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2013-2014

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引言 INTRODUCTION

中国 CHINA



亚洲法律顾问与人力资源顾问的工作往往涉及多个司法辖区。准确把握雇佣相关法律发展情况既是重中之重又充满挑战。

为协助阁下获取最新法律动态，孖士打律师行发布电子期刊**亚洲雇佣法：季评**，内容涵盖亚洲15个司法辖区，并将每季更新。

在第六期中，我们将回顾并评点2014 第二季雇佣法发展情况，同时强调2014 年内立法、谘询、政策及判例 法方面的预期重大变革。

孖士打与亚洲地区15家律师行长期开展跨境合作，与对方律师建立了密切的工作关系，本刊正是这一努力的结果。欲获悉撰稿律师及律师行名单，请浏览[连络人](#)页面。

我们衷心希望本刊对阁下有所助益。

Asia's legal and human resources advisors are often required to function across multiple jurisdictions. Staying on top of employment-related legal developments is important but can be challenging.

To help keep you up to date, Mayer Brown JSM produces the **Asia Employment Law: Quarterly Review**, an e-publication covering 15 jurisdictions in Asia. It is updated every quarter.

In this sixth edition, we flag and provide comment on anticipated employment law developments during the second quarter of 2014 and highlight some of the major legislative, consultative, policy and case law changes expected during the rest of the year.

This publication is a result of ongoing cross-border collaboration between 15 law firms across Asia with whose lawyers Mayer Brown JSM has had the pleasure of working with closely for many years. For a list of contributing lawyers and law firms, please see the [contacts page](#).

We hope you find this edition useful.

顺颂商祺

With best regards,



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2014

中国
CHINA回顾
LOOKING BACK中国
3月1日

2014

CHINA

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MAR

2014

《劳务派遣暂行规定》开始生效

人力资源和社会保障部于2014年1月24日正式公布了《劳务派遣暂行规定》（“《暂行规定》”），该规定将于2014年3月1日起正式实施。作为《劳动合同法（修正案）》的重要配套法规之一，《暂行规定》进一步角色化劳务派遣作为一种辅助性用工方式对主流用工模式的补充，强调了劳务派遣用工比例的上限，明确了将劳务派遣工退回劳务派遣单位的法定情形和限制条件，并确认了劳务派遣用工比例法定限制的过渡期限。

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Interim Provisions on Labour Dispatch take effect

Wording: PRC Ministry of Human Resources and Social Security (MOHRSS) issued on 24 January 2014 the Interim Provisions on Labour Dispatch (“Interim Provisions”), which will become effective as of 1 March 2014. As one of the supporting regulations to the Amendments to the PRC Labour Contract Law, it further characterises the labour dispatch arrangement as an auxiliary mode to mainstream employment arrangements, specifies the utilisation limit of labour dispatch arrangements, elaborates on the statutory circumstances and restrictions for returning a labour dispatch staff back to the labour dispatch company, and fixes the duration of the transitional period for compliance with the statutory utilisation limit of labour dispatch arrangements.

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2013 期刊

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2013 edition

重要：
可能需要
采取行动

Important:
action likely
required

不可不知：
关注发展动态

Good to know:
follow
developments

注意变更：
无需采取行动

Note changes:
no action
required

回顾

Looking
Back

展望

Looking
Forward

2014年第二季度，雇佣领域预期不会出现重大的政策、法律或案例发展。

No significant policy, legal or case developments are anticipated
within the employment space during 2014 Q2.

撰稿 CONTRIBUTED BY: **MAYER • BROWN
JSM**

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