

Implementation Opinions of Office of Guangyuan Investment Promotion Committee on Further Effectively Using Foreign Investment

To all county and district people's governments, relevant municipal authorities, and the administrative committees of Guangyuan Economic and Technological Development Zone, Guangyuan Gas Utilization Industrial Park, and Guangyuan International Railway Port:

The following opinions are hereby proposed for the purposes of stabilizing and expanding the size of foreign investment, improving foreign investment structure, and opening up local economy wider, in line with the decisions and plans of the CPC Central Committee, the State Council, the CPC Sichuan Provincial Committee, the People's Government of Sichuan Province, the CPC Guangyuan Municipal Committee, and Guangyuan Municipal People's Government on furthering the effective use of foreign investment, and in light of Guangyuan's actual conditions.

I. Opening up Wider

(I) Implementing foreign investment access policies according to law. We should strictly carry out the *Special Administrative Measures for Foreign Investment Access (Negative List)*. We should manage foreign investment in areas beyond the negative list following the principle of equality between domestic and foreign investment. [To be executed by Guangyuan Development and Reform Commission, Guangyuan Municipal Commerce Bureau, Guangyuan Economic Cooperation and Foreign Affairs Bureau, and other relevant authorities (or agencies), county and district people's governments, and the administrative committees of Guangyuan Economic and Technological Development Zone, Guangyuan Gas Utilization Industrial Park and Guangyuan International Railway Port within their respective scope of authority]

(II) Expanding the areas of foreign investment utilization according to law. We should carefully execute national and provincial policies and regulations on lifting or relaxing restrictions on foreign investment access. We should support the establishment of wholly foreign-owned enterprises (WFOEs) specializing in the manufacturing of special vehicles, new energy vehicles (NEVs) and commercial vehicles. We should support the transfer or trading of average fuel consumption (AFC) and NEV credits by foreign

partners of Sino-foreign passenger vehicle (PV) joint ventures according to provisions. We should relax the conditions for the establishment of foreign-funded investment companies, and support foreign-invested enterprises (FIEs) to participate in public-private partnerships (PPPs). [To be executed by Guangyuan Development and Reform Commission, Guangyuan Economic and Information Technology Bureau, Guangyuan Municipal Education Bureau, Guangyuan Municipal Finance Bureau, Guangyuan Municipal Commerce Bureau, Guangyuan Municipal Health Commission, Guangyuan Municipal Administration for Market Regulation, Guangyuan Municipal Bureau of Financial Work, People's Bank of China (PBC) Guangyuan Central Sub-branch, CBIRC Guangyuan Office, and other relevant authorities (or agencies) within their respective scope of authority]

(III) Encouraging FIEs to invest in priority industries. We should encourage more FIEs to invest in Guangyuan's modern industrial, services and agricultural systems, contribute to the transformation and upgrading of traditional industries with their new technologies, types of operation and models, and take part in the development of new infrastructures. [To be executed by Guangyuan Development and Reform Commission, Guangyuan Economic and Information Technology Bureau, Guangyuan Municipal Bureau of

Agriculture and Rural Affairs, Guangyuan Municipal Commerce Bureau, Guangyuan Economic Cooperation and Foreign Affairs Bureau, and other relevant authorities (or agencies), county and district people's governments, and the administrative committees of Guangyuan Economic and Technological Development Zone, Guangyuan Gas Utilization Industrial Park and Guangyuan International Railway Port within their respective scope of authority]

II. Strengthening Investment Promotion

(IV) Exploring to develop foreign headquarters economy. We should incentivize multinational companies (MNCs) to establish national, regional or functional headquarters in Guangyuan. We should encourage eligible counties or districts to plan for and roll out supporting policies for the development of foreign headquarters economy, and strengthen foreign headquarters recruitment and related training. We should support eligible counties or districts to establish foreign HQ economy service centers. [To be executed by Guangyuan Municipal Finance Bureau, Guangyuan Economic Cooperation and Foreign Affairs Bureau, and other relevant authorities (or agencies), county and district people's governments, and the administrative committees of Guangyuan Economic and Technological Development Zone, Guangyuan Gas Utilization Industrial Park and Guangyuan International Railway Port within

their respective scope of authority]

(V) Incentivizing sci-tech innovation by foreign-invested enterprises (FIEs). We should support the establishment of wholly-owned or joint R&D institutions by FIEs, and provide funding support to eligible ones of such R&D institutions according to provisions. We should support FIEs to set up innovative enterprises and service agencies to facilitate the translation and commercialization of high-tech research results in Guangyuan. We should support FIEs in Guangyuan to participate in provincial or municipal sci-tech programs and the selection of provincial or municipal S&T awards, and apply for relevant technical transformation funding according to corresponding procedures. In addition, we should support FIEs to bring in global frontier technologies and high-level talent who adapt to the needs of local industrial development. County and district governments may grant rewards to eligible FIEs in this regard. [To be executed by Guangyuan Development and Reform Commission, Guangyuan Economic and Information Technology Bureau, Guangyuan Municipal Science and Technology Bureau, Guangyuan Municipal Finance Bureau, Guangyuan Economic Cooperation and Foreign Affairs Bureau, and other relevant authorities (or agencies) within their respective scope of authority]

(VI) Supporting foreign investment through M&As. We should support the establishment of FIEs through mergers, acquisitions and reorganizations, among other means. We should support the landing of major foreign cross-border M&A projects in Guangyuan. We should support eligible foreign investors for fair participation in the reorganizations, transformations, M&As of state-owned enterprises (SOEs), and the restructuring and disposal of bad financial assets. We should explore, create and launch a foreign M&As repository. [To be executed by Guangyuan Development and Reform Commission, Guangyuan Municipal Commerce Bureau, Guangyuan State-owned Asset Supervision and Administration Commission, Guangyuan Municipal Bureau of Financial Work, and other relevant authorities (or agencies), county and district people's governments, and the administrative committees of Guangyuan Economic and Technological Development Zone, Guangyuan Gas Utilization Industrial Park and Guangyuan International Railway Port within their respective scope of authority]

(VII) Enhancing foreign investment attraction functions of open platforms. We should support national and provincial development zones to construct branded investment promotion platforms and develop competitive industrial clusters. We should incentivize FIEs to invest in, construct and operate specialty industrial parks within

existing development zones in Guangyuan. We should strive to apply for the construction of integrated bonded areas, bonded logistics centers (Type B), and international (or regional) cooperation parks. We should give stronger funding and policy support to investment attraction by various open platforms. We should comprehensively promote the reforms to streamline the government, delegate power, and improve government services and build the best business environment in Sichuan Province. [To be executed by Guangyuan Development and Reform Commission, Guangyuan Economic and Information Technology Bureau, Guangyuan Municipal Science and Technology Bureau, Guangyuan Municipal Finance Bureau, Guangyuan Municipal Commerce Bureau, Guangyuan Municipal Customs, Guangyuan Municipal Administration of Taxation, Guangyuan Municipal Government Affairs Services and Resources Trading Center and other relevant authorities (or agencies), county and district people's governments, and the administrative committees of Guangyuan Economic and Technological Development Zone, Guangyuan Gas Utilization Industrial Park and Guangyuan International Railway Port within their respective scope of authority]

III. Doing Well the Service Guarantee

(VIII) Implementing the policies such as residence permits for

foreigners in China, etc. For the extremely scarce and urgently needed innovative and entrepreneurial talents, professional technical talents and senior officers who work in Guangyuan, the restrictions such as age, educational background or working experiences, etc. may be relaxed accordingly. We should implement the requirements of the CPC Sichuan Provincial Committee and the People's Government of Sichuan Province on residence permits for foreigners in China and relevant facilitation services. [To be executed by Guangyuan Municipal Education Bureau, Guangyuan Municipal Science and Technology Bureau, Guangyuan Municipal Public Security Bureau, Guangyuan Municipal Bureau of Human Resources and Social Security, Guangyuan Municipal Bureau of Housing and Urban-Rural Development, Guangyuan Municipal Health Commission, and other relevant authorities (or agencies), county and district people's governments, and the administrative committees of Guangyuan Economic and Technological Development Zone, Guangyuan Gas Utilization Industrial Park and Guangyuan International Railway Port within their respective scope of authority]

(IX) Optimizing the foreign investment services. During the project planning and construction process, we should promote the "Multi-planning Integration", "Multi-testing Integration" and

"Multi-inspection Integration". We should deepen the reforms of foreign investment project construction approval system. With regard to financial arrangements of the government, land supply, tax deduction and exemption, qualifications and licensing, project application and preferential policies, etc., we should implement the principle of equality between domestic and foreign investment. We should actively solve the financing difficulties of FIEs, and encourage the banks to develop and use the financial products such as the patent or intellectual property pledge loan, and order & contract loan, etc. We should help the FIEs strengthen the contact with institutions of higher education and vocational and technical schools, cultivate the relevant skilled talents, and earnestly solve the employment difficulties. [To be executed by Guangyuan Development and Reform Commission, Guangyuan Municipal Bureau of Human Resources and Social Security, Guangyuan Municipal Bureau of Natural Resources, Guangyuan Municipal Bureau of Housing and Urban-Rural Development, Guangyuan Municipal Bureau of Financial Work, CBIRC Guangyuan Office, and other relevant authorities (or agencies), county and district people's governments, and the administrative committees of Guangyuan Economic and Technological Development Zone, Guangyuan Gas Utilization Industrial Park and Guangyuan

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IV. Effectively Protecting the Rights and Interests

(X) Optimizing the policy and institutional environment.

Relevant authorities (or agencies) at county and district levels should strictly implement the foreign investment law, its supporting regulations and various policies and measures, remove and accelerate the abolishment or modification of the regulations, rules and policy documents that don't conform to the existing opening-up policies and regulations. Various people's governments at county and district levels should not restrict the behaviors of FIEs such as cross-regional business, relocation and cancellation, etc. according to the laws. Relevant authorities (or agencies) at county and district levels should carefully perform various contracts signed according to the laws, and fulfill various promises made to investors according to laws and regulations. We should establish and perfect the complaint working system of foreign investment enterprises, the people's governments at county and district levels should designate the department or agency to take charge of handling complaints of foreign investment enterprises or their investors within this region, and timely solve the problems existing in the investment environment. [To be executed by Guangyuan Intermediate People's Court, Guangyuan Development and Reform Commission,

Guangyuan Municipal Justice Bureau, Guangyuan Municipal Commerce Bureau, Guangyuan Municipal Administration for Market Regulation, Guangyuan Economic Cooperation and Foreign Affairs Bureau, Guangyuan Municipal Bureau of Agriculture and Rural Affairs, Guangyuan Municipal Commerce Bureau, Guangyuan Economic Cooperation and Foreign Affairs Bureau, Guangyuan Municipal Private Enterprise Office, and other relevant authorities (or agencies), county and district people's governments, and the administrative committees of Guangyuan Economic and Technological Development Zone, Guangyuan Gas Utilization Industrial Park and Guangyuan International Railway Port within their respective scope of authority]

(XI) Scientifically standardizing in-process and post-process supervision according to law. We should improve our supervision methods, set the frequency of regulatory enforcement inspections on environmental protection and safety production in a scientific and reasonable way, and include multiple inspection items of the same object in cross-departmental joint spot check. We should also implement prudent and inclusive supervision according to the actual situation of the industry the enterprise belongs to. In areas such as market supervision, the administrative penalty discretion standards shall be detailed and quantified, and three lists of "non-punishment,

lesser punishment and reduced punishment" shall be formulated and issued to further standardize the administrative punishment of the whole city. [To be executed by Guangyuan Municipal Justice Bureau, Guangyuan Municipal Commerce Bureau, Guangyuan Ecological Environment Bureau, Guangyuan Emergency Management Bureau, Guangyuan Municipal Administration for Market Regulation, Guangyuan Economic Cooperation and Foreign Affairs Bureau, and other relevant authorities (or agencies) as well as county and district people's governments, the administrative committees of Guangyuan Economic and Technological Development Zone, Guangyuan Gas Utilization Industrial Park and Guangyuan International Railway Port within their respective scope of authority]

(XII) Strengthening the protection of intellectual property rights. In accordance with the principle of judicial protection of intellectual property rights: judicial leading, strict protection, implementing strategies by category and proportional coordination, we should crack down on the infringement of intellectual property rights according to law and intensify the punishment of infringement. We should also further promote the work of integrating civil, administrative and criminal trials on intellectual property rights, and strengthen the trial of criminal private prosecution cases on

intellectual property rights. Administrative organs at all levels and their personnel should not force any transfer of technology by administrative means. [To be executed by Guangyuan Intermediate People's Court, Guangyuan Municipal Public Security Bureau, Guangyuan Municipal Administration for Market Regulation, and other relevant authorities (or agencies) as well as county and district people's governments, the administrative committees of Guangyuan Economic and Technological Development Zone, Guangyuan Gas Utilization Industrial Park and Guangyuan International Railway Port within their respective scope of authority]

(XIII) Supporting participation in standard establishment. We should actively recommend qualified FIEs to join national and provincial technical committees for standardization. We should support FIEs to participate in standardization activities on an equal footing following the law. We should encourage FIEs to take an active role in the formulation of international, national, and industry standards, set enterprise standards that are more demanding than national standards and industry standards, and promote the unremitting improvement of the level of core indicators of enterprise standards. [To be executed by the Guangyuan Municipal Administration for Market Regulation]

(XIV) Promoting fair participation in government procurement

bidding. We should deepen the reform of the government procurement system, adhere to the principles of openness, transparency, and fair competition, and preclude discrimination against FIEs. We should strictly enforce the *Government Procurement Law of the People's Republic of China* and other applicable rules and regulations, and purchasers and procurement agencies shall not impose restrictions that limit or exclude FIEs. [To be executed by Guangyuan Municipal Finance Bureau and county and district people's governments, the administrative committees of Guangyuan Economic and Technological Development Zone, Guangyuan Gas Utilization Industrial Park and Guangyuan International Railway Port within their respective scope of authority]

V. Establishing a Sound Mechanism

(XV) Improving the leadership mechanism for foreign investment work. The Guangyuan Municipal People's Government should strengthen overall guidance on foreign investment utilization, establish a municipal leading group for foreign investment, and establish corresponding institutions in counties and districts to routinely coordinate and resolve difficulties and problems associated with foreign investment utilization. We should establish a through-train mechanism for major foreign-invested projects, as well as specific work classes for major foreign-invested industrial

projects now under discussion or just contracted. The county and district people's governments shall assume their primary responsibilities, intensify the reform of the system and mechanism for utilizing foreign investment pursuant to the principle of optimization, coordination, and high efficiency, and earnestly implement foreign investment utilization in their respective counties and districts. [To be executed by Guangyuan Economic Cooperation and Foreign Affairs Bureau, county and district people's governments, and the administrative committees of Guangyuan Economic and Technological Development Zone, Guangyuan Gas Utilization Industrial Park and Guangyuan International Railway Port within their respective scope of authority]

(XVI) Improving the facilitation mechanism for foreign investment. We should support counties and districts to build a foreign investment project database, investor resource database, and laws and policies database, and formulate and promulgate guidelines for foreign investment. We should broaden the overseas investment promotion network, explore the establishment of foreign (overseas) investment promotion representative offices, and motivate counties and districts to take advantage of overseas institutions to carry out entrusted investment promotion. We should consolidate bank-government-enterprise collaboration and capitalize on the

advantages of state-owned commercial banks' foreign branches to conduct joint investment promotion. We should seize opportunities to promote foreign investment via special investment promotion activities at key platform events, such as the Western China International Fair and Well-Known Chinese and Foreign Enterprises' Visit to Sichuan. We should establish a contracting out system for significant investment promotion projects, assign project specialists, and manage the full-process, whole-chain, and all-inclusive services. We should encourage private professional organizations, investment promotion institutions, enterprises, and individuals to introduce foreign investment projects meeting the local industrial development orientation, and all districts and counties may mete out rewards based on the wide-ranging socioeconomic contribution the introduced projects bring to the respective area. [To be executed by Guangyuan Municipal Commerce Bureau, Guangyuan Municipal Bureau of Agriculture and Rural Affairs, Guangyuan Municipal Bureau of Financial Work, Guangyuan Economic Cooperation and Foreign Affairs Bureau, CBIRC Guangyuan Office, and other relevant authorities (or agencies), as well as county and district people's governments, the administrative committees of Guangyuan Economic and Technological Development Zone, Guangyuan Gas Utilization Industrial Park and Guangyuan International Railway

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(XVII) Establishing an incentive mechanism for foreign investment work. We should study the establishment of special funds for foreign investment, and reward and subsidize the people's governments of counties and districts that have introduced major foreign-invested industrial projects and headquarters economy projects with effective measures and exceptional accomplishments. We should encourage all counties and districts to roll out policies and measures to attract foreign investment under applicable laws and regulations, and boost incentives and subsidies for lately introduced major foreign-invested projects and recapitalization projects of foreign-invested enterprises in Guangyuan. We should incorporate the introduction of foreign investment and loans from international financial organizations and foreign governments in the scope of incentives, rewards, and subsidies for major projects for investment promotion. We should design more flexible incentive measures specific to non-civil service posts within investment promotion departments and teams, and encourage county and district governments to establish reasonable limits and standards on the funds intended for investment promotion within their legal authority. The teams and groups engaged in investment promotion activities abroad shall be given prioritized support in terms of the batches, number of members and funds for going abroad. [To be executed by

Guangyuan Economic Cooperation and Foreign Affairs Bureau, Guangyuan Municipal Finance Bureau, Guangyuan Municipal Bureau of Human Resources and Social Security, Guangyuan Municipal Commerce Bureau, etc. and other relevant authorities (or agencies), county and district people's governments, and the administrative committees of Guangyuan Economic and Technological Development Zone, Guangyuan Gas Utilization Industrial Park and Guangyuan International Railway Port within their respective scope of authority]

(XVIII) Optimizing the foreign investment assessment mechanism. By reference to the detailed rules on foreign investment assessment, we should design scientific assessment indicators and include the indicators reflecting foreign investment size and quality into the county and district governments' systems of assessment on actual economic and social development performance; implement a system for regular reporting of the foreign investment work and set up a "Red and Black List" for the foreign investment work of county and districts; and strengthen supervision and inspection on the implementation of decisions and arrangements regarding the stabilization of foreign investment by establishing a mechanism linking foreign investment attraction with discipline inspection and supervision. [To be executed by Guangyuan discipline inspection and supervision organs, Guangyuan Economic Cooperation and

Foreign Affairs Bureau, and other relevant authorities (or agencies), county and district people's governments, and the administrative committees of Guangyuan Economic and Technological Development Zone, Guangyuan Gas Utilization Industrial Park and Guangyuan International Railway Port within their respective scope of authority]

Relevant authorities (or agencies) at county and district levels should put into deep practice the decisions and arrangements of the CPC Central Committee, the State Council, the CPC Sichuan Provincial Committee, the People's Government of Sichuan Province, the CPC Guangyuan Municipal Committee and Guangyuan Municipal People's Government with respect to the stabilization of foreign investment, improve supporting measures, divide duties properly, consolidate cooperation, and seriously organize their implementation to ensure all policies and measures are put into practice.

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