of human stem cells and gene diagnosis and treatment technologies.
22	It is prohibited to invest in humanities and social science research institutions.
23	It is prohibited to invest in geodetic surveying, marine surveying and mapping, aerial photography for surveying and mapping, ground motion surveying, and surveying and mapping of administrative boundaries. Preparation of topographic maps, world administrative area maps, national administrative area maps, maps of administrative areas at or below the provincial level, national teaching maps, local teaching maps, true three-dimensional maps and electronic navigation maps; and regional geological mapping, mineral geology, geophysics, geochemistry, hydrogeology, environmental geology, geological disasters, remote sensing geology and other surveys (the mining right holders are not subject to these special administrative measures when carrying out work within the scope of their mining rights).
X. Education	
24	Pre-school education, ordinary high school and higher education institutions are subject to Sino-foreign cooperative education, and must be led by the Chinese Party (the president or the chief executive shall have Chinese nationality, and the Chinese Party shall comprise not less than half of the council, board or joint administrative committee).
25	It is prohibited to invest in compulsory education institutions or religious education institutions.
XI. Health and social work	
26	Medical institutions are limited to the form of equity joint venture.
XII. Culture, sports and entertainment	
27	It is prohibited to invest in news organizations (including but not limited to news agencies).
28	Investment in editing, publishing and production of books, newspapers, periodicals, audio-visual products and electronic publications shall be prohibited.
29	Investment in various levels of radio stations, television stations, radio and television channels (frequencies), radio and television transmission network (transmitter stations, relay stations, radio and television satellites, satellite uplink stations, satellite receiving stations, microwave stations, surveillance stations and cable radio and television transmission network, etc) shall be prohibited. It is also prohibited to

	engage in the business of video broadcasting by order of radio and TV and the installation services of ground receiving facilities for satellite TV broadcasting.
30	Investment in companies producing and operating radio and television programs (including introduction of businesses) shall be prohibited.
31	Investment in film production companies, distribution companies, cinema companies and film importation business shall be prohibited.
32	Investment in auction companies for heritage auction, heritage stores and state-owned heritage museums shall be prohibited.
33	Investment in performing arts groups is prohibited.