



The Coronavirus Outbreak in China: What Shall Enterprises Pay Attention To (II)

On February 8, 2020, the Joint Prevention and Control Mechanism of PRC State Council announced during its press conference that the pneumonia will now be officially referred to as Novel Coronavirus Pneumonia (“NCP”). Till February 12, 2020, the death toll from the NCP cases stands at 1114, with over 44742 confirmed infectious cases reported.

In our previous legal update, we have pointed out that due to the NCP outbreak, the Chinese New Year had been extended in most cities/provinces, and most of cities/provinces would resume to work on February 10, 2020.¹ However, in practice, we found that many enterprises still cannot resume to work due to specific local restrictions/requirements.

1. Reporting System Implemented for Resumption of Work

In the following cities, a specific reporting system shall be conducted for enterprises to resume work.

Shenzhen	- Enterprises shall report to corresponding local governmental authority five days in advance before resumption of work. ² (1) Enterprises with more than 300 employees (including 300) shall report to Epidemic Prevention and Control Headquarters at District level; (2) Enterprises with less than 300 employees shall report to Epidemic Prevention and Control Headquarters at Street level. - In some districts in Shenzhen such as Yantian District, Longgang District, Longhua District, Pingshan District, the enterprises can only resume to work once the approval from government has been obtained after reporting.
Guangzhou	- Upon checking by governmental authority at district level, the enterprises can resume to work. ³ - Certain business is subject to strict scrutiny: such as cinemas, theaters, entertainment venues, museums, art galleries, tourist attractions, travel agencies, etc. - In Tianhe district, the enterprise can report via Wechat platform/email. Different from Shenzhen, the enterprise in Tianhe district can resume to work after reporting (No need to wait for the approval to be issued by governmental authority). ⁴
Nanjing	- Enterprises shall report to the local governmental authority at district level in advance before resumption of work. - In Jianye District, only certain business can resume to work upon approval after certain date: (1) After February 10, take-away meal delivery, finance, industrial production, etc. (2) After February 15, information technology, importation and exportation, etc. (3) After February 20, commerce circulation business. (4) After February 29, restaurant and professional market. (5) KTV, cinemas, theaters and so forth are not allowed to resume to work. ⁵
Tianjin	Till now, the specific date for resuming to work in Tianjin is still not clear. However, in some zones, like Binhai New District, enterprises can apply for resumption of work. Without receipt of approval from governmental authority, enterprises cannot resume to work. ⁶
Hangzhou	Enterprises in Hangzhou shall report to corresponding governmental authority by using an APP named Ding Talk. Within three working days upon such reporting, the governmental authority will notify the enterprise the concrete date to resume to work. ⁷

For the cities not subject to such reporting system, such as Beijing and Shanghai, enterprises therein can resume to work now. However, in these cities, flexible working schedule are encouraged pursuant to a notification issued by PRC Ministry of Human Resources and Social Security, which stipulates that enterprises are encouraged to adopt flexible remote working from home or to have flexible working hours to avoid peak commuting hours, in order to avoid gathering or concentration.⁸

2. Community Prevention and Control

Many cities have strengthened the epidemic control management of residential communities and notifications for community prevention and control have been released gradually. For example:

Date of notification	City
February 6	Tianjin ⁹ Suzhou ¹⁰
February 7	Shenzhen ¹¹ Guangzhou ¹²
February 10	Beijing ¹³
February 11	Shanghai ¹⁴

In different notifications for community prevention and control, the follow measures have been taken in the respective residential community:

- Residential areas shall be closed-off for management;
- Residents’ body temperature shall be measured at entering and exiting residence;
- Residents in and out shall wear masks;
- Express deliverymen and take-away deliverymen are forbidden to enter into the community, and the residents shall take them at the gate of the community;
- Residents who have lived in key areas of the epidemic in the past 14 days are to be isolated at home or received medical observation.

Should you need to have more details of the rules in your city, please feel free to contact us at asiallians@asiallians.com.

Please be informed that ASIALLIANS is fully operational in Beijing, Shenzhen, Guangzhou, Hong Kong and Taipei, while our teams based in other Chinese cities having organized themselves to provide service to our clients through telework or team rotation.

1. See our previous legal update on Extension of Chinese New Year, <http://asiallians.com/zh-hans/china-legal-update-coronavirus-outbreak-china-shall-enterprises-pay-attention/>.

2. See http://www.sz.gov.cn/szzt2010/yqfk2020/szzxd/zczy/zcwj/fgzc/content/post_6725171.html

3. See http://www.gz.gov.cn/xw/tzgg/content/post_5655587.html

4. See http://www.thnet.gov.cn/thdt/tzgg/qtgg/content/post_5657073.html?from=singlemessage&isappinstalled=0

5. See http://www.nj.gov.cn/jyyw/202002/t20200209_1788299.html

6. See <http://rsj.tj.gov.cn/contents/109/416212.html>

7. See <https://mp.weixin.qq.com/s/G4tFW0-qRlqrbNCWw7nQ>

8. See <http://www.shanghai.gov.cn/nw2/nw2314/nw2315/nw43978/u21aw1423994.html?phlnohdjmglngdbi>

9. See http://www.tj.gov.cn/xw/bdyw/202002/t20200207_3668774.html

10. See <http://www.suzhou.gov.cn/szsrnzf/zwgg/202002/83441a6dd7274e8485f080d4020410fa.shtml>

11. See http://www.sz.gov.cn/szzt2010/yqfk2020/szzxd/content/post_6723983.html

12. See http://www.gz.gov.cn/xw/tzgg/content/post_5655563.html

13. See http://www.beijing.gov.cn/zhengce/zhengcefagui/202002/t20200210_1627106.html

In addition, in Beijing, in Beijing, the entertainment room and sports room in the community shall not be open.

14. See <http://www.sh.gov.cn/nw2/nw2314/nw2319/nw12344/u26aw63661.html>

Feel free to contact asiallians@asiallians.com for more information.

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