2.

Sector	:	Protection of Biological Resources
Type of Obligation	:	National Treatment (Article 10.3) Prohibition of Performance Requirements (Article 10.6)
Description	:	China reserves the right to require approval of the research and development activities conducted by the foreign investment enterprises utilising the biological resources[6] (including human, animals, plants, and microorganism resources) which are originated from and protected by China. China may also require the aforesaid enterprises to conduct such activities in the form of cooperation with Chinese organisations and to share the benefits generated from the research and development, as well as the following application and commercialisation.
Existing Measures	:	- *Wild Animals Protection Law* (Amended in 2018), Articles 27,40 and 48; - *Animal Husbandry Law* (Amended in 2015), Articles 16 and 17; - *Grassland Law* (Amended in 2013), Articles 44 and 49; - *Seed Law* (Amended in 2015), Articles 8,10 and 11; - *Fisheries Law* (2013), Articles 8 and 46; - *Regulation on Wild Plants Protection* (Amended in 2017), Articles 16, 20 and 21; - *Regulation on the Administration of Human Genetic Resources* (2019), Articles 7, 21, 22 and 24

[6] For the purposes of this entry, the “biological resources” refers to the genetic resources, organisms or parts thereof, biological communities, or any other biotic component of ecosystems with practical or potential use or value for humanity.

3.

Sector	:	All sectors
Type of Obligation	:	National Treatment (Article 10.3) Most-Favoured-Nation Treatment (Article 10.4) Prohibition of Performance Requirements (Article 10.6) Senior Management and Board of Directors (Article 10.7)
Description	:	China reserves the right to adopt or maintain any measure that grants rights or preferences to ethnic minorities[7] and ethnic minority areas[8] with a view to balancing economic development and maintaining social justice.
Existing Measures	:	-

[7] For the purposes of this entry, “ethnic minorities” refers to 55 non-Han minorities that have less population than Han nationality in the 56 ethnic nationalities identified and recognised by the Chinese central government.

[8] For the purposes of this entry, “ethnic minority areas” refers to:

(a) autonomous ethnic minority regions as set forth in the *Constitution Law of the People’s Republic of China* and the *Law on Autonomy of Ethnic Minority Areas of the People’s Republic of China;*

(b) ethnic minority town set up in accordance with the *Notice Regarding Establishment of Ethnic Minority Towns and the Administrative Regulations on Ethnic Minority Towns* issued by the State Council; and

(c) the three provinces of Yunnan, Guizhou, and Qinghai.