NEW ZEALAND
FOREIGN AFFAIRS & TRADE
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China's proposed amendments to its 2019 E-Commerce Law

MARKET INTELLIGENCE REPORT

Summary

- China has released proposed draft amendments to its existing 2019 E-Commerce Law. This market intelligence report provides a general overview of the proposed changes and outlines the process for making a submission.

Report

China's State Administration for Market Regulation (SAMR) together with China's Ministry of Commerce (MOFCOM) has proposed draft amendments to its 2019 E-commerce Law. The proposed draft amendments contain 20 provisions and apply to all e-commerce activities, including domestic and cross-border transactions. They include:

- *Expanded regulatory scope:* The amendments would broaden the law's application beyond e-commerce platforms and in-platform merchants, clarifying the rights and obligations of other participants in the platform economy and emerging digital business models.

- *Enhanced platform responsibilities:* E-commerce platforms would have greater responsibility for verifying sellers, monitoring products offered for sale, and taking action where illegal, non-compliant, or unsafe products are identified.

- *Stronger platform governance and stakeholder protections:* Platforms would be expected to provide more accurate product information, strengthen complaint-handling processes, and improve protections against misleading or fraudulent online practices.

- *Greater obligations on merchants:* Merchants would be subject to clearer requirements relating to business registration, licensing, tax compliance, and the provision of accurate and truthful information about products and services.

- *Stronger intellectual property and data protection:* The amendments would increase obligations on platforms and sellers to prevent the sale of counterfeit goods, respond to infringement complaints, and protect personal information and transaction data.

- *Increased regulatory coordination:* The amendments propose stronger coordination between government agencies across general trade and e-commerce regulation.

- *Expand international e-commerce cooperation:* The amendments promote alignment with international standards and support the overseas expansion of Chinese e-commerce enterprises.

- *Higher penalties for non-compliance:* The amendments would substantially increase potential penalties for non-compliance. Under the proposal, platforms could face fines of up to 5% of their previous year's revenue, representing a significant increase from the current penalty framework.

MFAT understands the proposed amendments to the E-commerce Law cover all forms of e-commerce in China, of which Cross Border E-commerce (CBEC) trade is a part. Although the proposed amendments to the E-commerce Law do not specifically focus on imports, they may result in individual e-commerce platforms strengthening their compliance, product verification, and risk management systems for cross-border e-commerce.

The overall impact on merchants, sellers and other participants in the platform economy will depend on the final form of the amendments as well as how individual e-commerce platforms interpret and implement the revised legal requirements in practice.

Exporters and manufacturers may wish to monitor developments and work with their Chinese importers, distributors, and platform operators to better understand the potential implications of the proposed changes.

At this stage, Chinese authorities have not provided further information on the expected timeframe for finalising the amendments. As such, the timing of any final amendments, implementing measures, or related policy changes remains uncertain.

The continued development of e-commerce and CBEC remains a priority for government agencies in China and New Zealand. MFAT along with other NZ Inc agencies will continue to monitor developments.

Submissions process

According to a statement published on the MOFCOM and SAMR websites, the public can submit comments on the proposed draft amendments to China's E-Commerce Law until 4 August 2026.

Email

Submissions can be sent to either: dzswf@samr.gov.cn or dzswf@mofcom.gov.cn

Please indicate in the email subject that it is in relation to "public comments on the Draft Amendment to the E-commerce Law of the People's Republic of China."

Physical mail

Submissions can also be made by mail to the Internet Supervision Department of the State Administration for Market Regulation, No. 9 Madian East Road, Haidian District, Beijing (Postal Code: 100088) or the E-commerce Department of the Ministry of Commerce, No. 2 East Chang'an Street, Dongcheng District, Beijing (Postal Code: 100731). Please note on the envelope that it is in relation to "public comments on the Draft Amendment to the E-commerce Law of the People's Republic of China."

Useful links

The following links may provide useful information to businesses:

- MPI's Updates on China Cross Border E-commerce
- China's State Administration for Market Regulation (SAMR) and Ministry of Commerce (MOFCOM) proposed draft amendments

Note: The proposed amendments were released in Chinese only. Stakeholders with an interest in the proposal are encouraged to refer to the original Chinese text and obtain their own translation.

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