11.

Sector	:	All Sectors
Level of Government	:	Central
Type of Obligation	:	National Treatment (Article 10.3)
Description of Measure	:	A foreign investor making an investment within the territory of China shall complete a foreign exchange registration in accordance with the relevant provisions, and shall comply with foreign exchange provisions, including provisions on account opening, funds transfer and settlement, receipt and payment and cross-border securities investment quota, etc.
Source of Measure	:	- *Regulation on the Administration of Foreign Exchange* (2008), Articles 16 and 23; - *Notice of the State Administration of Foreign Exchange on Reforming and Regulating Policies on the Administration over Foreign Exchange Settlement of Capital Accounts* (2016)

12.

Sector	:	All Sectors
Level of Government	:	Central
Type of Obligation	:	National Treatment (Article 10.3)
Description of Measure	:	1. Foreign investors may not carry out business operations in China in the forms of Individual Business Entities or Individual Sole Proprietorship Enterprises, or as members of Specialised Cooperatives of Farmers. 2. Foreign-funded partnership enterprises may not be established for industries, areas or businesses which are subject to the requirement of “foreign investor may not invest”, “Chinese control”, “relative Chinese control” or industries, areas or businesses subject to certain foreign investment proportion requirements, as included in the Negative List [5].
Source of Measure	:	- *Law on Individual Sole Proprietorship Enterprises* (2000), Article 47; - *Law on Specialized Cooperatives of Farmers* (2017), Articles 2 through 4 and 19; - *Provisions for the Administration over Registration of Foreign-invested Partnership Enterprises* (2014), Article 3; - *Regulation on Individual Business Entity* (Amended in 2016), Article 2; - *Special Administrative Measures for Market Access of Foreign Investment* (Negative List) (2019 Edition), Paragraph 3 of the Notes

[5] For the purposes of this entry, “Negative List” refers to the Special Administrative Measures for the Access of Foreign Investment (Negative List) published by the Chinese government which is effective on the date of entry into force of this Agreement.