



SHANGHAI
FOREIGN INVESTMENT
ASSOCIATION

上海市外商投資協會



上海市外商投资协会月度工作简报

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Shanghai Foreign Investment Association

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MONTHLY REPORT

5月协会共举办12场活动，1-5月累计举办活动52场。

疫情居家空气安全线上沙龙

5月3日，协会与大金（中国）投资有限公司上海分公司联合举办了“疫情居家空气安全线上沙龙”。大金中国资深技术专家首先从居家的健康需求、工作需求和存储需求出发，分享了改善居家环境健康的知识和技巧，并为大家介绍了大金的空气解决方案及空调除菌、保养服务。之后，上海市空调清洗行业协会秘书长介绍了疫情期间居住区域空调清洗消毒的要求，以及办公楼宇、商场等重点公共场所预防性消毒技术要点。最后，大金中国商用营业副部长介绍了大金中国针对公共场所和复工复产企业办公楼宇的空调消毒及清洗服务。活动中，大金空调还为会员企业员工准备了线上互动抽奖及福利放送环节，气氛热烈。

“疫情下合同履行中‘不可抗力’认定的法律实践”讲座

5月7日，协会举办“上海新冠肺炎疫情下合同履行中‘不可抗力’认定的法律实践”疫情纾困系列讲座。来自锦天城律师事务所的律师从法律实务角度出发，依据上海高院的指导方针，结合上海各法院近两年新冠肺炎疫情影响下合同履行中“不可抗力”认定的司法实践，通过讲解案例，为企业在类似紧急状态与特殊情形之下合同履约的风险点提出防范指引，并现场回应企业关切问题。

“复工百宝箱！助力企业安全复工、高效复产”讲座

5月9日，协会与上海外服（集团）共同开展了疫情纾困系列讲座——“复工百宝箱！助力企业安全复工、高效复产”。上海外服合规咨询中心经理和上海外服管理咨询中心总监从政策解读、争议解决、数据对标、行业分析以及资源对接等各方面为外资企业的HR们进行了深入的解读和分享。两位讲师还对针对企业复工后涉及到的雇佣法律热点问题分享了一些建议，例如复工后能否通过延长工作时间抵扣居家假期、复工后如何重新安排受疫情影响的业绩指标、复工时如何安排上班与居家员工的不同薪酬和复工后各类灵活用工的有效安排和人员规划等。

“数据驱动组织与人才效能提升”技能培训

5月10日，协会举办“数据驱动组织与人才效能提升”技能培训。Keystone科石咨询创始合伙人从专业的外企HR的角度分析了行业内所面临的一些误区和痛点，着重强调了人力资源的逻辑和角度的重要性，建议学员们跳出人力资源工作框架，重新深度思考企业战略和业务。讲师在课上还分享了一些企业的实操案例和理论模型来进一步演示如何去呈现企业高管所希望看到的内容，从而达到构建高价值人力资源运行与效能指标的目的。

“涉外商事纠纷解决的最新动向”政策讲座

5月11日，协会举办“涉外商事纠纷解决的最新动向——《全国法院涉外商事海事审判工作座谈会会议纪要》要点解读”政策讲座，来自上海市通力律师事务所的两位律师详细解读了2022年1月发布的《全国法院涉外商事海事审判工作座谈会会议纪要》，对涉外案件的管辖、送达、法律适用、判决的承认与执行等方面予以深入解读，并回应企业关切的问题。

“工业品外观设计 国际注册海牙协定的有效运用”政策讲座

5月12日，协会举办“工业品外观设计 国际注册海牙协定的有效运用”政策讲座。来自上海专利商标事务所有限公司的资深外观设计专家详细解读了2022年5月5日正式登陆中国的海牙体系的运作方式、外观设计申请流程、中国申请人利用海牙体系在海外保护自己的权利的方式等内容。

“外商投资企业过渡期实务中的难点、痛点与敏感点”讲座回放

5月13日，协会携手律商联讯、德国汉高集团、君合律师事务所，于线上播放《外商投资企业过渡期实务中的难点、痛点与敏感点》讲座，结合《外商投资法》，对外商投资负面清单的适用、外商投资信息报告中实际控制人的认定、关联公司信息管理系统的提升优化、过渡期中外合资经营企业的调整操作、控制权变更带来的法律问题，以及近期热点如经营者集中申报、国家安全审查等的趋势和实践等话题进行讨论解读。

“疫情后，企业合规重点几何”讲座

5月16日，协会举办“疫情后，企业合规重点几何”疫情纾困系列讲座。来自上海市锦天城律师事务所律师针对外资企业在复工复产过程中可能遇到的合规方面的问题予以透析，从民商事合规、劳动用工合规、刑事合规、个人信息数据保护合规以及国家对外资企业的政策支持等五个大方面进行案例解读，为外资企业在即将到来的复工复产过程中做好合规经营和法律风险防控提供了专业的意见和建议。

“疫情期间，出口信用保险服务举措解析”讲座

5月17日，协会邀请中国信保上海分公司共同举办赋能中小企业系列讲座——“疫情期间出口信用保险服务举措解析”，帮助出口企业控风险、保订单、拓市场。讲座着重分析了出口信保的四大功能——风险保障、开拓市场、信用管控、融资增信，并介绍了出口信用保险公司基于买方信用数据库，从事前风险评估到事中风险跟踪到事后风险保障的出口业务全周期服务。

另外针对企业提出的出口信保业务如何操作，有哪些助企举措等热点问题，中国信保上海分公司解读了4月9日与上海市商务委联合推出“助企抗疫 稳外贸 护民生”十项出口信用保险服务举措，该举措从强化线上服务支持、放宽承保受理限制、进一步提升信保融资支持力度等方面来支持本市企业抗疫，稳定本市外贸发展。

“疫情期间的情绪管理”讲座

5月18日，协会特邀依视路集团大中华区事务总裁、协会监事长吕建中博士为会员企业分享“疫情期间情绪管理”，共吸引了来自外资企业的120余名学员参加。吕博士以心理学的理论体系为切入点，向大家强调了在疫情期间保持健康的情绪管理的重要性。值得一提的是，吕博士认为负面情绪也有其存在的意义并倡导用科学的方法对情绪加以干预，使其转移并形成正向能量。

“助力企业复工复产金融产品”讲座

5月20日，协会举办赋能中小企业系列讲座——“助力企业复工复产金融产品”，邀请中国光大银行上海分行三位专家分别介绍了光大银行目前针对中小企业客户的几项主打贷款产品，ODI、FDI两种业务模式，疫情期间光大银行延期还本政策、E抵贷产品的还款政策以及成长型企业的产品支持方面等内容。

“中行助力中小企业复工复产专属金融服务”讲座

5月30日，协会举办赋能中小企业系列讲座——“共渡疫情！中行助力中小企业复工复产专属金融服务”。本次讲座由协会常务副秘书长李洁主持，中国银行上海自贸试验区分行行长徐丽云做开场致辞，由中国银行上海自贸试验区分行高级经理冯晓雁、普惠金融事业部副主管金寅良、交易银行部副主管王晓晨主讲并为企业答疑解惑。

5月活动回顾：

	时间	主题
疫情纾困系列讲座	5月7日	疫情下合同履行中“不可抗力”认定的法律实践
	5月9日	复工百宝箱！助力企业安全复工、高效复产
	5月16日	疫情后，企业合规重点几何
	5月18日	疫情期间情绪管理
赋能中小企业系列讲座	5月17日	疫情期间出口信用保险服务举措解析
	5月20日	助力企业复工复产金融产品服务
	5月30日	共渡疫情！中行助力中小企业复工复产专属金融服务
政策讲座	5月11日	涉外商事纠纷解决的最新动向《全国法院涉外商事海事审判工作座谈会会议纪要》解读
	5月12日	工业品外观设计 国际注册海牙协定的有效运用
	5月13日	外商投资企业过渡期实务中的难点、痛点与敏感点
技能培训	5月10日	数据驱动组织与人才效能提升
MFM	5月3日	疫情期间居家空气安全线上沙龙活动

新会员

5月新入会企业2家，本年度累计新入会企业19家。

远东国际融资租赁有限公司

远东国际融资租赁有限公司（简称“远东租赁”）为远东宏信有限公司的全资子公司，是远东宏信在金融服务领域的核心企业，是中国领先的融资租赁服务商。

远东租赁提供以融资租赁为核心的综合金融解决方案，帮助客户解决发展过程中所遇到的财务及资金问题，并积极为客户提供财务管理、商务运作、资产管理、管理咨询等全方位增值服务；帮助客户引进国内外先进设备和技术，提高企业生产力及生产效率，助力其转型与升级，快速捕捉市场先机；进一步盘活客户现有资产，助力其更好发展。

作为中国融资租赁行业的先行者和领先者，远东租赁在城市公用、医疗健康、文化旅游、工程建设、机械制造、化工医药、电子信息、民生消费、交通物流等国计民生基础领域形成突出优势，并持续创新服务体系，成为推动中国融资租赁行业创新和发展的中坚力量之一。

莲特贸易(上海)有限公司

莲特贸易(上海)有限公司于2012年在上海成立，是瑞士莲史宾利公司在中国的全资子公司。瑞士莲史宾利是全球知名的高档高品质巧克力的生产商，始创于1845年，目前在世界拥有1.35万员工，12个销售基地，在120多个国家均有销售，2020年的销售金额达40.3亿瑞士法郎。瑞士莲史宾利是少数坚持“从可可豆到巧克力成品全程管理”这一理念的巧克力制造商。公司从全球优质产地精选可可豆，建立可持续发展的可可豆供应链，并将可可豆精制成广受消费者欢迎的巧克力成品。

In May, SHFIA held 12 events, with a total of 52 events held from Jan. to May.

Online Sharing Salon on Home Air Quality during the Pandemic

On May 3, SHFIA and Daikin (China) Investment Co., Ltd. Shanghai Branch jointly held the "Online Sharing Salon on Home Air Quality during the COVID-19 Pandemic". Senior technical experts from Daikin China first shared knowledge and tips on improving the health level of home environment from the perspective of health needs, work needs and storage needs, and introduced Daikin's air solutions and air conditioner disinfection and maintenance services. After that, the secretary general of the Shanghai Air Conditioning System Cleaning Industry Association introduced the requirements for air conditioning cleaning and disinfection in residential areas during the pandemic, as well as the technical points for preventive disinfection in office buildings, shopping malls and other key public venues. Finally, Daikin China's vice president of commercial sales presented the company's air conditioning disinfection and cleaning services for public venues and office buildings of companies resuming work and production. During the event, Daikin also staged an online lucky draw and prize giveaway for employees of SHFIA's member enterprises, which was warmly welcomed.

Seminar on "Legal Practice of Determining 'Force Majeure' in the Performance of Contracts during the Pandemic"

On May 7, SHFIA held a seminar on "Legal Practice of Determining Force Majeure in the Performance of Contracts during the Shanghai COVID-19 Pandemic", as part of its "Pandemic Relief" seminar series. From the perspective of legal practice, lawyers from AllBright Law Offices presented the judicial practice of Shanghai courts on the determination of "force majeure" in contract performance under the impact of the COVID-19 pandemic over the past two years in line with the guidelines of the Shanghai High Court. And through case studies, they provided guidance for enterprises on the risk points of contract performance under similar emergency and special circumstances, and responded to the concerns of enterprises during the seminar.

Seminar on "Back-to-Work Treasure Box: Helping Enterprises Resume Work and Production Safely and Efficiently"

On May 9, SHFIA and Shanghai Foreign Service (Group) co-hosted the "Back-to-Work Treasure Box: Helping Enterprises to Resume Work and Production Safely and Efficiently" seminar, as part of its "Pandemic Relief" seminar series. The manager of Shanghai Foreign Service Compliance Consulting Center and the director of Shanghai Foreign Service Management Consulting Center gave an in-depth explanation and sharing to HR managers of foreign enterprises from various aspects such as policy interpretation, dispute resolution, data benchmarking, industry analysis and resource matching. The two lecturers also shared some tips on hot legal issues involving enterprises that have resumed work and production, such as whether working hours can be extended to offset leave due to home lockdown after work resumption, how to redefine performance indicators affected by the pandemic after work resumption, how to arrange different salaries for employees working in office and from home after work resumption, and how to effectively arrange and plan for various types of part-time employment after work resumption.

Skills Training on "Data-driven Organization and Talent Effectiveness"

On May 10, SHFIA held the "Data-driven Organization and Talent Effectiveness" skills training. At the event, the founding partner of KeyStone Consulting analyzed some misunderstandings and pain points faced by the industry from the perspective of foreign enterprise HR affairs, highlighted the importance of HR logic and perspective, and advised participants to think outside of the HR framework and rethink corporate strategy and business in depth. The instructor also shared some practical examples and theoretical models to further demonstrate how to present what executives want to see in order to build high-value HR operations and effectiveness indicators.

Policy Seminar on "Latest Trends in Foreign-Related Commercial Dispute Resolution"

On May 11, SHFIA held the "Latest Trends in Foreign-Related Commercial Dispute Resolution - Interpretation of the Minutes of the National Symposium on Foreign-Related Commercial and Maritime Court Trials" policy seminar. Two lawyers from Shanghai Llinks Law Offices explained in details the "Minutes of the National Symposium on Foreign-Related Commercial and Maritime Court Trials" released in Jan. 2022, and gave an in-depth explanation on the jurisdiction, service, application of law, recognition and enforcement of judgments in foreign-related cases. They also responded to the concerns of participating enterprises.

Policy Seminar on "Effective Use of the Hague Agreement on the International Registration of Industrial Designs"

On May 12, SHFIA held the "Effective Use of the Hague Agreement on the International Registration of Industrial Designs" policy seminar. A senior design expert from Shanghai Patent & Trademark Law Office, LLC. explained in details the way of working of the Hague system, which was officially introduced to China on May 5, 2022, the design application process, and how Chinese applicants can use the Hague system to protect their rights overseas.

Taped Seminar on "Points of Difficulty, Pain and Sensitivity in the Practical Affairs During the Transition Period for Foreign Enterprises"

On May 13, SHFIA, together with LexisNexis, Henkel Group and JunHe Law Firm, streamed online a taped seminar titled "Points of Difficulty, Pain and Sensitivity in the Practical Affairs During the Transition Period for Foreign Enterprises". The seminar discussed and interpreted the application of the negative list of foreign investment, the identification of the actual controller in foreign investment information reporting, the enhancement and optimization of the information management system of affiliated companies, the operational adjustment of Sino-foreign joint ventures during the transition period, the legal issues brought by the change of control, and the trends and practices of recent hot topics such as the concentrated declaration of operators and national security review, etc. in conjunction with the *Foreign Investment Law*.

Seminar on "Post-COVID Priorities for Corporate Compliance"

On May 16, SHFIA held the "Post-COVID Priorities for Corporate Compliance" seminar, as part of its "Pandemic Relief" seminar series. Lawyers from Shanghai AllBright Law Offices analyzed the compliance issues that foreign enterprises may encounter in the process of resuming work and production, and provided case studies from five major

aspects, including civil and commercial compliance, labor and employment compliance, criminal compliance, personal information data protection compliance and national policy support for foreign enterprises. The case studies provided professional advice and tips for foreign enterprises to ensure compliance and legal prevention and control during the upcoming resumption of work and production.

Seminar on "Explanation of Export Credit Insurance Service Measures during the Pandemic"

On May 17, SHFIA invited China Export & Credit Insurance Corporation Shanghai Branch to hold a seminar themed "Explanation of Export Credit Insurance Service Measures during the COVID-19 Pandemic", as part of its "Empowering SMEs" seminar series to help exporters control risks, secure orders and expand markets. The seminar focused on the four functions of export credit insurance - risk protection, market development, credit control and credit enhancement, and introduced the whole cycle of export business services provided by export credit insurance companies based on the buyer's credit database, from pre-risk assessment to risk tracking and to post-risk protection.

In addition, in response to questions raised by participating enterprises, such as how to operate export credit insurance business and what supporting measures are available to enterprises, China Export & Credit Insurance Corporation Shanghai Branch explained the ten export credit insurance service measures jointly launched with the Shanghai Municipal Commission of Commerce on Apr. 9.

The measures are designed to strengthen online service support, relax underwriting acceptance restrictions and further enhance credit insurance financing support to support local enterprises to fight against COVID-19 and stabilize the development of foreign trade in the city.

Seminar on "Emotion Management during the Pandemic"

On May 18, SHFIA invited Dr. Lv Jianzhong, President of Greater China of Essilor Group and Supervisory Board Chair of SHFIA, for a seminar titled "Emotion Management during the COVID-19 Pandemic", which attracted more than 120 participants from member enterprises. Using the theoretical system of psychology as an entry point, Dr. Lv stressed the importance of maintaining healthy emotion management during the pandemic. It is worth mentioning that Dr. Lv believes that negative emotions also have their own meanings and advocates the use of scientific methods to intervene in emotions so that they can be transferred and converted into positive energy.

Seminar on "Financial Products and Services to Help Enterprises Resume Work and Production"

On May 20, SHFIA held a seminar themed "Financial Products and Services to Help Enterprises Resume Work and Production" as part of its "Empowering SMEs" seminar series. The seminar invited three experts from China Everbright Bank Shanghai Branch to introduce the bank's main loan products for SME customers, the two business models of ODI and FDI, the policy of extending the principal repayment during the pandemic, the repayment policy of E-credit products, and the product support available for growing enterprises.

Seminar on "Bank of China's Exclusive Financial Services to Support SMEs to Resume Work and Production"

On May 30, SHFIA held a seminar themed "Bank of China's Exclusive Financial Services to Support SMEs to Resume Work and Production", as part of its "Empowering SMEs" seminar series. It was hosted by Jessica Li, Executive Deputy Secretary-General of SHFIA, with Xu Liyun, President of Bank of China Shanghai Pilot Free Trade Zone Branch delivering an opening speech. Feng Xiaoyan, Senior Manager of Bank of China Shanghai Pilot Free Trade Zone Branch, Jin Yinliang, Deputy Head of Inclusive Finance Department, and Wang Xiaochen, Deputy Head of Transaction Banking Department, gave presentations and answered questions from participating enterprises.

May Event Review :

	Date	Theme
Pandemic Relief Seminar Series	May 7	Legal Practice of Determining "Force Majeure" in the Performance of Contracts during the Pandemic
	May 9	Back-to-Work Treasure Box: Helping Enterprises Resume Work and Production Safely and Efficiently
	May 16	Post-COVID Priorities for Corporate Compliance
	May 18	Emotion Management during the Pandemic
Empowering SMEs Seminar Series	May 17	Explanation of Export Credit Insurance Service Measures during the Pandemic
	May 20	Financial Products and Services to Help Enterprises Resume Work and Production
	May 30	Bank of China's Exclusive Financial Services to Support SMEs to Resume Work and Production
Policy Seminar	May 11	Latest Trends in Foreign-Related Commercial Dispute Resolution - Interpretation of the Minutes of the National Symposium on Foreign-Related Commercial and Maritime Court Trials
	May 12	Effective Use of the Hague Agreement on the International Registration of Industrial Designs
	May 13	Points of Difficulty, Pain and Sensitivity in the Practical Affairs During the Transition Period for Foreign Enterprises
Skills Training	May 10	Data-driven Organization and Talent Effectiveness
MFM	May 3	Online Sharing Salon on Home Air Quality during the Pandemic

New Members

In May, SHFIA welcomed 2 new members, and so far in 2022, 19 new enterprises have joined the association.

International Far Eastern Leasing Co., Ltd.

International Far Eastern Leasing Co., Ltd. (FEL) is a wholly-owned subsidiary of Far Eastern Horizon Ltd. and is the core enterprise of Far Eastern Horizon in the financial services sector, and a leading financial leasing service provider in China.

FEL provides comprehensive financial solutions centered on financial leasing to help customers solve financial and capital problems encountered in the process of business development. Also, it provides customers with a full range of value-added services such as financial management, business operation, asset management and management consulting; helps customers introduce advanced equipment and technology at home and abroad to improve enterprise productivity and production efficiency, facilitate business transformation and upgrading, and quickly capture market opportunities; and further revitalizes customers' existing assets to help them better develop.

As a pioneer and leader in China's financial leasing industry, FEL has formed outstanding advantages in such basic fields as urban public utilities, medical and health care, cultural tourism, engineering construction, machinery manufacturing, chemical and pharmaceuticals, electronic information, livelihood consumption, transportation and logistics, and has continued to innovate its service system, becoming one of the backbone forces in promoting the innovation and development of China's financial leasing industry.

Lindt & Sprungli (China) Ltd.

Established in 2012 in Shanghai, Lindt & Sprungli (China) Ltd. is a wholly owned subsidiary of Lindt Spencer in China. Founded in 1845, Lindt Spencer is a world-renowned manufacturer of premium quality chocolate with 13,500 employees, 12 sales sites in more than 120 countries and sales of CHF 4.03 billion in 2020. Lindt Spencer is one of the few chocolate manufacturers to adhere to the concept of "managing the entire process from bean to finished chocolate". The company selects cocoa beans from the world's best sources, builds a sustainable cocoa bean supply chain and refines the beans into consumer-friendly finished chocolates.



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