

property rights remains a major problem in China. Reports of infringement of IP rights are commonplace, and the application of legal remedies under the existing legislative framework is erratic. Accordingly, despite the legislative improvements of recent years, protection of intellectual property rights in China remains inadequate. Exporters of IP are advised to continue to exercise caution in their approach to the Chinese market and consult a legal firm with expertise in China's IP protection regime.

Business Access

Under a bilateral trade agreement, signed in October 1973 and now renewed automatically every three years (unless a party chooses to terminate it), Canada and China grant each other most-favoured-nation (MFN) treatment with regard to customs duties and related charges and customs formalities and procedures. In 1979 the trade agreement was supplemented by a Protocol on Economic Cooperation intended to strengthen and develop Sino-Canadian trade and economic relations.

China benefits from the general preferential tariff (GPT). GPT rates are generally set at two-thirds of the most-favoured-nation (MFN) rate or lower. The GPT applies largely to manufactured and semi-manufactured goods with the exception of most textiles, apparel, footwear and some steel products. China is one of the largest users of the GPT.

Under the Export and Import Permits Act, the export of all goods on the Export Control List is regulated, and export permits are required. Applications for export permits to China are reviewed on a case-by-case basis by the Department of Foreign Affairs and International Trade and, where necessary, other Departments. Permits for exports of military equipment are generally denied.