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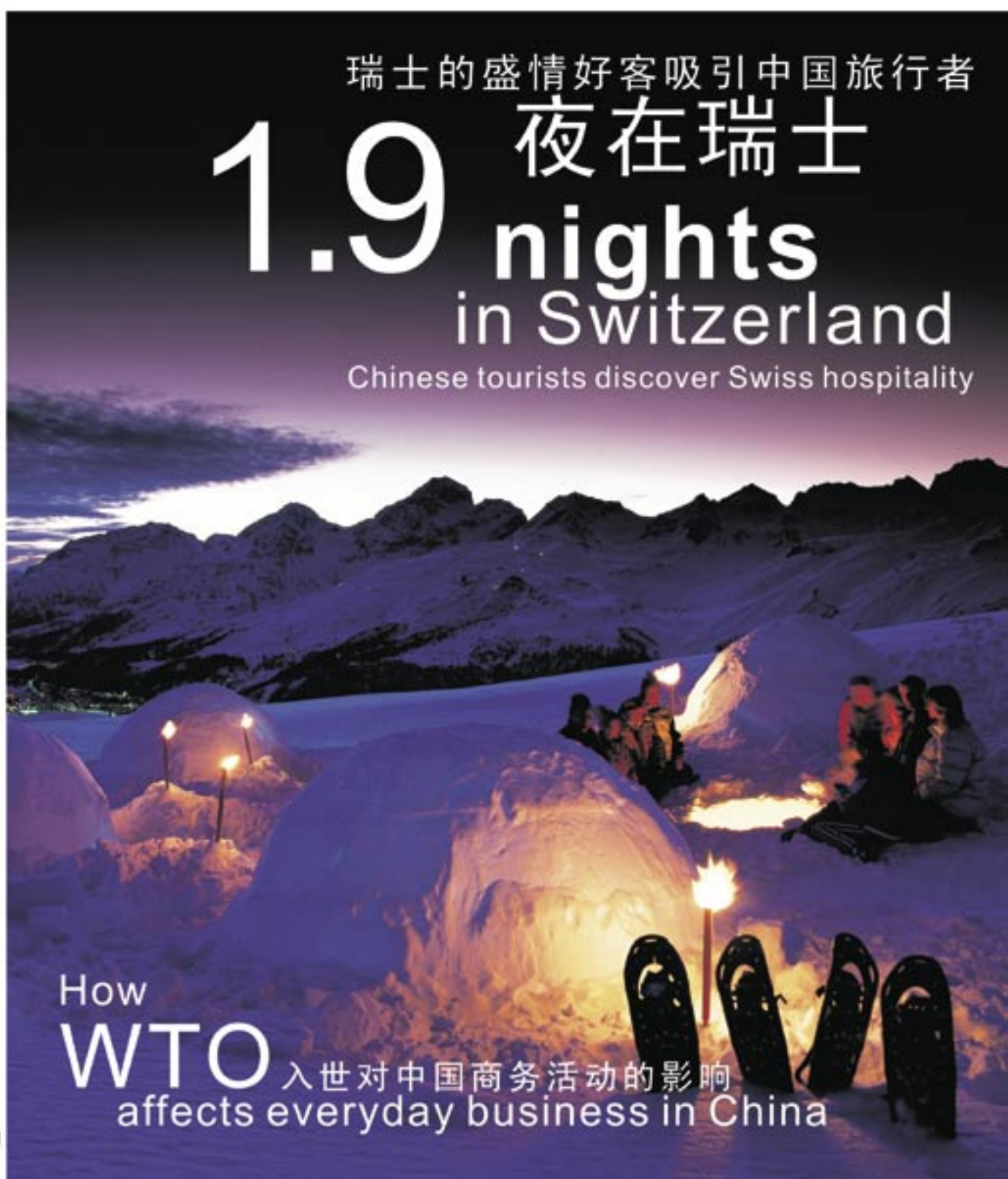
THE BRIDGE

Issue 2 November 1, 2004
第二期 2004年11月1日

瑞士的盛情好客吸引中国旅行者

1.9 nights in Switzerland

Chinese tourists discover Swiss hospitality



SWISS
CHINESE
CHAMBER
OF
COMMERCE

中国瑞士商会

How
WTO 入世对中国商务活动的影响
affects everyday business in China

swisscham China

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中国瑞士商会

A Word from the 中国瑞士商会主席致辞 Chairman



Dear Readers,

It is with great pleasure that we present the second issue of THE BRIDGE magazine. After a successful launch in August we have received, with appreciation, a good deal of feedback, ranging from the very positive to the slightly critical. We have taken note of all comments and have incorporated suggestions into what is now a more readable product with three clearly distinct sections. Enjoy your reading!

In September SwissCham China had the honor and privilege to represent Switzerland at the Summit of the World Industrial and Commercial Organization in Beijing. This conference was hosted by the China Federation of Industrial Economics (CFIE) and organized by the United Nations Industrial Development Organization (UNIDO) and CFIE. In his opening address Vice Premier Huang Ju stressed the important role played by the chambers in creating "an essential link and bridge between government and businesses." He further stated that they have "an increasingly important role to play in promoting global economic growth."

In separate talks with Xu Kuangdi, Chairman of the Summit and well known former Mayor of Shanghai, as well as with other Chinese dignitaries, we felt that the work of the chambers in China is well received. We believe that we have come closer to resolving long-standing issues such as the lifting of legal barriers for chamber organizations outside of Beijing and other related topics.

September and October are normally the busiest months for receiving guests from Switzerland and it was therefore no surprise that we had a string of important visits from Swiss government, culture and business representatives. The Minister of Home Affairs & Federal Councilor, Pascal Couchepin, came to attend a multilateral meeting which gathered thirty-two ministers responsible for culture. State Councilor Lamprecht led a large delegation from Geneva, promoting their state to potential Chinese investors. The Basel Symphony Orchestra and the Basel Ballet mounted world class performances in Beijing and Shanghai. We have also celebrated the official openings or extension of facilities of our members: Sarnafil, Leister, KUK, Endress & Hauser, and Givaudan. Best wishes to all of them!

我们非常高兴第二期“桥”杂志又跟您见面了。自第一期杂志在八月份成功发行后,我们很荣幸地收到了来自各方面的宝贵意见,其中有充分的肯定,也有善意的批评。根据这些建议,我们作出了一些修改。本期杂志分为三个特色鲜明的板块,更具可读性。希望您能喜欢!

今年九月,中国瑞士商会很荣幸地参加了在北京举行的世界工商协会峰会。此次会议是由中国工业经济联合会和联合国工业发展组织共同主办的。在会上,国家副总理黄菊强调了外国商会的重要地位,称“它们是政府与企业沟通的桥梁和纽带”。并同时指出“商会在推动世界经济的发展过程中占据了越来越重要的地位”。

在与峰会主席、上海市前任市长徐匡迪以及其他政府官员的会谈中,我们感觉到各国商会在的工作都取得了极大的成果。我们相信在解除一些长期困扰商会的问题上我们又迈进了一步,例如能否在北京以外地区合法设立商会等等。

九月和十月通常是接待瑞士宾客最繁忙的两个月,大批瑞士政府、文化和商业领域的代表陆续来访中国。瑞士内政部部长、联邦议员 Pascal Couchepin先生与另外32位文化部部长一同出席了多边会议;日内瓦州议员Lamprecht先生率日内瓦代表团来到中国,向未来的中国投资者推广日内瓦优秀的投资环境;巴塞尔交响乐团和芭蕾舞团也分别为上海和北京的观众献上了世界一流水平的精彩演出。此外,我们还隆重庆祝了部分会员企业的开幕典礼及扩建工程。这些企业分别是济南渗耐防水系统有限公司、莱丹塑料焊接技术(上海)有限公司、科双电子元件(上海)有限公司、上海恩德斯-豪斯仪表有限公司和奇华顿公司。在此,衷心祝愿他们今后的发展一帆风顺!

To get more details regarding the event program and membership, please visit:

如需获取关于瑞士商会近期活动、会籍申请等更详尽的信息,敬请访问:

www.sha.swisscham.org

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INTERVIEW 专访

HANS ROTH

Swiss Consul General in Shanghai

专访洪含雅先生

瑞士驻上海总领事



Once China, Always China:

Hans Jakob Roth is the Swiss Consul General in Shanghai. His first contact with China was 1978, while he was a student of Beijing University for two years. After stations in London and Tokyo for the Swiss Foreign Ministry he entered China again in 1990 as First Secretary and then Counsellor in the Swiss embassy in Beijing until 1995. Attractive Jobs like Head of the Foreign Ministry UNESCO and Culture section could not keep him in Switzerland. Since 2001 he is the Swiss Consul General in Shanghai and back again once more.

心系中国

洪含雅先生是瑞士驻上海总领事。他和中国的渊源始于1978年, 那时他作为学生在北京大学学习了两年, 然后被瑞士联邦外交部派驻伦敦和东京使馆工作, 并于1990年再次回到中国, 在瑞士驻华大使馆任第一秘书及参赞直至1995年。此后他在瑞士外交部任职。然而文化与科教文组织处处长的工作仍无法吸引他留在瑞士。自2001年起, 他赴任瑞士驻上海总领事, 终于再一次回到中国。

THE BRIDGE: Do you see any unsolved problems in the Sino-Swiss relationship? Which one has the biggest impact?

Mr. Roth: We have no major problems in the bilateral field but there are always questions concerning IP protection. The Chinese government has made substantial efforts in this field in the last few years. But the problems are still far from being resolved.

What is the impact of China's WTO regulations for Swiss companies?

The impact is, of course, very considerable, but it differs from sector to sector. From the Swiss side we are very interested in seeing the future steps of the Chinese government in the financial and insurance sector.

桥: 您认为瑞中关系上还存在有待解决的问题吗? 什么问题对瑞中关系影响最大?

洪含雅: 在瑞中双边关系领域没有什么大的问题, 只是在知识产权保护问题上还始终存有疑问。近几年中国政府在这一领域做了巨大的努力, 但问题还远未解决。

中国加入世界贸易组织协定对瑞士公司有何影响?

影响当然是相当大的, 但对不同行业的影响大小不一。从瑞士方面说, 我们很关注中国政府在金融和保险领域进一步的举措。

HANS ROTH

Swiss Consul General in Shanghai

专访洪含雅先生

瑞士驻上海总领事

THE BRIDGE: How is China's profile in the Swiss media?

Mr. Roth: I think there is a very strong interest in China, in particular Shanghai. Events like the F1 have a considerable impact on the public at home and draw attention to developments in the region.

What are the Chinese doing in Switzerland to raise their profile? What is collaboration with them like in Switzerland?

China has done a lot to introduce the country to the Swiss population in the tourist field. I am happy that we have a counterpart now in Chinese tourists visiting Switzerland. Cooperation with our Chinese colleagues both at the Embassy in Bern and the Consulate General in Zurich is excellent.

The Chinese are becoming more mobile these days. Do you recognize a significant change in Chinese interest in visiting Switzerland?

Since the Chinese government opened the Swiss tourism market to tourist groups with the new ADS agreement, the numbers of visitors to Switzerland has indeed increased considerably.

Which kind of trouble do the Swiss sometimes face after arriving in China? In which cases do you have to intervene?

We rarely have any trouble with Swiss people coming to China. There are some petty thefts, but I think that in nearly every European country, including Switzerland, the issue of security is more troublesome than in China. Of course, there are differences in the level of safety in different cities in China, but as far as foreigners are concerned, the country can be considered very safe.

How many Swiss people live in China at moment?

In the Consular region alone, there are already more than 350 people. The Swiss community in the Shanghai region grows by a hefty 10% every year, about two thirds through the arrival of newcomers, and one third by births – newcomers of a different kind. What I also see is a growing trend of marriages, to some extent even due to some inventive business activities that seem to be growing in this particular field.

What are the major events you are planning for the near future?

After setting the pace with our architectural exposition at the Bund Centre, opened by our president in November 2003, we are preparing a major campaign in the field of design and fashion – mainly high- end fashion textiles – for the year 2005.

Interview: Martin Regnet 专访: 任天翔

桥: 瑞士媒体对中国的总体印象是怎样的?

洪含雅: 我认为瑞士公众对中国尤其是上海有着强烈的兴趣。象F1这样的大型活动在瑞士国内的影响是不可忽视的, 它使瑞士民众开始进一步关注这一地区的发展。

您认为中国是通过哪些方法来提升自己在瑞士的总体形象的? 在这一点上中瑞双方开展了哪些合作?

中国在瑞士推广本国旅游资源方面做了大量的工作。现在我很高兴看到中国游客开始去瑞士旅行了。我们和中国驻伯尔尼大使馆及中国驻苏黎世总领事馆始终保持十分良好的合作关系。

中国公民出境游变得越来越容易了, 您是否感觉到中国公民对赴瑞士旅游的兴趣有了明显变化?

自从中国和瑞士政府签署了中国公民旅游目的地国家的协议后, 瑞士的旅游市场开始向中国游客开放, 赴瑞士旅行的人数显著增长。

瑞士游客到中国后通常会遇到什么问题? 在哪些情况下您会出面干预?

瑞士公民到中国旅游很少会遇到麻烦。虽然也会有一些失窃事件发生, 但我认为在每一个欧洲国家, 包括瑞士, 都存在同样的治安问题。当然, 中国各个城市的治安状况也有所不同, 但对于外国游客而言, 中国仍是一个非常安全的国家。

目前有多少瑞士人在中国生活?

仅在领馆辖区(江苏省、安徽省、浙江省及上海市)就已经超过350人。上海的瑞士人团体以每年超过10%的速度增长, 其中大约三分之二是新来者, 三分之一是新生儿--另一种类型的新来者。我还注意到不断增长的瑞中联姻趋势, 这同时也带动了另一种新兴的商业活动。

近期你们有什么大型活动的计划吗?

2003年11月, 我们在外滩中心举办了由瑞士联邦主席亲自揭幕的建筑设计展。目前, 我们正筹备在2005年举办一次有关设计和时尚的推广活动, 主要涉及高端纺织品领域。

Source: Art on Food & Ice AG



中国果蔬雕刻家在瑞士 深受欢迎!

Chinese Fruitcarver becomes successful in Switzerland

Mr. Wang Xiang, the head teacher at Art on Food, has won numerous gold medals, in addition to twice winning the title of World Champion in international cooking exhibitions and events. Probably the most successful vegetable and fruit carver worldwide, he is famous for various TV shows and books, as well as his outstanding art performance. Art on Food & Ice AG has published, together with Mr. Wang and his skilful hands, 4 professional fruit and vegetable carving books, which are sold successfully everywhere in the world. Students from all over the world come to Udligenswil in Switzerland to learn from the Master himself. Furthermore, Mr. Wang travels and conducts courses virtually all over Europe. Mr. Wang, who is a passionate opera singer, enjoys good Swiss food and the Swiss lifestyle, as well as driving fast on German high-ways. (For further details see www.artonfood.com) Text: Andy Mannhart

王翔先生, 食品工艺学校的校长, 他曾2次荣获国际烹饪竞赛世界冠军, 还多次赢得其他专业比赛的金奖。有关他教授烹饪的电视节目和书籍深受欢迎。凭借出色的技艺, 他被誉为是全世界最成功的果蔬雕刻专家之一。Art on Food & Ice AG与王先生合作, 出版了4本专业教授果蔬雕刻的书并畅销全球。世界各地的学生慕名来到瑞士的Udligenswil向大师学习技艺, 从而使王先生指导的课程遍布欧洲。王先生热衷于歌剧, 更喜爱瑞士的生活方式及美食, 还有在德国高速公路上驾车飞驰的快感。
(更多咨询, 请参考www.artonfood.com) 作者: Andy Mannhart



"Home of the Swiss in Shanghai" "上海瑞士之家"

	周末价 Weekend Rates	平日价 Weekday Rates
高级豪华房 Super Deluxe Room	RMB 1,170	RMB 1,270
文华贵宾房 Mandarin Club Room	N/A	RMB 1,525
行政套房 Executive Suite	N/A	RMB 2,130

* 人民币兑换美元汇率为6.3 以上房价有效期至2004年12月15日
* 2004年12月15日以后的房价, 请登酒店网站: www.jcmandarin.com
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- 双人入住, 另加收人民币170元
- 以上房价另加15%服务费, 旅行社可获10%佣金
- Fruit basket, Complimentary newspaper
- Mandarin Club and Suite rates include breakfast, cocktails & pressing, Private Lounge
- Family Plan - No charge for children (maximum 2) below 12 years of age sharing room with parents
- Add RMB170+ for double occupancy
- All rates are subject to 15% surcharge, 10% commissionable to bona fide travel agents
- Weekend termed as Friday, Saturday and Sunday

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September, 19 2004: Beijing, SwissCham China participates at the World Industrial and Commercial Organizations Summit;

Photo: (left to right: SwissCham Beijing Executive Director Fabian Furrer, SwissCham China Chairman Christian Guertler, the Chairman of summit Xu Kuangdi and SwissCham China Vice-Chairman Cyrill Eltschinger)

2004年9月19日,中国瑞士商会(北京)参与了世界工商协会峰会。

见图:从左至右依次为北京瑞士商会执行总监费斌,中国瑞士商会主席歌特乐先生,该峰会组委会主席徐匡迪先生和瑞士商会副主席埃尔钦汗先生。

Source: WICO (see article on page23)
详情请见23页文章(本文来自世界工商协会)。



September 22, 2004, China World Hotel SwissCham Beijing: "Swiss Ambassador Dreyer Farewell Dinner"

Photo: Ambassador Dreyer and SwissCham China's Vice Chairman Cyrill Eltschinger

2004年9月22日,中国瑞士商会在中国大饭店举行了“瑞士大使Dreyer的告别晚宴。”

见图:大使Dreyer与中国瑞士商会副主席埃尔钦汗先生的合影。

Source: Metropolis, Robert Holst
本图由Metropolis和Robert Holst提供



Sep. 8, 2004, Portman Ritz-Carlton Shanghai Geneva Delegation Conference
2004年9月8日,日内瓦经济代表团会议
波特曼丽嘉酒店

Mr. Carlo Lamprecht
State Councillor, Minister of Economic Affairs
州议员, 经济事务部 部长



Professor Zhou Hanmin
Deputy Director General,
Bureau of Shanghai World Expo

周汉民 教授,
上海世博会事务协调局 副局长



October 2 to October 7, 2004: Symphony Orchestra Basel (Switzerland) has a concert tour in China in Beijing, Suzhou and Shanghai's Grand Theatre

2004年10月2日至10月7日,巴赛尔交响乐团在中国的北京、苏州和上海大剧院巡演。



SwissCham Shanghai:

April 23, 2004 (2004年4月23日) at Renaissance, Yangtze Shanghai Hotel
上海扬子江大酒店

Joint-chamber dinner seminar on the topic of "General Planning of Shanghai World Expo 2010 and Business Opportunities to Foreign Companies"

联合商会晚宴: “2010年上海世博会总体规划及外国企业面临的商业契机”

August 1, 2004, Sino Swiss Hotel, Beijing: Swiss National Day celebration
2004年8月1日,在北京国都大饭店举行了瑞士国庆庆典



Preparation: Strategies & Concepts

- Research, Concepts & Scenarios, Business & Action Plans
- Executive Visits: meet representative stakeholders for a direct feel and hands-on research
- Financing & Funding Solutions



Implementation: Project Management

- Due Diligence, Partner Audits, Document Preparation and Legal Incorporation
- Human Resources Search, Assessment & Selection, Employment Contracts
- Technology Transfer, IP Protection and Key Staff Training
- Sales, Marketing & Distribution, Network Structure: search & selection
- Budgeting, Accounting, Reporting, Controlling & IT systems set-up
- Factory and Office Installation: equipment selection, purchasing, interior design



Operations: Management Support

- Management Coaching and Supervision
- Management Information Systems Support: internal reporting forecasting & controlling, Tax optimization, customized ERP systems & automation of reporting, ERP system & network maintenance
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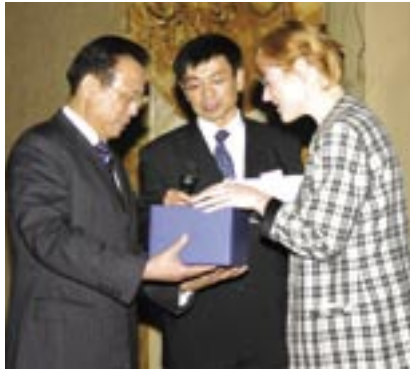
Speech Title: Changes in Government Policy & Overall Environment for Foreign Investment: Expectation for Shanghai 2005

演讲主题: 外商投资政策及环境的转变--上海2005展望

Speaker: Mr. Pan Longqing

演讲者: 潘龙清先生

地址: 上海浦东香格里拉大酒店 **Venue:** Pudong Shangri-la,



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从左至右
Mr. Pan Longqing, 潘龙清 先生
Mr. Ren Zhanbing, 任占并 先生
Mrs.Birgit Murr 女士



Chamber presidents and top management with Mr. Pan Longqing, 商会主席及高级管理层和潘龙清先生



Left 左图
Mr. Ren Zhanbing,
President of SwissCham Shanghai
任占并 先生
中国瑞士商会上海分会 主席

Right 右图
Mr. Christian Guertler
Chairman SwissCham China
歌特乐 先生
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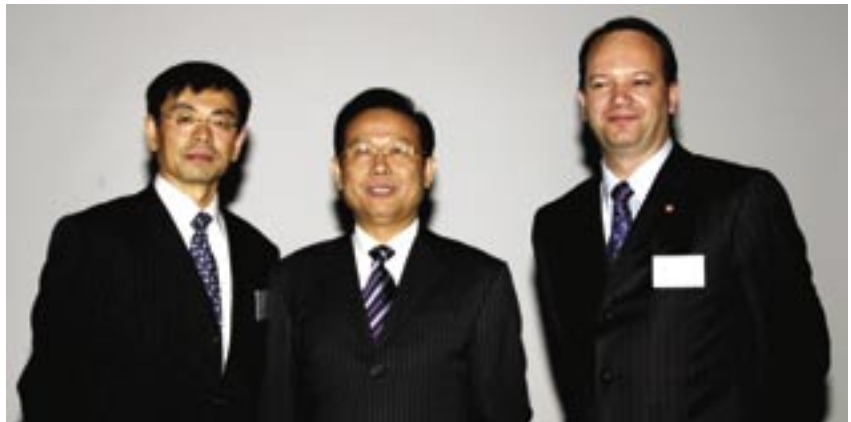


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Looking forward to next time!!! 期待再见您!!!



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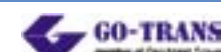
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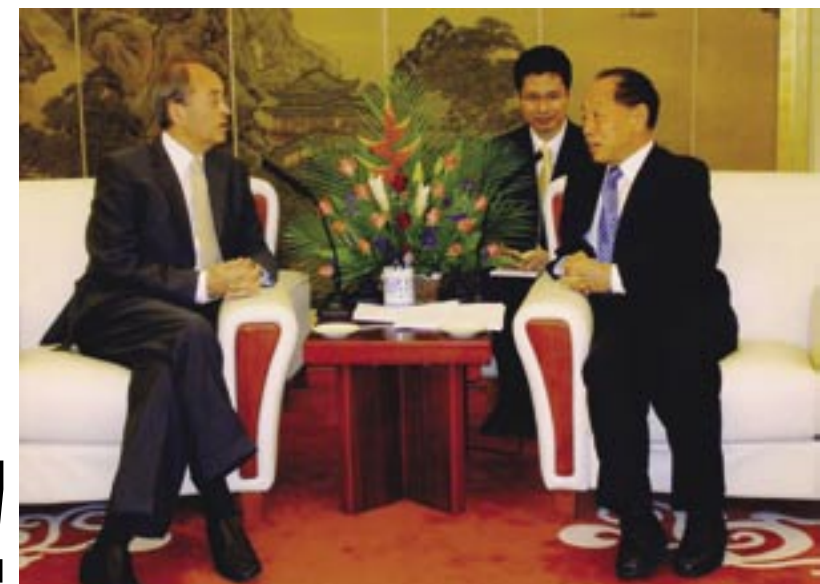
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Farewell to Ambassador Dreyer!

祝福您，Dreyer大使



Ambassador Dreyer on his farewell visit to the Minister of Foreign Affairs, Mr Li Zhaoxing, October, 20.

10月20日，Dreyer大使和中国外交部部长李肇星先生的最后一次会晤。

Source: Foreign Ministry.
由外交部提供

Dominique Dreyer leaves China after 5 successful years as Swiss Ambassador

Ambassador Dreyer's links to China are deep-rooted, as he has been assigned here three times. From 1974 to 1978 he acted as Second Secretary, while from 1984 to 1988 he was Counsellor. In 1995 he was appointed Minister and then, in January 1999, he received the appointment of Ambassador. He has witnessed China's evolution, from the final years of the "Cultural Revolution" to the spectacular developments of today, from the inside. It can well be said that this evolution has been one of the most significant in world history.

Over the last five years, relations between Switzerland and China have seen great progress. In March 1999, President Jiang Zemin was the first Chinese Head of State to visit Switzerland on a state visit. In the year 2000, the President of the Swiss Confederation, Adolf Ogi, and the then Deputy Premier, Wen Jiabao, attended the official ceremony for the celebration of the 50th anniversary of Swiss-Chinese diplomatic relations. Economic exchange has expanded greatly, as have cultural and personal exchanges between the two countries. President Couchepin's official visit in November 2003 was further proof of the importance accorded to relations with China by the highest Swiss authorities. The growth of Chinese tourism in Switzerland will be furthered by the signing this year of the ADS agreement (see cover story).

Leaving China after so many hectic and interesting years, Ambassador Dreyer feels some nostalgia for the country where he leaves many friends and where he has spent so much time. He also has a feeling of gratitude for the Swiss community in China for the help and support given to the Embassy and to himself. Ambassador Dreyer is confident that Sino-Swiss relations will continue to undergo steady development in the years to come, thanks in no small part to the effort and devotion of Swiss compatriots in China.

swisscham china thanks Ambassador Dreyer for his excellent contribution to Sino-Swiss relations and wishes him further success in his new assignment as Swiss Ambassador in New Delhi, India.

Dominique Dreyer 先生在圆满完成了5年的大使任期后，即将告别中国。

Dreyer大使与中国有着很深的渊源，他曾先后三次被派驻中国。1974年至1978年期间他曾从事第二秘书的工作；1984年至1988年，他担任了领事的职务；1995年他升职为部长，随后在1999年1月被任命为瑞士驻华大使。从文化大革命后期到今天日新月异的变化，Dreyer大使作为一个在华的外籍人士目睹了中国巨大的变迁。毋庸置疑，中国的这段历史是世界历史发展的重要组成部分。

在过去的五年里，中瑞两国的外交关系取得了长足的进展。1999年3月，江泽民主席出访瑞士。这是中瑞建交以来中国国家主席对瑞士的第一次访问。2000年瑞士联邦主席 Adolf Ogi 先生及中国国家副总理温家宝出席了中瑞建交 50 周年的官方庆典活动。随着中瑞在文化和个人交流方面的不断深入，两国间的经济交流也日趋频繁。2003年11月瑞士总统Couchepin对中国进行的官方访问正是瑞士最高领导层对两国关系日益重视的最佳体现。而今年签署的中欧旅游目的地地位协议将进一步推动瑞士旅游业在中国的发展。

在中国的这些年，繁忙而有趣，离别之际，面对众多的朋友和这片多年来生活过的土地，Dreyer 大使深感依恋和不舍！Dreyer 大使十分感激在他在任期间在华瑞士社团给予他及瑞士大使馆的帮助和支持。他深信在今后的几年里，中瑞两国关系会继续保持稳定发展的态势，并要感谢所有在华瑞士同胞为此而付出的努力！

在此，中国瑞士商会对Dreyer大使为促进中瑞两国发展所作的杰出贡献深表谢意！并衷心祝愿他在之后就任的瑞士驻印度新德里大使的工作中取得更辉煌的成绩！

Imports of counterfeited/pirated goods to Switzerland: A non-lucrative business

购买伪造/盗版的货物： 无利可图的商业行为

Congratulations! You have never bought any counterfeit goods or pirated copies in China and have never tried to bring them back to Switzerland. If so, this article may be of little interest to you. For those who have bought and considered importing such goods, however, this article is a must read as we will present you with an overview of the current legal situation in Switzerland. From now on, you can only blame yourself for being caught the next time you fly to Switzerland!

You checked your luggage and have passed through Chinese customs en route to Switzerland. You are now about to land in Paris, or Frankfurt (unfortunately, Swiss Airlines will most probably not have reintroduced direct flights from Mainland China to Switzerland by the time of publication of this article), before embarking for Switzerland. As usual, your checked and/or your carry-on luggage contain the latest pirated DVDs, fake fashion clothes and counterfeit watches. You may, perhaps, be wearing a fake winter jacket, although it is still summer. It never really bothered you to purchase such goods while in China but now, as you buckle up for landing, you start to feel a little nervous.

It is, perhaps, still too early to really worry. Within the transit zone, although French law applies, customs authorities may examine your hand or checked luggage for security reasons but will usually not report the discovery of counterfeit goods. You may be wise, however, not to provoke French customs authorities by flaunting your fake, flashy 'haute couture' T-shirt purchased (after bargaining) for a mere 10 RMB. However, if you decide to stopover in Paris for a few days to visit the Eiffel Tower, you may deeply regret it. According to French customs rules and national law, a traveler carrying fake goods in his luggage or wearing such goods risks the same penalty as the counterfeiter himself: seizure, a customs fine of one or two times the value of the genuine good, a criminal fine of up to 300,000 Euros and imprisonment for up to three years. The small souvenir bought at Xiang Yang market has suddenly become a little more expensive!

Lake Lemán, or Lake Zurich, is in sight and you start to wonder why on earth you ever asked your friends if they wanted something special from China. You try to keep your composure and appear as relaxed and detached as a Swiss cow grazing in the Alps. Those six counterfeit "Swiss" watches and the latest pirated Spiderman movie (you never watched it and hate this kind of movie anyway) begin to make you sweat. All of your bags are on the trolley and you are now just meters away from "home sweet home" when a Swiss customs official politely invites you to open your luggage.

如果您从没有在中国买过任何伪造或盗版的货物，也没有想要将这些货物带回瑞士。那么恭喜您，这篇文章对您也就毫无可读“价值”。如果您曾经买过并考虑将这些货物带到瑞士，那请您务必阅读一下本文，它会告诉您瑞士当前的法律概况。如果下次您在瑞士遇到麻烦，就只能自己承担责任了。

和以往一样，您托运了行李，通过了中国海关的检查，踏上了去瑞士的旅途，并打算首先在巴黎或者法兰克福转机（很不幸，在本文发表之时，中国内地还没有直飞瑞士的航班），然后再飞往瑞士。您的托运行李或者手提行李中有最新的盗版DVD，假冒的名牌时装和手表等等。您也可能在炎热的夏季依然穿着一件仿造的冬季夹克登机。在中国，您可以毫不费力的买到这些东西。然而现在，带着它们登机，您开始感到有点紧张了。

也许现在感到紧张还有点为时过早。在过境区内，尽管适用的是法国法律，但海关当局仍可能出于安全考虑，而查看您的手提或托运行李。但通常情况下不会举报被发现的伪造物品。也许您很聪明，不会因为炫耀那些仅值10元，却伪造得相当华丽的仿名牌女士T-shirt而惹怒法国海关。然而，如果您决定在巴黎多逗留几天，参观埃菲尔铁塔，您可能会为此而后悔万分。因为根据法国海关条例和法律，如果旅游者在其行李中携带或者穿戴伪造商品，该游客将受到与伪造者一样的处罚，即：没收伪造物品，由海关处以正品一至两倍的罚款，同时也将受到高达300,000欧元的刑事罚款和三年的牢狱之灾。这样一来，在襄阳市场购买的小纪念品将会变得十分昂贵了！

莱曼湖或苏黎世湖就在眼前，您开始怀疑自己该不该问您的朋友是否想要捎带一些中国的特产。您试图保持镇静，并努力使自己看上去像一只在阿尔卑斯山上吃草的瑞士奶牛一样轻松和惬意。那6个伪造的“瑞士”手表和最新的盗版《蜘蛛侠》（您从未看过也讨厌看此类电影）开始让您感到甜蜜。您所有的行李都在手推车上，离您的“甜蜜家园”也仅有几步之遥，而恰在此时瑞士海关官员很有礼貌地要求您打开您的行李……

**“Small souvenirs
may suddenly
become more
expensive
小纪念品也许
会突然变得十分昂贵”**





Swiss law makes a clear distinction between imports of small quantities of commercial goods (for resale purposes) and those of a private nature (on the basis of the so called de minimis rule). The former activity is strictly prohibited and subject to the confiscation of goods, a heavy fine (up to CHF 100,000) and/or imprisonment and compensation for damages. If you think that the customs authorities and holders of copyrights are not serious be aware that five tones of counterfeited “Swiss” watches, confiscated over the last years, were destroyed this past summer.

Swiss trademark laws and regulations do not, however, encompass the imports of counterfeit goods for private use. Unlike French legislation, Swiss legislation does not treat ownership of a private nature and the manufacturing of counterfeited goods on an equal footing.

How is “private use” meant to be interpreted? No law or regulation defines the expression. The individual customs officer has the discretionary power to differentiate private from commercial use, subject to judicial review. Customs authorities will first look at the number of counterfeited items. In this respect it seems that, in practice, customs authorities may turn a blind eye to imports of a single counterfeit watch or leather item or even a few counterfeit T-shirts. However, it is important to stress that each assessment is done on a case-by-case basis with the number of items being just one of several factors. So be aware of false assumptions. The customs authorities or a court (and not you) must believe that the counterfeit or pirated goods will not be put back into the market (i.e. sold to third parties). If you are caught importing ten identical T-shirts (or DVDs), for instance, there is little doubt that they will

be confiscated. The same outcome can be expected for imports of typically ladies/men’s items by someone of the opposite sex. In both cases, it will be virtually impossible to convince the customs authorities that the infringing goods are strictly and exclusively for private use.

You may not want to put a customs agent to the test and try to justify the import of your entire pirated DVD “private” collection, or pretend to be a fake watch collector with respect to the 100 (each one different) counterfeited watches you have acquired. Remember that, if caught, you will be subject to criminal and civil charges and will be ordered before a court. This being said, it will rarely be worth the hassle to challenge the decision made by customs.

瑞士法律对少量贸易货物的进口（即为转售之用）和自用货物的进口作了明确区分（该区分以所谓的“可忽略不计的进口规则”为基础）。第一种行为是被严格禁止的，并会受到没收物品，处以高昂罚金（高达100,000瑞士法郎），以及/或者监禁和赔偿损失的制裁。也许您认为海关当局和合法权利人不会很严肃地对待此事，那么请注意，往年没收的累计近5吨假冒瑞士手表已于今年夏天全部被销毁。

瑞士商标法和相关法规没有将自用伪造品的进口纳入违法的范围内。与法国法律不同，瑞士法律对于自用伪造物品的所有者和伪造物品的生产者采取的是区别对待的态度。

如何定义“自用”这个概念？没有相关法律法规对该表述做出定义。海关官员在区分货物是自用还是商用方面是基于司法审查的前提下具有自由裁量权。海关当局会首先查看伪造物品的数量。从这一方面来讲，在实际操作中，海关可能会对一只伪造的手表、一件皮革制品，或者少许伪造的T-shirt睁一只眼闭一只眼。但是，值得强调的是，此

类评估视各案例的具体情况而定，且货物的数量只是参考因素之一。因此，不要轻易冒险。海关当局或者法院（而并不是您）必须要确信那些伪造或者盗版的货物不会回流市场（例如，出售给第三方）。比如，您被发现携带10件相同的T-shirt（或者DVD）入关，毫无疑问，这些T-shirt（或者DVD）都将被没收。同样，如果您入关时携带多件异性专用的物品将可能遭遇同样的命运。在这两个案例中，要想使海关确信那些侵权货物是绝对的自用货物基本上是不可能的。

相信您并不希望通过海关代理商来检测您的物品，也不想绞尽脑汁地证明您携带的盗版DVD是出于“私人”收集的目的，或者您仅仅是一个痴迷于收集不同款式伪造手表的爱好者。记住，如果您一旦被查获，将受到刑事和民事指控，并收到法院的传讯。切记！对海关作出的任何争辩都是徒劳无功的。

This article does not constitute legal advice or recommendation and should not be used as such.

本文不构成法律意见或者建议，且不当被作为法律意见或者建议而使用。

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Article 60 WTO/TRIPS Agreement WTO/TRIPS协议 第60条

可忽略不计的进口

De Minimis Imports

[WTO] Members may [editor’s note: no obligation whatsoever] exclude from the application of the above provisions small quantities of goods of a non-commercial nature contained in travelers’ personal luggage or sent in small consignments.

世贸成员国可将（编者注：不存在任何强制性义务）旅客个人行李中携带的或在小件托运中运送的少量非商业性商品，排除于上述规定的适用范围之外。



The Chinese Traveller's Head turns West

中国游客的视线 转向西方

The Chinese desire to see more than their everyday environment appears to be growing. With CCTV's popular tourism programs and lifestyle magazines promoting the first wave of domestic and inbound tourism, the second wave, outbound tourism, is not far behind.

近年来中国游客希望走出去“看一看”的愿望不断高涨。随着中央电视台旅游节目的热播以及许多生活时尚杂志纷纷推出旅游专栏，中国掀起了第一波国内游的热潮，而第二波出境游的热潮更是指日可待。





Switzerland, having received Approved Destination Status (ADS) on September 1st of this year, is becoming a destination of interest. There will be tough competition among European travel companies for Chinese clients, both for complete packages and tailor-made solutions.

China has already seen a boom in low-cost travel to Southeast Asia, but recently there is a very much present desire to travel countries like Switzerland. Now, it will be the Europeans' turn to experience yet another feature of China's international presence: the growing demand for outbound travel with China's entry into the World Trade Organization. Average annual travel growth rates of 12.5 % until 2020 and up to 100 million travellers annually are forecasted by the WTO, proof that China has a large demand for outbound tourism, which is increasing at a rate 3 times higher than the world average. A desire to visit Switzerland is very much present. According to Andreas Kriesi, Chief Representative of Fert Ltd., annual growth rates of 20 to 30% for Chinese outbound tourists to Switzerland are possible.

Chinese outbound travellers are looking forward to visiting faraway Europe. In the same way that for most Westerners the East is a mysterious continent, to the Chinese, the true meaning of "seeing the world" is to go to the distant West. Once Europe is open, there will be a boom in the market. Difference plays an important role in the choice of destination. The more different from China the destination is, the more attractive it is to Chinese eyes. The search for difference triggers Chinese travel: the culture, art, scenery people in different thus are the Chinese. travellers, is one stage tour. They their trip visits to

High growth rates make tourism an attractive market

市场的高增长率使旅游业更具吸引力

countries, especially when they are first-time tourists. At present, Chinese tourists go mainly to France, Italy, Germany and Switzerland in Western or Southern Europe. They are interested in the rich Renaissance culture, art and architecture in Italy and France; the natural scenery in Switzerland (snowy mountains and green land) and the castles and old towns in Germany. Most trips include several of these countries. The variety of visitors from China ranges from intellectuals, attracted by arts and historic sites, to rich people, who have already seen most of Southeast Asia, to mass tourists who have saved their money to fulfil the dream of a lifetime.

今年9月1日，瑞士通过了中欧旅游目的地地位协议,从而正式成为我国出境游国家之一。欧洲各旅游公司为争夺中国市场而展开的竞争将更趋激烈。其中包括提供一体化全套服务和量身定制的行程安排。

低成本的东南亚旅游曾经在中国风靡一时。但近期人们更迫切地期望到瑞士这样的国家去走一走。随着入世的深入和中国境外游需求的增长，更是让欧洲感受到了中国在国际上的影响和地位的日益壮大。据世贸组织估计，到2020年，中国每年的境外游增长率将保持12.5%，约达到1亿人。这一高于世界平均增长率三倍之多的事实毋庸置疑地证明了中国出境游市场的日趋成熟和巨大潜力。瑞士Fert公司中国首席代表Andreas Kriesi先生认为，去瑞士观光的中国游客的年增长率完全可能达到20%—30%。

中国的出境旅游者都期盼能够到访遥远的欧洲。同样，中国对欧洲游客而言也是个神秘的国度。中国游客认为只有到遥远的西方去看一看，才是真正地“走遍世界”。一旦通向欧洲的通道开放了，市场将呈现一派繁荣景象。地区间的差异是人们选择旅游目的地时考虑的重要条件。差别越大，吸引力也就越大。据调查，促成中国游客出行的主要因素包括文化、艺术、风光和欧洲当地独具特色的风土人情。对很多中国游客来说，瑞士是他们欧洲之行的必经一站，尤其是第一次去欧洲的中国游客，除了到访瑞士之外，他们还会去瑞士的周边国家。目前主要选择的是欧洲西部或南部国家，如法国、意大利、德国和瑞士。中国游客对意大利和法国文艺复兴时期的文化，艺术和建筑充满了浓厚的兴趣，也非常向往瑞士迷人的自然风光（雪山和绿地）和德国历史悠久的老城堡和古城小镇。游客选择不同国家取决于他们对知识、艺术、历史，（大多已在亚洲东南部见到过）的不同偏好。对于富裕阶级而言大部分人都已游览过东南亚，而对大多数的普通游客而言，欧洲游更是意味着用积蓄来完成的一个人生梦想！



Zürich, Geneva and Lucerne. A must. 苏黎世、日内瓦、卢塞恩—必游之地

The most popular Swiss destinations for Chinese travellers are Zürich, Geneva and Lucerne. The average stay of Chinese guests in Swiss hotels was 1.9 nights in 2001. The principal types of holidays are city holidays with sightseeing and shopping mostly done in summer. A new trend is snow holiday in which nearly 75% of Chinese tourists either ski or learn to ski. Chinese groups are comparatively large. To welcome the large numbers of new guests, Switzerland Tourism and Hotellerie Suisse distributes a brochure to all Swiss hotels with information about meeting the specific needs of the new Chinese clients and to make them feel 100% comfortable with Swiss hospitality. For example, the provision of Chinese-style food for these visitors is required. Since the Matterhorn became the sister mountain of the Yulong Snow mountain in Lijang, Southwest China, its surrounding area is well-promoted in faraway China.

在瑞士最受中国游客欢迎的城市是苏黎世、日内瓦和卢塞恩。据2001年统计，中国游客在瑞士酒店平均逗留时间为1.9天，度假的主要形式是夏季城市景点游和购物。冬季去瑞士度假正在成为一个全新的热点，有75%的中国游客会去瑞士滑雪或学习滑雪。相对来说，中国游客的数量相当大，因此，为了欢迎来自中国的大批游客，瑞士旅游局和酒店协会向瑞士所有的酒店都发放了宣传册，为满足他们的特殊需求，并希望游客充分领略到宾至如归的感觉。例如，为中国游客特别准备的中式食品等。自从马特洪峰与位于中国丽江的玉龙雪山结成了姐妹山之后，马特洪峰及周边地区在中国得到了广泛的宣传和关注。

Convenient visa applications. 便利的签证申请

Text by Martin Regnet
作者: 任天翔
中国瑞士商会上海分会

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Pictures source: Switzerland Tourism

Chinese travellers need a visa to visit Europe. All countries control the inflow of Chinese by visa application. Therefore, travel agencies plan the itinerary of their tours to Europe in such a way that the necessary visa applications are facilitated. Swiss visas are usually issued within three working days, which is very convenient, compared with the time needed for other countries. Almost all embassies and consulates are situated in Beijing, Shanghai and Guangzhou. Travel agencies in other parts of China often receive assistance in visa application from travel agencies located in these cities, through payment of fees or commission. If Chinese want to organize the visa for themselves, they can check the Swiss Embassy's homepage for the application process and the necessary preparations at http://www.eda.admin.ch/china_beishan/e/home/visa.html. The informations are provided in Chinese as well.

Switzerland Tourism approached the Chinese market at the end of 1997 by successfully coordinating the Switzerland Travel Experience (STE) event, with 17 Swiss partners, in November 1997 in the 3 largest Chinese cities. One of the outcomes of the event was the signing of the governmental Tourism Cooperation Memorandum, in January 1998. Switzerland Tourism and the Swiss Embassy cooperate to promote tourism to Switzerland by holding joint promotion events and workshops.

中国游客需要取得签证才能去欧洲观光。所有的国家都通过申请签证来控制中国游客的入境。因此，旅行社为帮助中国游客能顺利地办理签证，通常都为游客计划好了欧洲游的旅行路线和行程安排。瑞士的签证一般在三个工作日内就可签发，同申请其他国家的签证相比是相当便利的。另一方面，由于所有的瑞士大使馆和领事馆都设立在北京、上海和广州，因此，中国其他地方城市的旅行社一般需通过支付费用或委托的方式取得这三大城市旅行社的协助，来为他们的游客办理签证。如果中国游客想要自己办理签证，可以到瑞士使馆的官方网站（http://www.eda.admin.ch/china_beishan/e/home/visa.html）上查找到申请程序和所需准备的材料。相关信息也有中文版本可供查询。

1997年11月，瑞士旅游局与17家瑞士公司合作，成功的在中国的三大城市举办了名为“体验瑞士”的推广活动，从而正式开始进入中国市场。此次活动的重要成果之一，就是在1998年1月签署的官方旅游合作备忘录。同时，瑞士旅游局和瑞士大使馆也通过联合举办活动和推广会来促进瑞士旅游业的蓬勃发展。

欧洲

INTERVIEW

梦想之旅

“A Dream Trip to Europe”

The Bridge: On September 1st, 2004, Switzerland received ADS (Approved Destination Status) from the Chinese government. What is the impact on Chinese tourism in Switzerland?

Mr. Sommaruga: Switzerland is very proud to receive ADS from the Chinese government. There will now be a dramatic increase in the number of Chinese visitors, which will at least double in a few years. We expect 500,000 overnights by Chinese visitors by the year 2010 and by the year 2015 we will hit the 800,000 mark. Thus, we are very optimistic about future developments.

Is there a change in the variety of Chinese people who visit Switzerland?

Without ADS, only certain Chinese groups could visit Switzerland. This included officials, business people, technical visitors or special invitees. Now people will have the opportunity to visit our country for the purposes of leisure. There will be medium and large groups of about 5 to 50 persons who realize their “Dream Trip to Europe”. They are very much looking forward to seeing a great number of places in a relatively short time. Usually these trips also include visits to several other European Countries. Apart from Switzerland, the most appreciated by the Chinese are Italy and France.

What about Chinese consumer awareness of “Brand Switzerland”?

Our country is very well-known for its landscapes, its lakes and for famous cities like Zürich, Geneva, Luzern and Interlaken. On the other hand, Chinese people love to buy Swiss goods such as watches, souvenirs or, for example, Swiss army knives. Of course, they look for shopping opportunities when they travel to Swiss cities.

Have there been any changes to visa applications for Chinese tourists since ADS was implemented?

The ADS visa application remains the same. For trips across the European Union and Switzerland visitors still need the Schengen AND a Swiss visa. But the good news is that the Swiss embassy has expedited the process. Now, visitors usually receive their visa only three days after application.

Interview: Martin Regnet 专访: 任天翔

《桥》：2004年9月1日瑞士作为旅游目的地（ADS）国家正式向中国旅游者开放，请就此谈谈中国旅游业将对瑞士产生的影响。

索马汝加先生：对于瑞士成为中国公民旅游目的地国家之一，我们表示高兴和自豪！访问瑞士的中国游客数量将在未来几年内因此而翻倍增长。我们预测至2010年，去瑞士旅游的中国游客在瑞士停留的夜晚将超过500,000个，而到2015年这个数字将增至800,000。因此，我们对于中国市场未来的发展非常乐观！

去瑞士旅游的中国客源有什么变化？

在成为ADS国家之前，只有某些特定的中国群体可以前往瑞士。例如政府官员、商务人士、技术访问者或特别受邀者。而现在，中国人可以以休闲度假的方式访问瑞士。他们可以参加5到50人的中型或大型旅游团队来实现他们的欧洲梦想之旅。通常，大多数中国游客都希望能在相对较短的时间内游览更多的地方，因而这种团队一次会造访多个欧洲国家。除了瑞士，最受中国游客欢迎的国家是意大利和法国。

中国消费者对于“瑞士品牌”的认识如何？

瑞士向来以自然美景，湖泊以及知名城市著称，如：苏黎世、日内瓦、卢塞恩和因特拉肯。中国人非常信赖瑞士品牌，对瑞士手表、纪念品、瑞士军刀情有独钟。在游览瑞士城市的同时，购物也是中国游客的兴趣之一。

ADS签署实施之后中国旅游者在申请签证方面有什么变化？

签证申请的手续基本保持不变。前往欧盟国家和瑞士的游客仍需同时申请申根签证和瑞士签证。然而，瑞士使馆已进一步简化了签证申请手续。因此在通常情况下，旅游者可以在递交申请3天后拿到瑞士签证。



Federico Sommaruga is the Regional Director for Switzerland Tourism, the national tourism organization. He is in charge of South East Asia, including PR China and Hong Kong.

菲德·索马汝加先生是瑞士国家旅游官方机构——瑞士联邦旅游局的地区主任。主要负责包括中国及中国香港在内的东南亚市场。



Pictures source: Switzerland Tourism

China's 2004 WTO Commitments:

A Revolution in **2004, 中国入世的承诺:**
Progress for Foreign **一次帮助外国企业**
Businesses **在华发展的重要变革**

The commitments China made when joining the WTO on December 11, 2001 will have far reaching implications that are difficult to envision. Not only do they open foreign markets to Chinese products without limits, thereby confirming China in her position of workshop of the world early in the 21st Century: China has also committed to allow foreign businesses to be active in China on an equal footing with Chinese companies in most fields.

The new Foreign Trade Law that comes into effect on December 11, 2004 makes good on this promise. Certain restrictions will remain, among others in the automotive and service sectors. Yet, in addition to the already welcome manufacturing operations, foreign companies will be free to conduct trading, wholesale, retail and after-sales activities practically anywhere in the country.

The low requirements in registered capital for such activities will allow niche and smaller players to operate in the ways and structures they do most efficiently, effectively opening the door of China to any company with an international potential and improving chances for success of all foreign enterprises. The legal scope of business that will be granted will be almost familiar to Western companies.

The two articles of this feature on WTO commitments aim at giving readers a more practical feel for the changes to come. However, red tape legal and other administrative hurdles will remain; we would not be surprised if they are implemented even more strictly. Actually, only regulations on the implementation of the new Law and early practice will allow a definitive assessment of how the changes will affect the business environment for foreign enterprises in China.

THE BRIDGE will collect analysis of these regulations as well as first implementation practice of the Law in its next editions for practical support to our readers.

Nicolas Musy
尼古拉 摩西

SwissCham Shanghai, Vice-President
中国瑞士商会（上海）副主席

中国在2001年12月11日加入世贸组织时所作出的承诺，其产生的深远影响，是难以预计的。这些承诺，不仅使海外市场对中国产品无限地开放，而且由此更加确立了中国在21世纪初作为世界工厂的地位。同时，这些承诺也预示着在未来国内大多数领域内，允许外国企业与中国本土企业在同样的基础上谋求积极的表现。

即将于2004年12月11日生效的新的《对外贸易法》，将进一步促动中国履行其入世承诺。尽管在某些领域内，如汽车和服务业，仍然存在一些限制，但是，除了在制造业中已有的一些令人鼓舞的措施之外，外国企业还将能够在中国国内的任何地方，享有从事贸易，批发，零售与售后服务的自由。

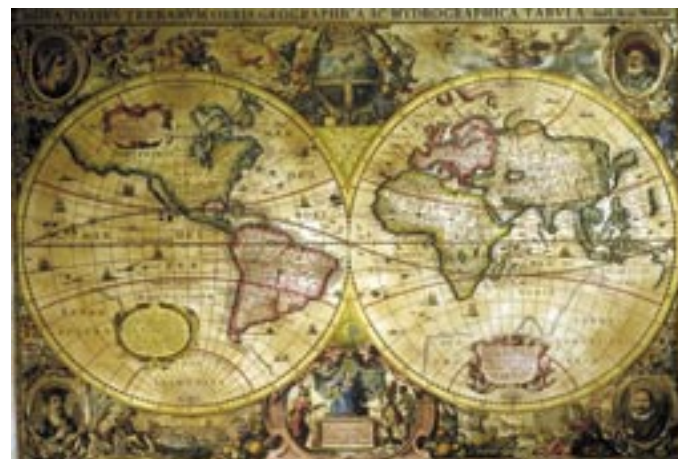
随着以上业务所需注册资本的降低，那些拥有专业技术的小规模企业可以充分发挥自身高效灵活的特点，来组建和运作公司。这一有利条件，将帮助所有具备拓展国际市场实力的外国企业敲开中国的大门，同时也为外国企业在中国的成功发展创造了绝好的条件。

在这个版块中，两篇描述有关中国入世承诺的文章将使读者更加具体、直观地感受到这些即将到来的变化。然而，红头文件和其他行政上的障碍仍会继续存在，并可能更加严格地加以执行。因此，只有当新法律实施办法的出台并尽早生效，才能从真正意义上评价这些变化究竟会对外资企业的生存环境产生什么样的影响。

新一期《桥》杂志将搜集相关文章，解读新规章制度，并分析其实施情况，希望能给予读者一些实质性的帮助。

WTO Commitments push through new Regulations

新条例的颁布
--中国进一步履行对世贸组织的承诺



A great help for small and
medium-sized enterprises
to tackle China's
commercial sector
**强有力地推动及帮助中小企业
在中国的商业活动**

The Measures for the Administration of Foreign Investment in the Commercial Sector, effective as of June 1, 2004, describes the rules and regulations for establishing and operating Foreign Invested Commercial Enterprises (FICEs). It replaces the Provisional Measures for Foreign Investment by Commercial Enterprise, promulgated in 1999. These new measures herald significant changes and are set to have a significant impact on investment in China's commercial sector.

Such dramatic moves are largely due to China's impending WTO commitments. China is required to fully open its distribution service sector to the international business community by December 11, 2004. The government has been keen to protect its domestic industries, and until recently has controlled imports and exports tightly. Before June 1, foreign investors were generally restricted to gaining full trading rights by establishing a foreign minority joint venture, an import or export company operating in a legal grey area, or by establishing a trading company in a free trade zone. However, these options brought with them numerous requirements, many of which foreign companies found themselves unable to satisfy.

《外商投资商业领域管理办法》于2004年6月1日正式开始实施。此管理办法对于如何建立和运作外商投资企业的有关条例和规定进行了描述，并取代了1999年颁布的《外商投资商业领域临时管理办法》。这些新规定对中国商业领域的投资产生了巨大的影响。这主要归功于中国对世贸组织承诺的逐步兑现。

到2004年12月1日，中国应对国际贸易成员国完全开放自己的分销服务领域。过去，政府积极保护国内的工业，并严格控制进出口。在6月1日以前，外国投资者一般仅限于以建立非外方控股为主的合资企业和法律法规未作详细规定的进出口公司，或者以在自由贸易区建立贸易公司的方式来获得从事贸易的权利。但是以上选择提出的要求很多，以至于许多外国公司发现自身根本无法达到。

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The new measures offer far fewer restrictions for foreign investors wishing to or already trading in China and appear to promote a more open commercial environment. As a direct consequence of these changes, China will finally become a truly viable market for many small and medium-sized foreign companies that are interested in doing business in the commercial sector.

Unlike the provisional measures, the new regulations begin by fully defining what 'commercial activities' are. A FICE is legally allowed to conduct retailing, wholesaling, franchising, import/export activities, as well as act as a commission agent. The new regulations also make establishing a FICE far easier to achieve. Previously, those wishing to establish a joint venture commercial enterprise needed to gain approval from the Ministry of Commerce (MOFCOM) and the National Economic Training Committee. However, since June only the approval of MOFCOM is required for most foreign-invested commercial enterprises.

Several areas of the regulations deserve mentioning. Firstly, as of June 1, 2004, foreign companies are allowed to set up majority joint venture trading companies. The provisional regulations stipulated that foreign investors were only allowed to own up to 65% of a FICE and this greatly limited foreign investment. In addition, after December 11, 2004, foreign investors will be allowed to set up a wholly owned foreign commercial enterprise, with its own import and export rights. These changes finally allow foreign invested commercial enterprises to compete at the same level as domestic companies.

Secondly, the minimum registered capital requirements for FICE have been reduced to RMB 500,000 (US\$ 60,000) for wholesalers and RMB 300,000 (US\$ 36,000) for retailers. This is a dramatic reduction from the previous amount required - the minimum registered capital for retail companies was previously RMB 50 million (wholesale RMB 80 million). With the greatly reduced minimum registered capital requirements in place, the market has been made far more accessible to smaller businesses.

Finally, the new measures allow existing foreign-invested enterprises (FIE), especially those in the manufacturing sector, to expand their business scope to include trade and distribution. Prior to June 1, 2004, FIEs could only distribute the products they made in China and were only allowed to provide aftersales services for these products. Now, manufacturing FIEs can sell the product lines of their parent company, as well as those of companies entirely unrelated to them, both foreign and domestic. In addition, providers of systems integration, after service and other service providers are now able to sell products alongside their services. These changes offer fresh opportunities for many companies already doing business in China.

The Measures for the Administration of Foreign Investment in the Commercial Sector is not to be underestimated for the effect it will have on the Chinese business environment. Changes such as those mentioned above, alter the investment landscape for companies in the commercial sector, particularly for small and medium-sized enterprises. The new regulations should be identified as a significant step towards granting full market access to FIEs.

Expanded business scope with trade and distribution

经营范围扩大延伸至
贸易和分销领域

新管理办法对计划或者已经在中国从事贸易的外国投资者放宽了限制，并且促建了一个更加开放的贸易环境。此变化的直接影响是使许多对商业领域感兴趣的中小企业真正开始进入中国市场。

与临时性管理办法不相同的是，新规定就商业活动给出了更完整的定义，投资商业领域的外国企业可以开展批发、零售、特许经营权、进出口活动以及代理业务。从而使一个外国企业投资商业领域变得更加容易。以前建立外资贸易公司需要获得商务局和国家经济贸易委员会的批复，但从6月份开始，大多数外资贸易公司只需要得到商务局的批复即可。

新的规定还有其它几方面值得一提。首先，从2004年6月1日起，外国公司能建立以外方控股为主的合资贸易公司。而临时性规定中则只允许外方最多持有公司65%的股份。这大大限制了外资的投入。此外，在2004年12月11日以后，外国投资者允许建立拥有进出口经营权的纯外资商业企业。这些变化将最终允许外商企业与国内企业在同一水平上展开竞争。

第二个方面是外商投资商业批发领域的注册资本已经减少到50万人民币 (US\$60,000)；零售领域为30万人民币 (US\$36,000)。这些数额较

以前都有大幅度的下调。以前规定，零售公司的最低注册资本是5千万人民币 (商品批发业为8千万人民币)。注册资本大幅度的降低使得小公司更容易进入市场。

最后值得一提的是，新规定允许现有的外国投资企业，尤其是生产领域的企业，扩大其经营范围至贸易和分销两个领域。2004年6月1日以前，外资企业只能分销在中国生产的产品，并仅仅为这些产品提供售后服务。现在，生产型外资企业不仅能够销售其母公司的产品而且还可以销售在国内外与自身没有关联的企业产品。除此以外，整合系统供应商，售后服务及其它服务供应商现在也可以同时销售自己的产品。这些变化为已经在中国开展业务的公司提供了新的机会。

我们不能低估《外商投资商业领域管理办法》的颁布对中国商业环境所产生的影响。以上提及的变化将调整商业性企业，尤其是中小企业的投资计划。这些新条例的颁布更将加速外国投资企业进入中国市场的进程。

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Source: WICO

After China's WTO Accession: Where do we go from here?

中国入世后，我们走向何方？



Cyrill Eltschinger, Vice-Chairman of SwissCham China, shares insights of things to come in terms of the Chinese economy, future challenges, and the role of foreign chambers of commerce in China. This article is based on a speech he gave on September 19, at the WICO summit in Beijing.

埃尔钦汗先生，中国瑞士商会副主席，对于中国经济的前景，未来的挑战以及外国商会在其中所能起到的作用，有着深入的了解。本文即根据埃尔钦汗先生于九月十九日在北京召开的WICO首脑会议上的发言编辑而成。

- **Leads: EU Competitiveness Index '04**
2004年欧洲最具经济竞争力的国家排名
(Robert Huggins Associates)
- **3rd: World Globalization Index '04**
名列世界第三：2004年经济商业运作全球化排名
(A.T. Kearny/Foreign Policy Magazine)
- **Zurich & Geneva: 'World's most livable' '04**
苏黎世和日内瓦：2004年世界最佳生活及居住品质排名
(Mercer Group)
- **"Knowledge intensive industries of the 21st century" '02**
“21世纪高精端技术行业” 摘自02年Financial Times. / OECD
(Financial Times/OECD)

The Chinese Economy

The global economy is here and it is here to stay. The electronic media and internet technologies as well as telecommunications mobility are all contributing to bringing markets closer together. This is an advantage for the China market which has begun to truly flex its muscles in the global economy with the development of a worldwide infrastructure better able to support its growth. This has already helped to shorten the steps in the development of the China market, and will continue to do so.

When discussing the Global Economy, one thinks 'numbers and figures'. Let's examine Global FDI flows: Looking at the period 2004- 2005 – Asia leads the pack. And the forecast seems to be the same for the next 2 years.

Looking at the figures for China more specifically, with an emphasis on how FDI flows have behaved, we can see a formidable FDI inflow into China as compared to other key markets. In the USA, on the other hand, inward flows are following a decreasing trend. The contrast with China, which is increasing and sustaining inflow, is marked.

It should be noted that China is also becoming an important source of direct investment in the global economy. Economists now forecast that China will soon displace Japan as the fourth largest source of direct investment into other countries. All this bodes well for China's further integration into the world economy.

Furthermore, Accenture forecasts of a few years ago indicate that Chinese will be the number one internet language by 2007. In fact, this may happen earlier. Also by 2010, China is expected to be the largest market for every product and service in the world.

The Swiss position in the global economy, of course, remains strong. Switzerland, with a population of just seven million people (half of the population of Beijing alone), is one of the world's top 10 economies, with GDP per capita also in the top 10. It comes as no surprise that Switzerland is also one of the world's top 10 foreign investors.

中国经济

全球的经济都汇集在此，并选择这里作为谋求进一步发展的新起点。依赖于电子传媒、互连网技术以及移动通讯技术，世界市场间的距离更为缩短了。由此形成的优势条件，恰好为已经开始在全球经济中展示活力的中国市场所用，而世界范围内基础设施的发展又能够更好地支持其经济的增长。中国市场发展的脚步得益于这种优势条件而加快，这一趋势还将持续。

当人们论及全球经济时，您总是会想到“数量与数字”。让我们来看一下全球外商直接投资（FDI）的趋势吧。以2004-2005年度为例，亚洲居于绝对领先的地位。并且预期在未来两年内仍将保持同样的领先。

让我们再来专门看一下有关中国的数字，重点是外商直接投资的情况。我们可以看到，与世界其他主要市场相比，涌入中国市场的外商直接投资有着惊人的规模。而另一方面，在美国，外商直接投资则一直呈现出下降趋势。与中国市场吸纳的外商直接投资呈现持续稳定的状况相比，其反差是令人瞩目的。

值得注意的是，中国也正在成为全球经济中直接投资的一个重要来源。经济学家们预测，中国将很快取代日本而成为全球第四大直接投资输出国。所有这一切都预示着中国进一步融入世界经济的美好前景。

再者，几年前的Accenture预测表明，到2007年，中文将成为互连网上的第一语言。而实际上，这一预测也许会提前到来。同样，到2010年，人们预期中国将成为世界范围内各种产品及服务的最大市场。

当然，在全球经济中，瑞士仍然保持着坚实的地位。这个仅有七百万人口的国家（仅相当于北京这座城市人口的一半），其经济规模名列世界前十位，并且瑞士的人均GDP也列居世界前十名。



SwissCham China's Vice-Chairman Cyrill Eltschinger anticipates the future of the foreign chambers in China

中国瑞士商会副主席埃尔钦汗期待外国商会在中国的蓬勃发展

Source: WICO

桥梁，从而将外国公司和本土的公司联系起来，将公司业务和政府联系起来，并且将公司业务和市场联系起来。

ADB的调查列举了多个外国公司应在中国设立一个机构的理由。这些理由包括从本土化运作的低成本，到市场潜力，乃至一家公司的全球战略。人们可以轻易地作出这样的结论：如果一家公司在筹划全球经营，或怀着全球经营的雄心，但在中国却不见其踪影时，那就表明它还没有进入竞技状态。

如今，无论对于服务业，还是制造业来说，这种观点都显得越发重要。迄今为止，有很多公司都将其制造业务分包到中国进行生产。无论是耐克运动鞋，还是波音飞机的零部件，作为产品，即便不是全部，也有很大一部分都是中国制造的。但是，在将来，服务业将在很大程度上被分包到中国来。这其中将包括银行与金融服务，信息技术和其他门类等。目前，外商直接投资对华分包业务主要都集中在中国的沿海地区。

瑞士位于欧洲的心脏地带。未来，当中国完全融入世贸组织运行机制之后，瑞士将为那些寻求理想投资地的企业提供无尽的优越条件。

外国商会在未来的作用

外国商会在会员宣传、投资地点选择，甚至于为此类投资项目提供支持等多方面都发挥着至关重要的作用。如果投资开始向中国内地输入，那么政府就会进一步重视国际商会的作用，并与其携手共同将外商直接投资引入中国内地。

由于许多省份颁布了有利于投资者的政策和规定，因此，商会能够，也应该促进向中国其他地区的投资。他们所需要做的，只是把言语变成行动。

商会同时也会提供一些行政方面的服务工作，为在华外商企业提供帮助，例如，为准备到中国来旅行的商务人员办理签证或签发邀请函。也就是说，我们不是仅仅服务于我们的会员，同时我们也通过使我们的会员更容易地进入这个市场并在此经营业务，从而为我们的驻在国，中国，提供帮助。

随着中国的视野愈加地对外开放，并努力寻求海外直接投资的目标，国际商会能够并且的确正扮演着一个重要的角色，以为此类外向型拓展提供帮助。我们不仅鼓励到我们自己的国家中去投资，并且还帮助就有规章制度提供解释，同时，也将我们本国内的投资项目和业务伙伴介绍给来自中国的公司。

瑞士应该是中国对外投资的一个重要目的地。作为全球的金融中心，它位于欧洲的的心脏地带，并与整个欧洲大陆保持着非常好的通讯与交通联接。

瑞士是一个政治与经济稳定的国家。对于中国投资者而言，瑞士拥有良好的增长潜力和机遇。瑞士应该是，按照美国人的说法，一个“无脑人。”

在华国际商会的未来，取决于它们将以何种方式进行重要变革，以使其在帮助中国完全融入世界经济的历程中发挥更加全面的作用。自从中国加入世界贸易组织之后，中国再要设置针对外国商会的国内地域障碍是毫无意义的。因此我们呼吁中国政府，取消这些法定的限制，并允许我们商会在北京以外的其他省市开设机构。在中国内地全面开设国际商会，显然将会在中国政府开发西部地区的战略目标上，助一臂之力。

我们同样还希望看到妨碍中国公司成为商会会员的规定能够被取消。如果中国公司能够加入外国商会，那么无论是这些公司，还是中国经济，都将成为日益增长的业务的受益人。世界上其他国家都并不阻止其本国的公司加入外国商会。中国如果希望能够在全球经济中获得自己的应有地位，作为加入世贸组织的承诺之一，在其限制性法规方面进行改革，是十分重要的。

中国瑞士商会成立已经九年多了。这是一个非常活跃积极的机构。在中国，瑞士商会网络拥有超过300家会员单位。同时，我们还在期待着不断吸收新的会员，并且为我们的会员寻找新的商业机会。

The Challenges

When examining China's growth as a WTO member, it is important to look at the key players, such as SwissCham China, who assist in this growth. Such organizations help to set up a proper stage and platform for development and investments. As a result, business is prepared for the next stage of bilateral economic growth.

As a member of the WTO, China has to face up to a number of key challenges. Among the primary market concerns facing multinationals in China (as noted by the ADB survey) are over regulation, taxation, local protection, unfair market competition, IPR, and fake products. Other challenges stem from poverty, economic restructuring, and inadequate transportation infrastructure – particularly in central and western China.

International chambers of commerce are often useful in channelling the concerns of the foreign business community. They can help to bridge the gap between foreign and local companies; between business and government and; between business and the market.

A survey by the ADB found a number of reasons for foreign companies to have a presence in China. These range from the low cost of local operations to market potential and to a company's global strategy. Indeed, it is easily argued that if a company with global operations or global ambitions is not in China, then it is not in the game.

Today, this argument is as important for the services sector as it is for manufacturing. Up to now, many companies have outsourced their manufacturing to China. Whether it's Nike shoes or components of a Boeing aircraft there's a good chance that much, if not all, of a product, was made in China. But, in the future, services will be increasingly outsourced to China. This will include banking and financial services, information technology and other sectors. Most of the FDI outsourcing to China flows to the coastal region of the country at present.

Switzerland lies in the heart of Europe. In a future where China has acceded to the WTO, Switzerland would provide a wealth of advantages for enterprises looking for the ideal location.

The Future Role of Foreign Chambers

Chambers of commerce play an important role in terms of advising their members on where to invest and even in facilitating such investments. If investment is to start flowing into China's hinterland, then the Government has to further embrace the international chambers of commerce and include them in the drive to bring foreign direct investment to the interior.

The Chambers can and should be promoting investment in other parts of China because many provinces have introduced investor-friendly policies and regulations. They just have to get the word out.

Chambers of commerce help in the handling of administrative tasks which facilitate business in China, such as visa processing or the production of invitation letters for business people wanting to visit China. In other words, we are not only assisting our membership but also our host country, China, by making it easier for our members to enter the market and do business here.

And as China begins to look more outward, searching for destinations for direct investment overseas, international chambers of commerce can and do play an important role in facilitating this outward march. We not only promote investment in our own countries, we can also help to interpret the regulatory frameworks and introduce Chinese companies to investment and business partners at home.

Switzerland should be an important destination for Chinese outward investment. It is a global banking centre in the heart of Europe with exceptionally good communications and transportation links throughout the continent.

Switzerland is both politically and economically stable, with good growth potential and opportunities for Chinese businesses. It should be a “no-brainer” (as Americans say) for Chinese investors.

The future of international chambers in China will depend on the manner in which important changes are carried out so that they can play a fuller role in facilitating China's full integration into the global economy. After joining the WTO, it does not make sense that China

would continue to impose geographic limitations on the foreign chambers in the country. We would therefore call on the government to lift these legislative limitations and allow our chambers to open in cities and provinces outside of Beijing. Opening full international chambers of commerce in the hinterland of China will certainly help with the government's objective of developing the western regions of the country.

Similarly we would like to see the barriers, which have been preventing Chinese companies from becoming members, lifted. If Chinese companies could join the foreign chambers then they and the Chinese economy would both be beneficiaries of the increased business that would flow their way. No other foreign country prevents its companies from joining foreign chambers of commerce. It is important that China reforms this legislative restriction if it is to take its rightful place in the global economy, as part of its entry into the WTO.

The Swiss Chamber is a very active organization that was established in China more than 9 years ago. In China the SwissCham network is more than 300 members strong and we are always looking for new members and new business opportunities for our members.

挑战

当我们把中国作为世贸组织一员来观察其发展的时候，关注那些帮助中国经济成长的关键机构，例如瑞士中国商会，也是十分重要的。这样的机构帮助搭建起合适的舞台与平台，以供人们进行开发与投资。其结果是在具体业务范畴内，为了下一个阶段的双边经济增长作好了准备。

作为世贸组织的成员，中国不得不面临众多的关键性挑战。例如，许多国家在中国的初级市场所遇到的问题（如同在ADB调查中所注意到的情况），包括：过度管制，赋税，地方保护主义，不公平的市场竞争，IPR以及假货等。其他挑战更源于贫困，经济结构调整，以及欠缺的交通基础设施—特别是在中国的中西部地区。

在对于外商投资机构所关注的问题进行协调沟通方面，国际商会通常还是扮演着重要的角色。他们能够提供帮助建起跨越鸿沟的

This section intends to provide insights to readers into particularly interesting, new or exemplary aspect of China strategy and operations.

Do contact us should you want to share and contribute your experience: [info@swisscham.org]

本节旨在与读者分享部分具参考价值和可读性的有关中国经营战略的成功案例。同时，我们也期待与您分享您的成功经验。请与桥杂志编辑部联系：info@swisscham.org

KUK Electronic AG follows Client in China

KUK电子公司跟随客户来到中国

*Becoming
the most important Swiss
coil producer in 15 years
of existence*

历经15年的发展，
科双电子成为瑞士最重要的线圈生产商

To produce 50 Mio micro-coils a year for mobile phones KUK came to China to set up here for supplying a client. This is a short description of KUK's activities

科双电子股份公司将每年为中国客户生产5000万只移动电话用微线圈

For more information:
关于更详细的资料，请垂询：

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KUK Electronic AG is a highly innovative, family owned, fast growing SME, founded in 1990 in Appenzell and employing 70 persons. Activities are of three types:

拥有70名员工的科双电子股份公司于1990年在阿彭策尔（Appenzell）成立，是一家注重创新、家族所有制、高成长的中小企业。公司业务包括以下三类：

Design and in-house production of 设计和内部生产：

- printed circuit board assemblies
印刷电路板组件
- specialty electromechanical components, such as custom miniaturized electromagnets
定制微型电磁体等专业机电部件
- micro-coils: small copper wire coils of specifically high-requirements and/or particular shapes
微线圈：符合更高技术要求并（或）具有特殊形状的小型铜线圈

In the 15 years of its existence, KUK became the biggest coil winder of Switzerland.

历经15年的发展，科双已成为瑞士最大的线圈生产商。



Loudspeaker LTR711 for mobile phones, top view
Source: KUK (China) Co. Ltd.



LTR711, bottom view
Source: KUK (China) Co. Ltd.



Mobile phone Nokia 6230, with loudspeaker LTR711
Source: Nokia

A unique micro-coil to allow bigger mobile phone screens

For a mobile phone loudspeaker producer, in competition with giants like Siemens, KUK developed a square micro-coil enabling a rectangular loudspeaker, thus allowing more space and bigger screens on the front of mobile phones. This was done by first developing own coil-winding machines.

The narrower loudspeakers are quickly becoming a standard for the international brands of mobile phones. Since China accounts for one third of the world production (about 150 Mio. mobiles per year) KUK's client decided to move its complete operation from its original European site to China.

Given the unique ability of KUK to make its clients' micro-coils (there is no second supplier) and the importance of the component in the supply chain (one non-delivered coil is one less loudspeaker and one less mobile phone produced), KUK was asked to set-up a second production site to supply 50 Mio. microcoils in 2005, with demand expected to grow.

A China start-up with a first opportunity

Choice had to be made between a second Swiss site or the set-up of a factory in China. Being close to the client and having the opportunity to access China's market with minimal turnover to start with, weighed heavier against the logistics advantages of a second Swiss production and the risks of starting a China operation.

To minimize these risks, KUK approached OSEC and other sources of information and experience. The Swiss Center Shanghai was recommended by OSEC as being able to offer customized support and the right type of industrial infrastructure for a start-up in China.

Decision to go ahead with a 3 Mio. CHF investment was made in September 2003. Key staff hiring and company registration started in November, technicians and skilled workers were trained in Switzerland in February 2004, the first 3 custom made production lines were imported under special tax and VAT free status in April and production started in May.

By the end of August the China production already achieved a better productivity and a better scrap rate than the Swiss one. Break even is expected in this first year of operation.

Expanding in the China market: generating growth for the Swiss operation

KUK's workshop (around 800 sqm including offices) has been planned with extra space to accommodate productions for new clients in China. KUK is now looking at the market and working out a strategy for its development in China. Information will be collected and analyzed to identify the market needs that KUK can satisfy most efficiently. KUK's production in Switzerland is growing constantly; labor intensive operations maybe effected more efficiently in KUK China, thus allowing best use of the Swiss infrastructure. Yet, and more important, the sales in China will generate profits to allow increased innovation in new products. In addition, the expansion in China is expected to add to this growth with needs for components made in the mother company, as well as needs for China specific R&D and logistics support for Swiss raw materials and components.

采用独特的微线圈，实现更大的移动电话屏幕

为了成为一家可以与西门子等巨擘相竞争的移动电话扬声器生产商，科双专门开发出一款可使移动电话上部留出更大空间并实现更大屏幕的方形微线圈。此种线圈是由首次开发的自绕线圈机生产的。

窄式扬声器将很快成为国际品牌移动电话的一个标准。由于中国占有全球三分之一的生产份额（约1.5亿台移动电话/每年），因此科双的客户决定将其全部运营从原来的欧洲工厂转移到中国。

鉴于科双可为其客户制造微线圈的独特能力（尚无第二家供货商）和部件在供应链中的重要性（非交付线圈的重要性要小于扬声器和所生产移动电话），因此客户要求科双组建第二个生产工厂，以便随着所预期的需求增长，可在2005年提供5000万只微线圈。

以绝佳机会登陆中国

必须在第二座瑞士工厂与中国新建工厂之间做出抉择。是拉近与客户的距离，有机会以最小周转率进军中国市场，还是坐享第二座瑞士工厂的物流优势，避免启动在华运营的风险？科双必须在此之间进行权衡。

为降低上述风险，科双与瑞士贸易促进中心（OSEC）和掌握相关信息及经验的其它各方进行了接洽。通过瑞士贸易促进中心的推荐，上海瑞士中心可提供在华建设新工厂所需正确类型工业基础设施和定制支持。

2003年9月，科双决定先期投资3000万瑞士法郎。关键人员雇用和公司注册于9月开始。技术人员和熟练技工于2004年2月到瑞士接受培训，首次3条定制生产线已于3月在免除特种营业税和增值税条件下进口，并于5月开始生产。

到8月末，科双在华生产已经达到比瑞士更好的生产率和废品率。预期首年运营可实现盈亏持平。

拓展中国市场：拉动瑞士运营增长

科双的工厂（占地约 800 平方米，包括办公室）已经规划出与中国新客户生产相适应的专用区域。

科双目前正在关注市场并制定一份适合其在华发展的战略，收集并分析相关信息，以保证科双能够以最高效率满足的市场需求。

科双在瑞士的生产持续增长；科双的劳动密集型产业在中国可能更富效能，这样，可更好的利用瑞士基础设施。但更为重要的是其在中国销售应盈利，以促进新产品创新。

此外，预期科双在华业务的拓展，可拉动对母公司所生产部件的需求增长，并拉动针对瑞士原材料及部件等专项研发及物流支持的需求。

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Preliminary Report on the Swiss China Survey 2004

《瑞士2004年度中国调查》初步报告

Swiss China Survey 2004

About the Swiss China Survey 2004

Many of the big multinational Swiss companies are active in China already for a longer time. With the fast development of China offering now a strong actual market potential for most of Swiss export product and services as well as excellent opportunities for good quality/price production, a considerable number of smaller companies ponder a China entry. This, however, still implies big uncertainties and risks mostly due to a lack of resources and knowledge.

Besides, with the accession to the WTO and the resulting far reaching regulatory changes, the existing Swiss players on the China market also re-assess trends, opportunities and risks for re-structurings or further developments

关于《瑞士2004年度中国调查》

有很多大型的瑞士跨国公司已经在中国经营多年。随着中国经济的飞速增长和对外开放进一步深入,越来越多的瑞士公司看到了中国市场的巨大潜力,同时对进军中国市场跃跃欲试。但由于资源和信息上的匮乏,这一过程中仍然隐含着很多不确定因素和风险。

此外,中国入世后,中国的市场及政策法规必将做出极大的调整,因此目前在中国的瑞士公司也必须为了进一步发展的需要而进行必要的重新整合以面临未来的机遇,挑战和风险。

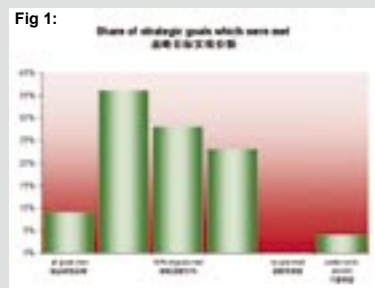
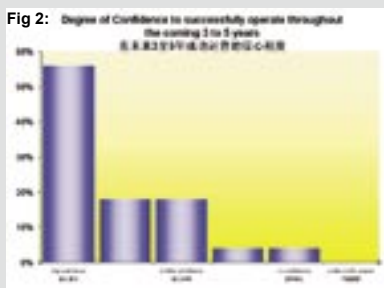


Fig 1: Share of reached goals in of Swiss companies (N=89).
表1: 达成目标的瑞士公司比例 (N=89)。

Fig 2.: Trust of Swiss companies to be successful in China throughout the coming 3 to 5 years (N=89).
表2: 未来3至5年中, 瑞士公司在中国成功运营的信心度 (N=89)。

Fig1 and Fig 2 Source: Swiss China Survey 2004
表1, 表2来源: 《瑞士2004年度中国调查》



To support this process, the Swiss Center Shanghai, the Swisscham China, Osec, the Swiss-Chinese-Chamber of Commerce and Seco joint forces together with the Swiss Federal Institute of Technology Zurich to develop and conduct a survey on the investment climate and the factors of success for an entry into China. The project is also supported by the Consulates Generals of Switzerland in Shanghai and Hong Kong, Sofi, Swissmem, most of the cantonal chambers of commerce as well as several private partners and sponsors.

One of the main goals of the Swiss China Survey 2004 is to establish the trends for China as seen by managers and resulting opportunities as well as the level of success of Swiss companies in China..

By measuring the success in China from a subjective point of view, the Swiss China Survey 2004 aims at identifying successful companies from which difficulties and factors of success can be analyzed. (The measurement compares the number of goals which have been achieved, the difficulties on the way and the self-assessment of enterprises for future success.)

在此前提下, 上海瑞士中心, 中国瑞士商会, 瑞士贸易促进中心(OSEC), 瑞中商会和瑞士联邦经济总局(SECO), 与瑞士苏黎世联邦科技大学(ETH)联合发起并组织了一次有关中国投资环境和成功进入中国市场的战略的调查。这一项目同时也得到了上海和香港瑞士总领事馆, 瑞士促进投资委员会(SOFI), 瑞士机械制造商协会, 大多数州级商会以及一些私人股东和赞助商的支持。本次调查一方面旨在评估瑞士跨国公司在华市场投资的积极性, 另一方面是总结一些著名瑞士企业成功拓展中国市场的经验, 并为瑞士有国际化潜力的公司提供有价值的建议。

此次调查希望通过评估瑞士企业在中国市场所取得的成绩, 来发现一批成功的瑞士企业, 从而在他们身上吸取经验教训, 总结成功之道。(调查分别从企业所达成的目标, 遇到的困难, 及未来成功的自我评估等三方面在各企业间进行比较。)

First results

This intermediate report presents first results based on the analysis of the distribution of the answers from the questionnaires. More than ninety decision makers from different industries, e.g. machinery, plant construction and electrotech stated their expectations, worries and - in case of a finished market entry - experiences and performances.

The most important reasons in favor of a potential market entry are the opportunity to improve margins and the ongoing increase of market entry barriers. While in the past, low sourcing prices and access to cheap resources was the main driver for market entries, today, the trend goes rather to a long-term orientation and a market penetration to tap most of the local sales potential.

Among the biggest barriers for market entry in China, managers mentioned difficulties in finding trustworthy business partners, political risks, which could have an impact on the stability of the nation and a rigid bureaucracy. Additionally, the risk of patent violations was ranked high, as well as the connected risks of loss of know-how and reputation.

On the other hand, a lack of management resources, shortcomings of Chinese distribution networks or under qualified Chinese employees were not considered as major entry barriers by Swiss companies. They are also not afraid to lose reputation by being considered as a cheap producer with bad quality - management teams seem to feel confident to control these factors, not like bureaucratic barriers or political developments.

While the classical factors of success for a China market entry such as good strategic concepts, smart action plans, the coordination and optimization of timing, location, partners and employees are still important, Swiss companies which are active in China named a few other relevant points which especially apply for China: The support of the local Government, the understanding of local rules and regulations, the Chinese consumers' sensitiveness about price-quality relations, the necessity of effective distribution channels as well as the rising importance of after-sales services.

This report is a preliminary summary of the most important results of the Swiss China Survey 2004. The final analysis will be available by end November - at no cost for participants in the survey.

The Swiss China Survey to support China Entry and operations of Swiss Companies

Based on the results of the Swiss China Survey 2004 an analysis will be developed to support Swiss companies throughout their set-up and operation in China by identifying relevant check-lists and case studies of companies which successfully mastered

comparable situations in similar fields, according to situational and industry specific factors.

Additionally, the results will help to optimize the allocation of Swiss tax payers' money to support Swiss companies in foreign growth markets and particularly China. Text: Juergen Simon.

初步结果

该中期报告是在对现有问卷进行分析的基础上得出的初步结果。来自不同行业(如机械, 工厂建筑以及电子技术等)的九十多位决策者, 在调研中纷纷表达了他们的期望和担忧。同时, 那些已经成功带领瑞士企业进入中国市场的决策人也分享了各自的经验和所取得的成绩。

潜在利润的诱惑和市场准入难度的日益加大都是企业希望早日开拓新市场的主要原因。在过去, 低廉的采购成本和廉价的资源是瑞士企业进入中国市场的主要动力。然而, 今日的中国, 一种新的趋势正在逐步形成, 企业更多的是在寻求长期发展的机遇, 以及通过开发当地的销售潜力来渗透市场。

调查中, 经理们提到了一些开拓中国市场的主要障碍, 其中包括难以寻找可靠的商业伙伴, 僵硬的官僚体制, 以及足以动摇国家稳定性的政治风险等等。同时, 侵犯专利权及随之造成的技术和名誉损失, 也是企业经理人最为关心的问题之一。

另一方面, 管理资源的匮乏, 中国销售网络的不健全以及中国雇员综合素质的欠缺, 却不被经理们看作是进入中国市场的主要障碍。他们甚至不怕被认为是低质量、廉价产品的生产者。公司的管理队伍似乎很有信心控制这些因素, 因为它们不像官僚主义或政治发展局势那样难以控制。

虽然成功进入中国市场的传统战略因素依然十分重要, 例如良好的战略理念, 巧妙的实施计划, 以及时间、地点、合伙人和雇员之间协调安排的最优化等等, 但那些活跃在中国市场的瑞士企业经理人还是特别提出了几点适用于中国市场的成功法则, 如: 获得当地政府的支持, 加深对当地规章制度的理解, 了解中国消费者对价格和质量之间关系的敏感度, 建立有效的销售渠道和提供日趋重要的售后服务。

本报告是对《瑞士2004年度中国调查》的初步归纳和总结, 最终分析结果将于十一月底公布。参与者可免费获取调研报告。

《瑞士2004年度中国调查》——帮助瑞士企业开拓及发展中国市场

在本次调研的基础上, 我们最终将会提供一份详尽的分析报告, 以帮助瑞士企业成功的在中国设立公司, 并顺利开展运作。报告将包括极具参考价值的, 针对不同行业特性而制定的相关信息指南及成功案例分析。

此外, 这些结果将促使瑞士纳税人将更多的财力用于支持海外瑞士企业的发展上, 尤其是在中国的瑞士企业。
作者: Juergen Simon.

Participate in the Swiss China Survey 2004 for valuable results to your company and top management: <http://swisscham.concepto.ch/survey/>. 《瑞士2004年度中国调查》的参与者可通过访问<http://swisscham.concepto.ch/survey/>来获取更多信息。

For more information please directly contact the project management team via email entrytool@CH-ina.com or by telephone 021 6266 0844 ext 223. Please also contact the project management if you are interested in placing an ad in the official final report. It is still possible to participate in the Swiss China Survey 2004 via <http://swisscham.concepto.ch/survey/>.

要获得更详细的信息, 请直接与项目管理组联系, 邮件地址: entrytool@CH-ina.com 电话号码: 021 6266 0844转223。如您有兴趣在最终的调查报告中刊登广告, 也请和管理组联系。您现在依然可以通过登陆<http://swisscham.concepto.ch/survey/>参与《瑞士2004年度中国调查》。

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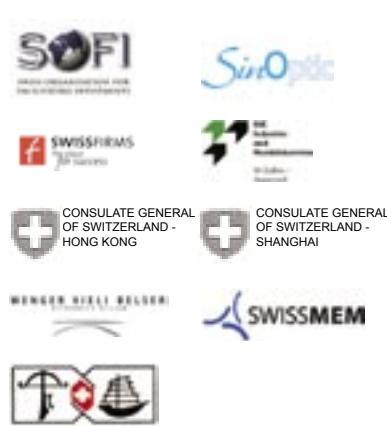
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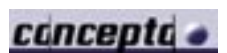
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Practical Consequences of the new Measures regarding Commercial Enterprises

商业企业新规范的实际意义

The past few months have seen a plethora of articles and comments on the Measures for the Administration of Foreign Investment in the Commercial Sector (see separate article in this issue), and common sense suggests that the new regulations will indeed have an impact on foreign players in China. But what does it all mean for the everyday operations of a foreign-invested enterprise (“FIE”)?

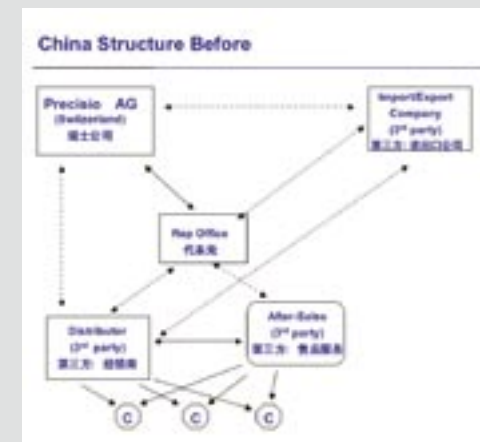
过去几个月对《外商投资商业领域管理办法》已经涌现了大量文章和评论了。常识告诉我们这些新的规定将对在中国进行业务活动的外国人产生真正的影响（见本期中另一篇文章）。但它对外商投资企业的日常运营意味着什么呢？

The following - only partially fictitious - case study of a Swiss medium-sized enterprise shall convey in layman’s terms what the future may hold for many of the Swiss companies already present in China. The case study centers on a Swiss precision-tool manufacturer, hereinafter called “Precision AG”. Precision AG has exported its products to China in the past and would now like to further consolidate, expand its sales, and especially strengthen its distribution and service structure in China.

In a nutshell, the new regulations will allow Precision AG to normalize its import and distribution setups in China, to bring them into line with existing company policies and practices as already applied in other (mature) markets such as France, Germany, and the US - where Precision AG has been able to gather experience in foreign markets.

下面有关某瑞士中型企业的案例分析（仅有部分是虚拟的）将以非法律术语展示很多在中国现有的瑞士公司可能会有什么样的未来。这个案例分析围绕一个瑞士精密工具生产商，简称为“Precision AG”展开。Precision AG过去把它的产品出口到中国并且现在希望进一步地整合、扩大它的销售，特别是加强它在中国的分销和服务结构。

简而言之，新规范将允许Precision AG规范其对中国的进口和分销机构，使之符合现存的公司政策和它已经在诸如法国、德国、美国这样的其他（成熟）市场的惯常做法 – Precision AG 已经在那里积累了外国市场上的经验。



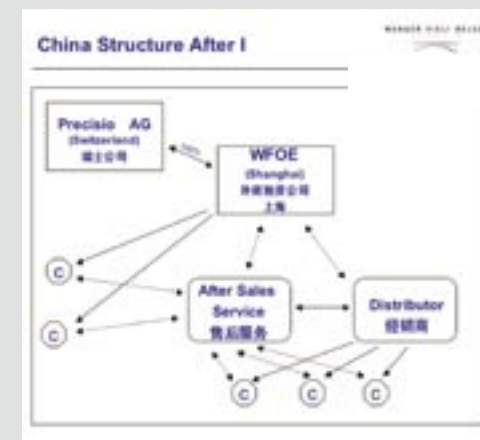
1

Phase I: Currently, Precision AG still manufactures most of its products in Switzerland. In the past, Precision AG has used a Chinese import / export company in Shanghai for importing into China, while yet another local agent handled distribution. In addition, after-sales service, namely repairs and exchange of parts for the precision tools, was taken care of by an affiliated company of the distribution agent. Precision AG had also previously set up a Rep Office in Guangdong which, in the past, was used as a coordinating unit for the operations in China. This setup naturally implied complicated payment structures, a substantial amount of paperwork, and a high reliance on several Chinese partners and their operations. Obviously, the structure was not in line with the setups used in Europe and the US, where Precision AG has subsidiaries (100% owned by Precision AG) entrusted with all aspects of local operations (though still relying on local dealers for some parts of distribution). Incidentally, in the future, our typical Swiss company has plans to start manufacturing in China. This will initially entail producing parts and assembling some of the machines, and later possibly manufacturing entire product lines.

Having heard of the recent legal changes and the impending liberalization in the commercial sector in China, Precision AG now wants to integrate its currently dispersed market presence in China, establish full equity (and therefore higher operational control), and lay the foundation for future manufacturing within China on a gradually increasing scale.

第一阶段：现在 Precision AG仍在瑞士生产绝大多数产品。过去Precision AG利用一个在上海的中国进出口公司将产品进口到中国，而利用另一个地方代理商负责销售。此外，售后服务，即精密工具的维修和更换零件，由销售商的关联公司打理。Precision AG以前在广东设立了代表处用以协调在中国的运营。这个机构自然意味着复杂的支付结构，繁重的书面工作，并且高度依赖一些中方合作者及其运营。显而易见，该结构不符合欧洲和美国适用的结构，在那里Precision AG设有子公司（百分之百由Precision AG拥有），而子公司被授权负责地方上所有方面的运营（虽然仍在某些零件的销售方面还有赖于地方经销商）。巧的是，本案中的瑞士公司也计划将来在中国开始生产，即最初生产零件并组装某些机器，此后可能生产整个产品线。

获知了中国最近的法律变化以及迫近的商业领域的放开，Precision AG 现在希望将它在目前分散的市场存在整合起来，设立全资子公司，从而获得更高层次的运营控制并为未来在中国境内生产打下基础，后者建立在规模逐步提高之上。



2

Phase II: In the very near future, after December 2004, Precision AG can achieve all of the above by establishing one single, wholly foreign-owned subsidiary (“WFOE”), with the following characteristics: a reasonable minimum capital of RMB 500,000, a business scope including import of its own products from Switzerland, manufacturing of its products within China, direct import of related products from other manufacturers, distribution to dealers as well as to customers of all of the above and, finally, after-sales services (repair, maintenance, upgrades) not only for its own products, but also for related products from third-party manufacturers (CNC, drills, testing equipment etc.).

In other words, Precision AG will have a 100% subsidiary in China capable of performing nearly the entire range of services commonly expected from such an affiliated company in more mature markets, including manufacturing, import and export of products - including products from third parties - local distribution, and after-sales services.

第二阶段：在不久的将来，2004年12月之后，Precision AG 通过设立一个具有下列特征的全资子公司（外资企业）可以实现所有上面的愿望：最低50万元人民币的注册资本，营业范围包括：从瑞士进口它自己的产品，在中国生产其产品，直接从其他生产商进口相关产品，向经销商和顾客销售所有前述产品，最后其自己产品以及来自第三方生产商的产品（CNC，打空机，测试设备等）售后服务（修理、维护、更新）。

换句话说，Precision AG 在中国将百分之百拥有一个在更加成熟的市场中能够进行通常能够预期的几乎覆盖整个服务范围的子公司，包括制造、进出口产品（包括第三方的产品）、地方销售和售后服务。



3

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Phase III: In addition, once Precision AG achieves a substantial size of operations and revenues with and within China, the basic structure may be refined and consolidated to accommodate further operational needs and to increase financial efficiency. At a later date, Precision AG may decide to separate the functions of manufacturing (including after-sales services) and import and distribution, into two or even three separate entities, all of them 100% foreign-owned. Such separation of entities will allow the manufacturing entity to benefit from certain tax and other incentives which are only available to pure manufacturing companies, but not to companies with a more diverse business scope. Further, and just as important, a more complex structure can then allow the Swiss precision tool manufacturer to fine-tune operations by providing intra-group services, therefore issue intra-group invoices for management and other service fees, provide intra-group consignment, possibly even intra-group short-term credit facilities, etc., all within China. As a consequence, and since all entities are wholly foreign-owned, all of these activities will at all times be under the full control of the headquarters of Precision AG in Switzerland.

The several and separate entities will most likely be domiciled in different locations within China, according to their respective business scope. Such domiciles shall allow the group to enjoy separate and more appropriate benefits and other investment incentives available throughout China and its miscellaneous special economic or free trade zones. Again, the rationale of the new structure under the new regulations will be to maximize flexibility and to minimize related costs, thus increasing profitability.

第三阶段：并且，一旦Precision AG在中国国内和与中国相关的业务达到可观的经营规模和收入，则可以改善和巩固基础结构，以适应未来的经营需求，提高财务效率。稍后，Precision AG可以决定将制造功能（包括售后服务）和进口、分销功能分立成两个，甚至三个独立的实体，全部采用外商独资形式。这样的实体分立能够使制造机构获得仅仅适用于纯制造企业，而不适用于具有多种经营范围的公司享受的特定税收和其他奖励政策。并且，更为重要的是，一个更为复杂的结构可以使瑞士的精密工具制造商通过集团内服务来调整其经营，由此，出具管理和其他服务费方面的集团内部帐单，提供集团内部的货物交付，甚至有可能提供集团内部短期信贷，等等，上述这些都可以在中国内部完成。因此，由于所有实体都是外商独资企业，在任何时间的所有活动都可以在Precision AG位于瑞士总部的完全监控之下。

数个独立的实体将很可能根据他们各自的营业范围设立在中国的不同位置。这样的不同住所使得集团享受独立的、更加适当的利益和其他能够遍及中国及其各种经济特区或自由贸易区的投资动机。此外，新规范规定了新结构，新结构的基本理念是使灵活性得以最大化，使相关花费得以最小化，从而提高利润。



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北京市外经委 www.tpbj.gov.cn

Beijing International Investment Promotion Council
北京国际投资促进委员会 www.fdi.beijing.org.cn

China Economic Information
中国经济新闻 www.cei.gov.cn

State Economic and Trade Commission, PRC
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