

**AustCham**Shanghai  
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# GENERAL REVIEW OF THE CHINA-AUSTRALIA FREE TRADE AGREEMENT

March 2026  
AustCham Shanghai  
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Shanghai, China

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**Re: Submissions to the General Review of the China-Australia Free Trade Agreement**

On behalf of AustCham Shanghai and our members, I am pleased to submit this response to the General Review of the China–Australia Free Trade Agreement (ChAFTA).

AustCham Shanghai represents a broad and active Australian business community in China, with members spanning key sectors including resources, healthcare, agriculture, consumer goods, manufacturing, professional services, and emerging digital industries. Our membership includes organisations deeply embedded in the China market, as well as those engaged in cross-border trade and investment. As such, we are well placed to provide a practical and commercially grounded perspective on the operation and future development of ChAFTA.

ChAFTA has played an important role in supporting the bilateral economic relationship by improving market access, supporting trade and investment, and providing a stable framework for Australian businesses operating in China. As the bilateral relationship continues to evolve, the current review provides an opportunity to ensure that ChAFTA remains aligned with contemporary commercial realities and continues to support effective and efficient economic engagement.

This submission brings together cross-sector industry perspectives and outlines a set of targeted, commercially grounded recommendations aimed at addressing practical inefficiencies and supporting more effective implementation. AustCham Shanghai remains committed to providing support throughout this process and stands ready to contribute further industry insights or facilitate engagement as the review progresses.

Warm regards,

Simon Woods

CEO & Executive Director

**AustCham Shanghai**

Australian Chamber of Commerce Shanghai

## 2. Executive Summary

The China–Australia Free Trade Agreement (ChAFTA) continues to deliver substantial value across a wide range of industries, underpinning one of Australia’s most significant economic relationships. Stakeholder feedback confirms that the agreement remains highly effective in supporting trade, investment, and commercial engagement, particularly through tariff liberalisation and the broader stability it provides.

As the bilateral relationship has matured, a consistent theme across industries is that the next phase of ChAFTA should move beyond tariff reduction and place greater emphasis on regulatory alignment, implementation consistency, and system-level coordination.

While most tariffs have been eliminated, a small number of residual tariff issues continue to create commercial inefficiencies and, in some cases, asymmetrical treatment. Addressing these remaining gaps represents a practical opportunity to further enhance trade outcomes without requiring structural change.

At the same time, regulatory complexity and inconsistency are now the primary sources of friction in cross-border trade. This is evident across multiple sectors, including healthcare, consumer goods, and food and beverage, where differences in implementation, inspection regimes, and administrative processes reduce predictability and increase compliance burden.

The agreement also does not yet fully reflect the nature of modern trade. Exports increasingly combine goods, services, and digital systems, while supply chains are becoming more circular and interconnected. These shifts highlight the need for ChAFTA to evolve in line with contemporary commercial realities.

Broader policy frameworks, particularly taxation and social security coordination, are also emerging as critical enablers of cross-border business activity. Misalignment in these areas is creating unnecessary cost and complexity for businesses operating between Australia and China.

Taken together, these issues reflect the natural evolution of a mature bilateral economic relationship. The current review provides a timely opportunity to address targeted inefficiencies and ensure that ChAFTA continues to support efficient, predictable, and forward-looking economic engagement.

## 3. Paper and Packaging

### Core Recommendations

- Remove the remaining 5 percent tariff on paper and paperboard exports to China
- Address tariff asymmetry between Australian exports and Chinese imports
- Position tariff removal as an early, low-sensitivity outcome within the ChAFTA review
- Reinforce reciprocal and commercially neutral trade conditions

### 3.1 Industry Context and Feedback

The paper and packaging sector presents a highly targeted and commercially practical opportunity within the ChAFTA review.

Despite the broader success of tariff liberalisation under the agreement, a 5 percent tariff continues to apply to certain paper and paperboard exports into China. This stands in contrast to the treatment of equivalent Chinese exports into Australia, which enter tariff-free, creating a clear asymmetry in trade conditions within an otherwise mature bilateral trade framework.

#### 3.1.1 Commercial Impact and Trade Behaviour

The commercial impact of this tariff is significant. In a sector characterised by high-volume production and relatively narrow margins, even small pricing differentials can materially affect competitiveness. Stakeholders have indicated that the 5 percent tariff exceeds typical pricing margins, meaning it has a disproportionate influence on trade outcomes.

Importantly, the tariff does not prevent trade. Rather, it alters trade behaviour at the margin. Chinese customers in this category are highly sensitive to price differences, and the presence of the tariff reduces the relative attractiveness of Australian products, resulting in a gradual shift of export volumes toward alternative markets.

As such, this is not a structural market access issue, but a question of market efficiency. Trade between Australia and China in this sector is already well established, with integrated supply chains and sustained demand. The tariff functions as a residual distortion within an otherwise open trading relationship.

#### 3.1.2 Strategic Rationale for Tariff Removal

The removal of the tariff represents a practical and low-risk opportunity to improve trade efficiency and strengthen bilateral economic outcomes.

Paper and paperboard products are critical inputs into China’s manufacturing, packaging, and export sectors, including e-commerce and logistics supply chains. Reliable access to high-quality imported inputs supports both domestic production and re-export industries, reinforcing the importance of efficient trade flows in this category.

From a policy perspective, tariff removal aligns with broader economic and sustainability objectives, including more efficient resource use and support for circular economy practices.

It also represents a clear early harvest opportunity, as trade is already well established, no regulatory or technical barriers are involved, no domestic industry adjustment is required, and benefits would be realised immediately upon implementation.

In this context, tariff removal would not drive structural change, but would instead eliminate a residual inefficiency, allowing trade to operate on a more commercially neutral basis. It would also address the current asymmetry in tariff treatment and reinforce the original intent of ChAFTA to support reciprocal, fair, and efficient trade outcomes.

## 4. Wine Industry

### Core Recommendations

- Reduce the frequency of random inspections for importers with strong compliance records
- Establish clear and consistent country-of-origin (COO) guidelines, particularly for blended products
- Develop regulatory pathways for emerging categories, including no and low-alcohol wine
- Improve customs data clarity, particularly for producer and manufacturer identification
- Strengthen training and consistency in ChAFTA implementation across customs regions

### 4.1 Industry Context and Feedback

The wine sector highlights the importance of effective implementation in delivering the full benefits of ChAFTA. While tariffs on Australian wine have been removed, stakeholders report that operational challenges at the border continue to affect trade outcomes. These challenges are not structural barriers, but rather practical issues that increase cost, delay, and administrative complexity, limiting the full realisation of tariff liberalisation benefits.

#### 4.1.1 Border Inspection and Compliance Burden

One of the most significant concerns is the high frequency of random inspections applied to imported wine. While inspection regimes are a necessary component of regulatory oversight, the current level of scrutiny is viewed as disproportionate to the risk profile of wine products, which generally present lower food safety risks compared to other imported categories.

Stakeholders report that frequent inspections result in increased administrative burden and additional costs. In some cases, inspections have led to product damage, including the opening and destruction of bottles, with particularly significant impact on premium and limited-edition products.

More broadly, this level of inspection is seen as inconsistent with the intent of tariff-free treatment under ChAFTA, reducing the practical efficiency gains expected from the agreement.

#### 4.1.2 Country of Origin and Product Classification

Country-of-origin (COO) requirements present ongoing challenges, particularly as production models evolve to include blended or multi-origin products. Stakeholders have highlighted the absence of clear and consistent guidance on how COO should be determined and declared in such cases. This creates uncertainty for exporters and increases the risk of delays or disputes at the border.

Greater alignment and clearer guidance between relevant authorities would significantly reduce compliance complexity and improve predictability.

#### **4.1.3 Emerging Product Categories and Regulatory Alignment**

The growth of emerging product categories, including no and low-alcohol wine, presents additional regulatory challenges.

Differences in permitted additives and ingredient standards between Australia and China create barriers to market entry for these products. While this issue is currently limited in scale, stakeholders expect it to become increasingly important as consumer demand evolves.

Early engagement between regulators to establish clear and workable pathways for these products would support innovation and ensure that Australian exporters can participate in emerging market segments.

#### **4.1.4 Customs Implementation and System Consistency**

Stakeholders have identified broader system-level challenges relating to customs implementation and administrative processes.

One key issue is the quality and consistency of data relating to producers and manufacturers. Inconsistent or unclear information within customs systems creates additional verification burdens and contributes to delays in processing.

In addition, there is variability in the understanding and application of ChAFTA across different customs regions. While some ports demonstrate strong familiarity with the agreement, others apply it less consistently, leading to inefficiencies and the need for repeated clarification.

These challenges highlight the importance of coordinated efforts to improve system-level consistency. Stakeholders have emphasised the need for more structured and comprehensive training for customs officials, as well as improved data management processes, to ensure consistent application of ChAFTA provisions across regions.

Addressing these implementation issues would significantly improve trade efficiency and ensure that the practical benefits of tariff liberalisation are fully realised. This sector demonstrates that the next phase of ChAFTA should place greater emphasis on operational consistency and regulatory clarity, ensuring that agreed market access outcomes are effectively delivered in practice.

## 5. Cross-Border Policy Frameworks: Taxation and Social Security

### Core Recommendations

- Establish a formal timetable to review and modernise the Australia–China Double Tax Agreement
- Include social security and superannuation coordination as a formal ChAFTA review item
- Use the review process to initiate discussions toward a bilateral coordination agreement
- Reduce duplicate contribution burdens and improve labour mobility

### 5.1 Industry Context and Feedback

Beyond sector-specific issues, stakeholders have identified broader policy frameworks as critical enablers of cross-border business activity. In particular, current taxation and social security arrangements are no longer fully aligned with the scale, structure, and complexity of the modern bilateral economic relationship.

#### 5.1.1 Modernisation of the Australia–China Double Tax Agreement

The Australia–China Double Tax Agreement (DTA), originally negotiated in the late 1980s and entering into force in 1990, predates the contemporary economic relationship between the two countries. While it has been modified over time, it has not undergone comprehensive modernisation.

Over this period, the bilateral economic relationship has expanded significantly in both scale and complexity, encompassing not only goods trade but also services, investment, and increasingly sophisticated cross-border business models. As a result, the existing DTA does not fully reflect current commercial realities.

There is a strong case for establishing a formal timetable to review and modernise the agreement. Importantly, this approach is consistent with the existing ChAFTA framework, which already provides for the review of bilateral taxation arrangements in line with evolving economic conditions.

A structured review would support a more contemporary and effective tax framework, improving certainty for businesses operating across both jurisdictions.

#### 5.1.2 Social Security and Superannuation Coordination

Stakeholders have also identified the absence of bilateral social security and superannuation

coordination as a significant source of inefficiency.

In the current framework, employees working across Australia and China may be subject to duplicate mandatory contributions in both systems. This increases the cost of cross-border assignments, creates administrative complexity, and can act as a barrier to labour mobility.

Addressing this issue does not require incorporation of a full agreement within ChAFTA itself. Rather, the ChAFTA review provides an appropriate platform to formally recognise this as a priority issue and initiate structured bilateral discussions, with a view to negotiating a separate coordination agreement.

Such an approach would be consistent with international practice and would provide a practical pathway to reducing duplication and improving the efficiency of cross-border workforce arrangements.

### **5.1.3 International Precedents and Policy Feasibility**

There is clear precedent for this type of coordination. China has established social security agreements with a number of advanced economies, including OECD countries, demonstrating both the feasibility and policy alignment of such arrangements.

These agreements typically include mechanisms such as:

- Defined coverage of specific mandatory contribution categories
- Time-limited relief for posted workers
- Certificate-based systems to avoid duplicate contributions

The existence of these agreements indicates that a similar arrangement between Australia and China would be both technically achievable and consistent with established international practice.

### **5.1.4 Commercial Impact and Strategic Rationale**

The commercial benefits of addressing these issues are significant.

Modernising the DTA would provide greater certainty for businesses in areas such as investment structuring, profit allocation, and cross-border operations. It would also ensure that the tax framework remains fit for purpose in a modern, services-oriented economic relationship.

Similarly, social security coordination would:

- Reduce employment costs for cross-border assignments
- Improve certainty for employers when planning workforce deployment
- Reduce administrative friction
- Enhance labour mobility

More broadly, these reforms would support a more integrated and efficient bilateral economic relationship. Using the ChAFTA review as a platform to initiate progress in these areas represents a practical and strategically aligned opportunity to strengthen the enabling environment for trade and investment.

## 6. Resources and Circular Supply Chains

### Core Recommendations

- Explore policy frameworks that support circular and integrated supply chains
- Encourage deeper collaboration between upstream resource supply and downstream manufacturing
- Support joint initiatives in decarbonisation and green supply chains
- Consider mechanisms that recognise the use of Australian inputs in downstream exports

### 6.1 Industry Context and Feedback

The resources sector remains a cornerstone of the Australia–China economic relationship, particularly in relation to iron ore. However, stakeholders have highlighted that the underlying dynamics of this relationship are evolving, requiring a more forward-looking policy approach.

#### 6.1.1 Evolving Market Context

Historically, trade in this sector has been underpinned by strong and sustained demand for Australian iron ore, driven by China’s rapid industrialisation and steel production.

However, stakeholders note that market fundamentals are shifting. The supply-demand balance for iron ore is becoming more competitive, and China’s steel production has reached a more mature stage. In this context, the traditional model of growth based purely on increasing export volumes is becoming less certain.

This evolving environment underscores the importance of identifying new areas of value creation within the bilateral relationship.

#### 6.1.2 Circular Supply Chain Integration

Traditionally, the Australia–China resources relationship has been viewed as a linear supply chain, with raw materials exported from Australia and processed in China.

In practice, however, the relationship is increasingly circular. Australian iron ore is used to produce steel and manufactured goods in China, which are then exported globally, including back to Australia. This reflects a deeply integrated industrial ecosystem across both economies.

Stakeholders have highlighted that this circularity is not currently reflected in policy settings. There is an

opportunity to better recognise and support this integrated model through more coordinated approaches to trade and industry policy.

One potential mechanism is the consideration of policy settings that recognise the use of Australian inputs in downstream production. For example, preferential or supportive arrangements could be explored where Australian raw materials are incorporated into products that are subsequently exported, reinforcing the mutual benefits of the supply chain.

### **6.1.3 Future Collaboration and Strategic Direction**

In addition to supply chain integration, stakeholders have emphasised the importance of collaboration in areas such as decarbonisation and the development of green supply chains.

This includes opportunities to support the transition from traditional resource exports toward lower-emissions production pathways, including green iron and green steel. These priorities are aligned with broader policy objectives in both Australia and China and represent a natural area for deeper cooperation.

While some of these considerations may extend beyond the current scope of ChAFTA, they are strategically significant and should be recognised within the agreement's longer-term evolution.

More broadly, this sector highlights the need for trade agreements to reflect not only the movement of raw materials, but also the increasingly integrated and dynamic nature of modern industrial supply chains.

## 7. Healthcare and Biopharmaceuticals

### Core Recommendations

- Establish structured and ongoing regulatory cooperation mechanisms in pharmaceuticals and biologics, including standards, inspections, and post-market safety
- Explore regulatory reliance or mutual recognition of Australian regulatory frameworks where appropriate
- Improve recognition and treatment of plasma-derived and biological products, including creation of dedicated dialogue channels
- Strengthen provisions supporting innovation, including regulatory data protection and cooperation on clinical research and real-world evidence
- Enhance transparency, predictability, and consistency in subnational implementation, including procurement and hospital-level access
- Introduce formal mechanisms to raise and resolve implementation inconsistencies

### 7.1 Industry Context and Feedback

#### 7.1.1 Role and Impact of ChAFTA in Healthcare

The healthcare and biopharmaceutical sector provides one of the clearest illustrations of both the success of ChAFTA and the direction required for its next phase. Stakeholders strongly support the agreement and emphasise the important role it has played in strengthening bilateral trade and investment, improving access to high-quality therapies, and providing a stable, rules-based framework for long-term engagement in China.

ChAFTA has delivered meaningful benefits to the sector, particularly through tariff reductions that have improved the competitiveness and predictability of Australian exports. More broadly, the agreement has reinforced investment confidence by embedding principles of transparency and non-discrimination, which are critical in a sector characterised by long development timelines and significant regulatory complexity.

#### 7.1.2 Regulatory Systems as the Primary Determinant of Market Access

However, the sector also highlights a fundamental limitation of a tariff-focused agreement. In healthcare, market access is determined less by tariffs and more by regulatory systems, approval pathways, and institutional processes.

A key priority is therefore the establishment of more structured and outcome-oriented regulatory

cooperation mechanisms. While ChAFTA has enabled dialogue, stakeholders have identified the need for more formalised engagement on issues such as quality standards, inspection regimes, and post-market safety requirements. Without such alignment, duplication persists, increasing compliance costs and delaying patient access to essential therapies.

### **7.1.3 Biologics and Plasma-Derived Therapies**

The treatment of plasma-derived and biological products warrants specific attention. These therapies are essential, lifesaving products with unique manufacturing, safety, and supply characteristics.

Stakeholders have emphasised the need for greater recognition of Australia's high standards in plasma collection and processing, as well as the establishment of dedicated channels for dialogue on these products. This is particularly important in the context of global health security and supply resilience, where Australia and China have complementary capabilities.

### **7.1.4 Innovation, Data Protection, and Clinical Collaboration**

In addition, the sector has highlighted the importance of strengthening innovation-related provisions. This includes enhancing regulatory data protection for biologics and supporting greater cooperation in areas such as clinical research and the use of real-world evidence.

These elements are increasingly central to the development and deployment of new therapies and will be critical to ensuring timely patient access to innovative treatments in both countries.

### **7.1.5 Implementation Consistency and Subnational Variation**

Finally, stakeholders have identified inconsistencies in subnational implementation as a key operational challenge. Variability in procurement processes, hospital-level access, and local regulatory interpretation can create uncertainty and limit the practical realisation of national-level commitments.

Improving transparency and establishing clearer mechanisms to raise and resolve such issues would significantly enhance the operating environment.

### **7.1.6 Strategic Direction for ChAFTA**

Taken together, these issues point to a broader strategic conclusion. ChAFTA has been highly effective in addressing tariff barriers and establishing a stable trade framework. The next phase of the agreement should build on this foundation by evolving toward a model that places greater emphasis on regulatory cooperation, innovation, and health system collaboration.

## 8. Dairy Industry

### Core Recommendations

- Expand zero-tariff treatment to include:
  - Deep processed dairy products
  - Cream and butter
  - Liquid dairy milk
- Support the growth of higher-value dairy exports
- Align tariff settings with evolving trade patterns and value-added production

### 8.1 Industry Context and Feedback

The dairy sector has identified a targeted opportunity to expand the benefits of ChAFTA through the extension of zero-tariff treatment to additional product categories.

While the agreement has delivered substantial liberalisation across many dairy products, certain categories, particularly those involving higher levels of processing, remain outside full tariff elimination. This represents a clear gap within the current tariff framework and limits the ability of Australian exporters to fully participate in higher-value segments of the market.

In particular, products such as cream, butter, liquid milk, and more deeply processed dairy goods have been identified as priority areas for inclusion. Expanding zero-tariff treatment to these categories would strengthen Australia's competitive position and support the continued development of its dairy manufacturing sector.

More broadly, this reflects a structural shift in trade patterns. The dairy industry is increasingly focused on value-added production rather than bulk commodity exports. Ensuring that tariff settings align with this shift will be important in supporting long-term growth and maintaining Australia's manufacturing competitiveness in the China market.

Addressing this issue represents a practical and commercially meaningful refinement to the agreement, consistent with the original intent of ChAFTA to promote efficient and comprehensive market access across key sectors.

## 9. Health Supplements and Cross-Border E-Commerce

### Core Recommendations

- Maintain stability and transparency in China's cross-border e-commerce (CBEC) regulatory framework
- Provide advance guidance and clarity on potential regulatory changes affecting health supplements and special foods
- Explore pathways for regulatory alignment or recognition of Australian standards, including streamlined treatment for products approved by Australian regulators
- Ensure that any transition from CBEC to domestic regulatory frameworks is gradual, predictable, and commercially workable
- Strengthen bilateral dialogue on consumer health products and e-commerce trade channels

### 9.1 Industry Context and Feedback

The health supplements and complementary medicines sector represents a significant and rapidly evolving component of Australia's export relationship with China. Stakeholders have emphasised the importance of the Chinese market, both in terms of scale and long-term growth potential, and have expressed strong support for continued openness to trade.

Australian products in this category are strongly associated with safety, quality, and trusted manufacturing standards, and have developed strong consumer recognition in China. Stakeholders also emphasise the importance of ensuring continued access for Chinese consumers to safe, high-quality Australian health products.

#### 9.1.1 Cross-Border E-Commerce as the Primary Channel

A defining feature of this sector is its reliance on cross-border e-commerce (CBEC) as the primary channel for market access. Industry feedback indicates that more than 95 percent of Australian health supplement exports to China are delivered through CBEC platforms, with total export value estimated at approximately AUD 900 million.

This model has enabled efficient market entry, reduced regulatory barriers, and supported rapid growth in consumer-oriented health products. It has also allowed Australian businesses to access Chinese consumers without the need for full domestic regulatory approval, which can be complex and time intensive.

### 9.1.2 Policy Uncertainty and Regulatory Risk

Stakeholders have identified increasing uncertainty regarding the future direction of CBEC regulation as the most significant risk facing the sector. In particular, there are concerns that potential changes to supervision rules may require CBEC products to fully comply with domestic regulatory frameworks. Such a shift would represent a fundamental change to the operating model of the sector and could materially impact market access, cost structures, and competitiveness.

It was emphasised that their objective is not to avoid regulation. Rather, there is strong support for high regulatory standards that ensure product quality and consumer safety. The key priority is to ensure that any regulatory reform strengthens both consumer protection and trade stability, without unnecessarily reducing access to trusted Australian products.

In this context, it was highlighted the importance of a structured and predictable transition. Consideration of an appropriate grace period (potentially in the range of 18 to 24 months) would support supply chain continuity and allow businesses to adapt to new requirements in an orderly manner.

### 9.1.3 Regulatory Alignment and Strategic Direction

In addition to maintaining policy stability, there is an opportunity to explore greater regulatory alignment between Australia and China. Stakeholders have identified potential pathways for more efficient regulatory interaction, including recognition or reliance on elements of Australia's regulatory framework. This could include consideration of Australian Therapeutic Goods Administration (TGA) assessments for certain products or ingredients, as well as recognition of Australia's established manufacturing, quality, and safety systems.

China's existing health food regulatory framework, including its dual-track registration and filing system, provides a clear structure. However, for imported products, particularly those with long histories of safe international use, the current process can be time-intensive and resource-intensive. Targeted mechanisms to reduce duplication, while maintaining regulatory integrity, would support increased participation of Australian products in the market.

There is also an opportunity to explore recognition of Australian manufacturing standards, including Good Manufacturing Practice (GMP) systems, within China's overseas manufacturer registration processes. This would support greater efficiency in market entry while maintaining high standards of product safety and quality.

More broadly, this sector highlights the growing importance of digital trade channels and the need for trade agreements to reflect these evolving models. Ensuring that ChAFTA remains relevant to e-commerce-driven trade will be critical to supporting continued growth in consumer-focused exports.

## 10. Digital and Creative Services

### Core Recommendations

- Strengthen protections for intellectual property in digital and service-based trade
- Improve regulatory certainty for cross-border digital services and systems
- Support the export of integrated goods-and-services offerings
- Enhance confidence in cross-border use and deployment of digital content

### 10.1 Industry Context and Feedback

The increasing importance of digital and service-based trade represents one of the most significant structural shifts in the global economy. Stakeholders have emphasised that ChAFTA does not yet fully capture this dimension of trade.

#### 10.1.1 Key Barriers and Opportunities

Exports are increasingly delivered as integrated solutions, combining physical products with software, digital systems, design, and ongoing service support. In many cases, the value of the service component exceeds that of the physical product.

For Australian firms operating in creative, digital, and technology-enabled sectors, key challenges include intellectual property protection, regulatory certainty, and the ability to deploy and maintain digital systems across borders.

Addressing these issues would support not only large-scale exports but also smaller, high-innovation firms that rely on digital delivery models. It would also align ChAFTA with broader global trends in trade policy.

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