BASIC HEALTHCARE, MEDICINE AND HEALTH PROMOTION LAW

Effective June 1, 2020

This Law is China’s first basic and comprehensive legislation in the field of healthcare and hygiene divided into 110 Articles in ten Chapters, covering basic healthcare services, healthcare institutions and personnel, medication supply guarantees, health improvement, funds guarantee, among other aspects of content, with highlights being the concept to guarantee basic needs, strengthen primary-level capabilities, and improve health.

To strengthen the institutional rigidity of all measures relating with the institutional rigidity of primary healthcare services and health improvement, multiple mechanisms, such as promoting vaccination, have been added to this legislation. The Law has integrated a number of medical reform achievements such as the implementation of a tiered diagnosis and treatment system for basic medical services; the promotion of primary-level medical and health institutions implementing the family practitioner contracting systems and medical services groups, as well as guided business enterprises to establish medical and health institutions according to law.

Note: The regulatory information contained herein is current as of April 2020. The next issue of the China Update will be published in September.
MANAGEMENT MEASURES ON SOIL POLLUTION PREVENTION FUND

Implemented January 17, 2020

The Management Measures on Soil Pollution Prevention Fund was jointly launched by a number of ministry departments to encourage provinces to set up funds for areas with soil pollution and to actively explore fund management models and return mechanisms. The central government will provide appropriate support to provinces that have established funds within one year of the Measures being implemented through the special national funds for soil pollution prevention.

The Measures categorizes the fund as follows:

- Agricultural land soil pollution prevention
- Risk control and remediation of soil pollution without a responsible party for soil pollution or a land-use right holder
- Other matters prescribed by the government

The Measures clarifies that the provincial funds and the national funds will not be invested in the same project and to be operated according to market principles. Investment benefits and risk is jointly borne by the investors. If such investment benefits and interest is held by the government, the government shall bear limited liability within the limit of capital contribution.

MANAGEMENT MEASURES ON NATIONAL MANDATORY STANDARDS

Effective June 1, 2020

The Management Measures on National Mandatory Standards stipulate mandatory national standards for the guarantee of personal health, and life safety/property security; national security; ecological and environmental safety; and to satisfy technical requirements relating to economic and social management.

The Measures clarifies that the provincial funds and the national funds will not be invested in the same project and to be operated according to market principles. Investment benefits and risk is jointly borne by the investors. If such investment benefits and interest is held by the government, the government shall bear limited liability within the limit of capital contribution.

The compulsory national standard number is composed of the mandatory national standard code (GB), sequence number, and year. The formulation of mandatory national standard should follow principle of universality and is prioritized toward products, operations, and services that cross multiple sectors.

As for the promulgation of mandatory national standards, the measures regulate that the State Council Standardization Administration and Management Department approves the issuance of mandatory national standards in accordance with authorization by the State Council and announces through a public announcement by the State Council Standardization Administration and Management Department.
Continued from page 2

**TECHNICAL GUIDELINE FOR PLANNING EIA**

**Effective March 1, 2020**

The Law on Environmental Impact Assessment (2016 Revision), the 13th 5-Year Plan for Ecological Environmental Protection (State Publication [2016] No. 65) and the Opinions of the Central Committee of the Communist Party of China on comprehensively strengthening ecological environment protection and resolutely fighting the tough battle of pollution prevention and control” (Central Publication [2018] No. 17) proposed new requirements to comprehensively strengthen ecological environment protection and manage pollution prevention and control.

The Technical Guideline for Planning Impact Assessment (HJ 130 2019) includes the following changes:

- More instructive and operable guide to carry out the planning environmental impact assessment
- A full process aligned to the requirements of Three Lines and One List (ecological protection red-line, environmental quality base-line, resource utilization top-line, and ecology environment entry list) for systems, technology, and outcomes, providing a technical guarantee for the dynamic integration of planning and implementation with regional ecological environment quality objectives as well as management requirements
- Implementation to release management authority and provide the EIA service to further strengthen the technical guidance at the macro level, and provide support for simplifying the content of the EIA for construction projects

After revision, the Guidelines include the preface, 15 sections of technical content, and six Appendices; and compared with the original guidelines, the revised content is reflected primarily in the following ways:

- Make work goals clearer
- Accurately distinguish between work processes and technical processes with the evaluation process has been divided into work processes and technical processes
- Highlight outstanding issues and increase standardized investigation content
- Strengthen scenario prediction and strengthen the support of planning optimization and adjustment
- Strengthen the guidance of results and clarify the output requirements

**LIST OF RESTRICTED TOXIC CHEMICALS (2020)**

**Effective January 1, 2020**

This announcement came into effect on January 1, 2020 replacing the 2018 Announcement to Publish the List of Strictly Restricted Toxic Chemicals issued by the Ministry of Environmental Protection, Ministry of Commerce, and General Administration of Customs.

**GUIDELINES FOR SOIL ENVIRONMENTAL MANAGEMENT**

**Issued December 17, 2019**

The Guidelines for the Evaluation of Construction Land Soil Pollution Investigation, Risk Assessment, Risk Control, and Remediation Effect Assessment Report put forward holistic and practical principles in soil environment management report. This guideline is about evaluating report not evaluating soil management. The division of responsibilities between the Ministry of Ecology and Environment and the Ministry of Natural Resources have also been highlighted in the Guidelines as well as the appointment of experts or third-party specialist organizations to make professional judgment on points not clearly specified in laws, regulations, or standards.

The Guidelines point out that all expert panel members should sign their name against the review opinions, and all experts have a liability to the review opinions.

The Guidelines requires that municipal or provincial eco-environmental authorities regularly publish the approval pass rate indicator to the public, reflecting the future management methods for practitioners, and achieve the purpose of gradually regulating market competition.
**TECHNICAL GUIDELINES FOR INVESTIGATION OF SOIL CONTAMINATION ON CONSTRUCTION LAND**

Implemented December 5, 2019

The Technical Guidelines for the Investigation of Soil Contamination on Construction Land and four other environmental standards have been published:

- Technical Guidelines for Soil Pollution Risk Control and Remediation on Construction Land (HJ 25.2-2019)
- Technical Guidelines for Soil Pollution Risk Assessment of Soil Contamination on Construction Land (HJ 25.3-2019)
- Technical Guidelines for Soil Remediation on Construction Land (HJ 25.4-2019)
- Terms of Risk Control and Remediation of Soil Contamination on Construction Land (HJ 682-2019)


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**TECHNICAL SPECIFICATIONS FOR WASTEWATER MONITORING**

Effective March 24, 2020

The Technical Specification for Wastewater Monitoring and ten other standards have been published in order to implement the Environmental Protection Law that protects the ecology environment and human health, regulates ecological, and environmental monitoring works.

The Standards are as follows:

- Technical Specifications for Wastewater Monitoring (HJ 91.1-2019)
- Technical Specifications for Water Pollution Source Online Monitoring System (CODcr, NH3-N) Installation (HJ 353-2019)
- Technical Specifications for Water Pollution Source Online Monitoring System (CODcr, NH3-N) Acceptance (HJ 354-2019)
- Technical Specifications for Water Pollution Source Online Monitoring System (CODcr, NH3-N) Operation (HJ 355-2019)
- Technical Specifications for Water Pollution Source Online Monitoring System (CODcr, NH3-N) Data Verification (HJ 356-2019)
- Water quality Determination of benzene Series Headspace/Gas Chromatography (HJ 1067-2019)
- Soil - Determination of Particle Size Distribution - Pipette Method and Hydrometer Method (HJ 1068-2019)
SHANDONG PROVINCE WORK SAFETY RISK MANAGEMENT AND CONTROL MEASURES

Effective March 1, 2020

The Work Safety Risk Management and Control Measures consist of 30 Articles with the major points as follows:

• Determining the principle to keep Work Safety Risk Management and Control Measures
• Clarifying the responsibilities of government and businesses
• Establishing work safety tier risk management and control systems
• Clarifying work safety tier risk control measures for the different level of risk, stipulating targeted risk management and control measures
• Strengthening the promotion and educational training for work safety risk management and controls with educational training responsibilities clarified for governments at all levels as well as relevant authorities, news media and businesses
• Establish relevant legal responsibilities

TIANJIN CITY FIRE SAFETY RESPONSIBILITY SYSTEM REGULATIONS

Effective April 1, 2020

The Regulations contains 67 Articles in 8 Chapters, with six main characteristics:

1. Follow the spirit of the Central Governmental Policy
2. Clear responsibilities
3. More advanced measures
4. Implementation of responsibility more operational
5. Increase of illegal fines in key areas
6. Resolve the problem of fire lane management

IN TOUCH

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