

省政府关于促进利用外资稳中提质 做好招商安商稳商工作的若干意见

苏政发〔2020〕43号

各市、县（市、区）人民政府，省各委办厅局，省各直属单位：

为深入贯彻党中央、国务院关于稳外资决策部署，认真落实《国务院关于进一步做好利用外资工作的意见》（国发〔2019〕23号）精神，以市场化法治化国际化营商环境做好招商、安商、稳商工作，稳定外资规模，提高利用外资质量，现提出以下意见。

一、落实国家对外开放政策

（一）拓宽利用外资领域。落实准入前国民待遇加负面清单管理制度，负面清单之外的领域，按照内外资一致原则实施管理。学习借鉴北京市服务业扩大开放综合试点经验，进一步加快服务业对外开放，大力发展生产性服务业。提高金融业对外开放水平，落实汽车领域外资政策，鼓励外商投资新开放领域。（责任单位：省商务厅、省发展改革委、省工业和信息化厅、人民银行南京分行、江苏银保监局、江苏证监局等有关部门，各设区市人民政府按职责分工负责）

（二）支持自贸试验区开展先行先试。贯彻落实《中国（江苏）自由贸易试验区总体方案》，支持自贸试验区进一步加大开放力度，深入推进投资自由化便利化。推动自贸试验区建立健全外商投资服务体系，完善外商投资促进、项目跟踪服务和投诉工作机制。鼓励自贸试验区在法定权限内制定外商投资促进政策，加大项目招引力度，加快推动外资总部和功能性机构在自贸试验区集聚。加快推动自贸试验区地方立法，为更深层次的改革创新提供法治保障。按照“下放是原则，不下放是例外”原则，将省级能够下放的经济社会管理权限依法下放给自贸试验区。支

持江苏自贸试验区先行先试的举措经验率先在国家级开发区复制推广。

（责任单位：省商务厅牵头，省发展改革委、省司法厅、省政务办等有关部门，南京市、苏州市、连云港市人民政府按职责分工负责）

二、强化外商投资促进和服务

（三）加强常态化疫情防控下企业服务。全面落实国家和省减税降费、就业稳岗、降低要素成本、强化金融支持等各项惠企援企政策举措，确保内外资企业同等享受助企纾困政策。协助外资企业解决用工、物流、资金等共性问题，“一对一”帮助企业解决个性化问题。推动上下游协同复工达产，重点支持龙头外资企业及其关键配套企业加快恢复产能，保持产业链、供应链稳定。在严防境外疫情输入前提下，指导并协助重点外资企业和外资项目办理外籍员工来苏邀请手续，做好有关防疫保护和复工返岗工作。（责任单位：省外贸外资协调机制成员单位，各设区市人民政府按职责分工负责）

（四）充分发挥外资工作专班作用。强化省外贸外资协调机制，建立完善重点外资企业、项目监测平台，加强形势研判和工作调度，帮助企业解决需跨地区协调、需省级层面支持的问题，加强用地、用能、资金等方面要素保障。对符合当地产业发展导向的外商投资新设或增资项目，各地可按照其对当地的经济社会综合贡献度给予奖励。（责任单位：省外贸外资协调机制成员单位，各设区市人民政府按职责分工负责）

（五）优化投资促进工作体系。发挥和借鉴“新加坡—江苏合作理事会”等机制作用，积极探索与相关国家（地区）建立招商引资常态化合作机制。强化我省驻国（境）外经贸代表机构促进招商引资工作职能，建立年度招商服务目标责任制，加大考核激励。整合境内外招商资源，鼓励各地和开发区与省驻国（境）外经贸代表机构建立联动招商机制。各地要整合资源，统筹招商，因地制宜建立灵活的招商组织架构，鼓励成立区域招商联盟。（责任单位：省商务厅、省发展改革委，各设区市人民政府按职责分工负责）

（六）加强招商引资激励。鼓励各地出台招商工作激励措施，将招商成果、服务成效等纳入考核激励，对招商部门、团队非公务员岗位允许实行更加灵活的激励措施，可按照国家和我省有关规定探索实行年薪制、协议工资制等多种分配机制。鼓励专业化社会组织、招商机构引进符合当地产业发展导向的外资项目，各地可按照其引进项目对当地经济社会贡献度给予奖励。鼓励各地对出境开展招商活动的团组在出国批次、人员数量和经费方面予以适度倾斜。（责任单位：省商务厅、省人力资源社会保障厅、省外办，各设区市人民政府按职责分工负责）

（七）创新投资促进工作方式。运用信息化手段，“面对面”“屏对屏”并举，持续加大招商引资力度。进一步完善全省外资项目库，面向全球推介重点合作项目。支持外资企业将未分配利润进行再投资，扩大生产经营，各地可适当给予奖励。支持各地编制发布外商投资指引，及时公布各类法规政策、办事指南等，为外国投资者和外资企业提供服务便利。（责任单位：省商务厅，各设区市人民政府按职责分工负责）

（八）发挥开发区引资平台作用。完善开发区考核评价办法，提高利用外资考核评价指标权重。支持省级以上开发区建设特色创新示范园区、国际合作园区和智慧园区，围绕主导产业发展，瞄准发达经济体、世界500强企业、产业链价值链中高端，引进一批龙头型、旗舰型外资项目。深化开发区体制机制改革，全面推进区域评估工作，为外资企业提供良好服务。推动有条件的开发区建设国际化社区和外籍人员子女学校，完善高水平医疗、养老、文化教育等功能配套。支持开发区引进境外创新型企业、创业投资机构等，推动外资创新发展。（责任单位：省商务厅、省教育厅、省卫生健康委、省科技厅，各设区市人民政府按职责分工负责）

（九）建立健全协调服务工作机制。开展“三访三服务”活动，倾力服务外资企业、服务招商引资、服务项目落地，广泛走访、专访、回访企业，加强与外资企业面对面沟通交流。发挥重大外资项目领导挂钩联系机制作用，为外资重大项目提供“直通车”服务。建立健全外商投资投诉工作机制，通过建立投诉处理联席会议制度、设立或指定外资企业

投诉受理机构，按照分级负责原则及时处理外资企业投诉。发挥外资企业政企协调服务机制作用，定期举办“江苏开放创新发展国际咨询会议”，强化部门协同合作，解决企业实际困难。（责任单位：省商务厅牵头，省各有关部门，各设区市人民政府按职责分工负责）

三、提高外商投资便利化程度

（十）降低资金跨境使用成本。在有条件的地区开展跨境人民币创新试点业务，推动实施允许外资企业人民币资本金用于向境内关联企业发放委托贷款等措施。全面推广资本项目收入支出便利化。推进外债登记管理便利化。落实全口径跨境融资宏观审慎管理政策，支持外商投资企业自主选择借用外债模式。允许非投资性外资企业在不违反现行外商投资准入负面清单且境内所投项目真实、合规的前提下，依法开展境内股权投资。（责任单位：人民银行南京分行，各设区市人民政府按职责分工负责）

（十一）提高来苏工作便利度。对急需紧缺的创新创业人才、高级技能人才等专业人才来苏工作，可根据实际工作需要和申请人情况放宽年龄、学历和工作经历限制。对毕业后在江苏从事创新创业活动的外国留学生，可凭中国高校毕业证书和创新创业证明材料，申办有效期 2 至 5 年的私人事务类居留许可（加注“创业”）。连续两次办理 1 年以上工作类居留许可且无违法行为的外国人，可在第三次申请时按规定签发 5 年有效期的工作类居留许可。优化外国人工作许可证和工作类居留许可办事流程，建立部门信息共享机制，探索整合外国人工作许可证和工作类居留许可。（责任单位：省科技厅、省公安厅、省教育厅、省人力资源社会保障厅，各设区市人民政府按职责分工负责）

（十二）优化外资项目规划用地审批程序。以“多规合一”为基础，推动规划用地“多审合一、多证合一”，合并建设项目选址意见书、建设项目用地预审意见；对以出让方式取得国有建设用地使用权的，将建设用地规划许可证、建设用地批准书合并，统一核发新的建设用地规划许可证；对以划拨方式取得国有建设用地使用权的，同步核发建设用地

规划许可证和国有土地划拨决定书。（责任单位：省自然资源厅牵头，省各有关部门，各设区市人民政府按职责分工负责）

四、保护外商投资合法权益

（十三）全面落实外商投资法规政策。各地各部门要全面贯彻落实《中华人民共和国外商投资法》《优化营商环境条例》，认真做好宣传解读。严格遵照外商投资法、行政许可法等法律法规对外商投资实施行政许可，不得擅自改变行政许可范围、程序及标准等，行政机关及其工作人员不得通过行政许可、监督检查、行政强制等，强制或者变相强制外国投资者、外商投资企业转让技术。各地各部门制定出台涉及外商投资的行政规范性文件，应当加强合法性审核，并事先征求外资代表企业、相关行业协会、商会意见建议，严格落实行政规范性文件施行间隔期，提高政策可预见性和透明度。（责任单位：省各有关部门，各设区市人民政府按职责分工负责）

（十四）保持外资政策连续性稳定性。各地要严格兑现向投资者及外商投资企业依法作出的政策承诺，认真履行在招商引资等活动中依法签订的各项合同。（责任单位：各设区市人民政府按职责分工负责）

（十五）落实公平竞争审查制度。持续清理与企业性质挂钩的行业准入、资质标准、产业补贴等规定和做法，保障内外资企业公平参与市场竞争。统一内外资建筑业企业承揽业务范围。落实外国投资者申请从事互联网上网服务营业场所、娱乐场所经营等业务相关规定。按照内外资同等待遇原则，落实国家强制性产品认证机构资质审批相关规定。（责任单位：省市场监管局、省住房城乡建设厅、省文化和旅游厅，各设区市人民政府按职责分工负责）

（十六）平等参与标准制定和政府采购。推动内外资企业公平参与标准化工作，鼓励外资企业参与医疗器械、食品药品、信息化产品等标准制定。在政府采购信息发布、供应商条件确定、评标标准等方面，不得对外资企业实行歧视性待遇，不得限定供应商的所有制形式、组织形式、股权结构、投资者国别以及产品或服务品牌等。（责任单位：省市场监

管局、省财政厅牵头，省各有关部门，各设区市人民政府按职责分工负责）

（十七）发挥知识产权司法保护作用。充分发挥诉讼保全的制度效能，依法适用举证妨碍和信息披露制度。运用精细化裁判的理念和方式，全面弥补权利人损失。依法适用惩罚性赔偿。发挥技术专家、技术调查官等查明技术事实的作用，快速有效认定技术事实。依法审理标准必要专利案件。发挥行业协会、专业调解组织的作用，推进网络调解，引导当事人多渠道、多途径解决纠纷。结合世界知识产权日宣传周活动，集中发布知识产权司法保护状况和典型案例。（责任单位：省法院）

（十八）强化知识产权应用保护。加大政府采购对具有自主知识产权外资企业产品的支持力度。鼓励知名知识产权服务机构在江苏设立办事机构，各地可结合实际给予支持。健全省、市、县三级知识产权行政执法体系，完善知识产权刑事案件移送制度，加大知识产权行政执法力度，推进知识产权保护中心、快维中心、维权援助中心建设。推进知识产权仲裁和调解，探索多元化知识产权纠纷解决机制。强化地理标志保护和运用。推进知识产权行政执法与电商企业政企协作，引导电商企业建立健全知识产权保护机制。研究制定实体市场知识产权管理规范地方标准。（责任单位：省市场监管局、省司法厅，各设区市人民政府按职责分工负责）

（十九）规范监管执法行为。发布生态环境保护综合行政执法事项目录，制定安全生产年度执法计划，实现“双随机、一公开”监管检查常态化，合理设定监督检查频次。依照大气污染防治法等有关法律法规采取重污染天气应急措施，完善《江苏省重污染天气应急预案》，精准采取应急管控措施。落实《江苏省市场监督管理行政处罚裁量权适用规则（试行）》。（责任单位：省生态环境厅、省应急厅、省市场监管局、省人力资源社会保障厅，各设区市人民政府按职责分工负责）

五、提高利用外资质量效益

(二十) 支持外资企业研发创新。引导外资企业加强自主研发，加快建设高水平研发机构，鼓励跨国公司与本土企业、科研机构、高等院校建立联合研发机构，开展研发合作。坚持招才引智与招商引资相结合，引进一批全球前沿技术和适应产业发展需要的高层次创新人才。做好高新技术企业认定政策培训、指导和服务，支持符合条件的外资企业申报高新技术企业。制定出台江苏省外资企业研发中心鼓励政策。(责任单位：省科技厅、省商务厅、省教育厅，各设区市人民政府按职责分工负责)

(二十一) 鼓励外资参与先进制造业集群建设。鼓励各地结合省级先进制造业集群和本地产业地标，聚焦“强核、补链、延链”，进一步梳理产业链图谱和关键环节清单，强化产业链招商和要素集聚，重点打造生物医药和新型医疗器械、集成电路、高端装备、汽车及零部件等外商投资先进制造业集群。支持外资企业整合上下游产业链，拓展产业布局。鼓励外商投向人工智能、工业互联网等新型基础设施建设。(责任单位：省工业和信息化厅、省商务厅，各设区市人民政府按职责分工负责)

(二十二) 积极发展外资总部经济。加强外资总部经济规划，完善外资总部经济鼓励政策。研究制定外资总部经济集聚区管理办法，在重点地区设立外资总部经济集聚区。鼓励支持有条件的地区建立外资总部经济服务中心，进一步优化企业服务。(责任单位：省商务厅，各设区市人民政府按职责分工负责)

(二十三) 提高外贸外资协同发展水平。支持外资企业利用现有技术和生产能力，开拓国内市场，创建自主品牌，形成出口和内贸并重的多元发展能力。推进综合保税区增值税一般纳税人资格试点全覆盖，全面推进内销选择性征收关税试点，降低外资企业内销成本。鼓励外资企业扩大先进设备和关键零部件进口，提升技术含量和装备水平。(责任单位：南京海关、省税务局、省商务厅)

各地各部门要充分认识当前进一步做好利用外资工作的重要意义，主动作为，强化责任，加强政策宣传解读，研究制定配套举措，协力抓好落地落实。

江苏省人民政府

2020年5月19日

Several Opinions on Better Leveraging Foreign Capital to Promote Investment, Secure and Stabilize Businesses by Jiangsu Provincial People's Government

The people's governments of all cities and counties (county-level cities, districts) in Jiangsu, the provincial committees, offices, departments, bureaus, and institutions directly affiliated to the provincial government:

The following opinions are proposed in a bid to implement the decision and deployment by the CPC Central Committee and the State Council on stabilizing foreign investment and follow through the gist of *Opinions of the State Council on Further Fulfilling the Work of Using Foreign Capital* (No. 23 [2019] of the State Council). Jiangsu is committed to stabilizing its scale of foreign investment and making better use of foreign capital by creating an international, market-oriented and law-based business environment to promote investment, secure and stabilize businesses.

1. Implementing the state opening up policies

(1) Opening up more sectors for foreign investment. Foreign investors will be given pre-establishment national treatment and evaluated by a negative list. Foreign investors will have access to any sector that is not on the negative list and will be treated equally as Chinese investors. We will build on the experience of Beijing city's pilot program on further opening up the service sector to fuel our effort to open up the service sector in Jiangsu with a focus on producer services. Further open up the financial sector with higher efficiency and implement the foreign investment policies in the automotive sector. Foreign investors are encouraged to explore the newly opened areas. (Responsible authorities: Jiangsu Provincial Department of Commerce, Jiangsu Provincial Commission of Development and Reform, Jiangsu Provincial Department of Industry and Information Technology, Nanjing Branch, the People's Bank of China, Jiangsu Office of China Banking and Insurance Regulatory Commission, Jiangsu Office of China Securities Regulatory Commission and other competent authorities. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

(2) Facilitating the Pilot Free Trade Zone to be the trailblazer. Implement the *Master Plan of China (Jiangsu) Pilot Free Trade Zone*, support the Pilot Free Trade Zone to further open up, and work for greater liberalization and facilitation for investment. Step up the effort to assist the Pilot Free Trade Zone to equip a well-established service system for foreign investment, and improve the working mechanism for promoting foreign investment, following up projects and addressing complaints. The Pilot Free Trade Zone is encouraged to formulate, within its legal purview, measures for promoting foreign investment to forge greater attraction for investment projects and accelerate the clustering of foreign-invested headquarters and functional institutions in the Pilot Free Trade Zone. Work related to local legislation in the Pilot Free Trade Zone will be sped up to provide legal guarantee for intensified reform and innovation efforts. The Pilot Free Trade Zone will take over all the economic and social administrative powers that can be legitimately delegated from the provincial authorities. Exceptional cases would be very rare in this regard. Support will be given to Jiangsu Pilot Free Trade Zone to take the lead in rolling out its best practices and know-how in state-level development zones. (Responsible authorities: Jiangsu Provincial Department of Commerce as the major competent authority will work with Jiangsu Provincial Commission of Development and Reform, Jiangsu Provincial Department of Justice, and Administration Office for Government Affairs Service of Jiangsu Province. The people's governments of Nanjing, Suzhou and Lianyungang shall deliver in accordance with assignment of responsibility.)

2. Strengthening efforts to promote and serve foreign investment

(3) Delivering better services to enterprises as epidemic response becomes daily routine. Fully implement the state and provincial policies and measures including tax and fee reliefs, stabilizing employment, lowering factor cost and greater financial support to help enterprises out amidst the epidemic. Foreign enterprises will enjoy the same preferential policies as Chinese enterprises do. Assistance will be delivered to address the generic challenges such as recruitment, logistics, and fund-raising faced by foreign enterprises; meanwhile a case-by-case approach will be adopted to help foreign enterprises to deal with special problems. Facilitate the coordination between both upstream and downstream enterprises in resumption of work and production, and focus on

supporting the key foreign-funded enterprises and their major partners to resume production capacity at an early date to stabilize the industrial and supply chains. As control measures to prevent imported COVID-19 cases are intensified, guidelines and assistance are provided to help go through procedures concerning foreign employees working for key enterprises or projects coming to Jiangsu. Their resumption of work with personal protection against the epidemic is guaranteed. (Responsible authorities: member organizations of Jiangsu Coordination Mechanism for Foreign Trade and Investment. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

(4) Giving full play to the special task force for foreign investment. Improve Jiangsu Coordination Mechanism for Foreign Trade and Investment, establish and improve the monitoring platform for key foreign enterprises and projects, step up study and evaluation of the situation and achieve greater efficiency in work scheduling, help enterprises address issues that require cross-regional coordination or support from the provincial authorities, and strengthen guarantee for production factors such as land, energy, and capital. Rewards may, after assessment of comprehensive contribution to the regional socioeconomic development, be granted by the local governments to new or reinvestment projects that are aligned with local industrial orientation for development. (Responsible authorities: member organizations of Jiangsu Coordination Mechanism for Foreign Trade and Investment. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

(5) Optimizing the work system for investment promotion. Build on the experience of working mechanisms such as "Singapore-Jiangsu Cooperation Council" and explore the opportunity to establish cooperation mechanisms with other countries (regions) for dealing with routine work concerning business development and investment promotion. Functions of Jiangsu's overseas economic and trade representative offices will be intensified with the introduction of an annual KPI evaluation attached to greater incentives. Local authorities and development zones are encouraged to establish joint mechanisms for investment promotion with Jiangsu's overseas economic and trade representative offices to

integrate resources both home and abroad for business development. Local authorities shall adopt an integrated and holistic approach to work out a flexible and resilient organizational structure for business development that best fits in the local condition. Encourage the establishment of regional alliances for investment promotion and business development. (Responsible authorities: Jiangsu Provincial Department of Commerce and Jiangsu Provincial Commission of Development and Reform. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

(6) Providing greater incentives for investment and business promotion efforts. Local authorities are encouraged to introduce measures to incentivize investment and business promotion work which will be evaluated by factors including business promotion results and effectiveness of services. More flexible incentive measures are allowed to be adopted to motivate business development teams. Multiple distribution mechanisms such as annual-salary or negotiated wage system can be explored in accordance with relevant state and provincial regulations. Professional social organizations and business promotion agencies are encouraged to introduce foreign-funded projects that are aligned with the local industrial development orientation. Rewards may be granted by the local authorities to projects based on their comprehensive contribution to the local socioeconomic development. Local authorities are encouraged to adopt moderately preferential policies in terms of numbers of overseas trips, numbers of travelling personnel and financial support for outbound teams to organize business promotion activities overseas. (Responsible authorities: Jiangsu Provincial Department of Commerce, Jiangsu Provincial Department of Human Resources and Social Security, and Foreign Affairs Office of Jiangsu Provincial People's Government. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

(7) Developing new approaches to investment promotion. Continue to intensify efforts in investment promotion and business development by leveraging both vis-à-vis and online meetings empowered by the information technology. Further improve Jiangsu's databank of foreign-invested projects, amongst which some key projects will be

promoted to the world audience. Support will be given to foreign-funded enterprises to reinvest their undistributed profits and expand their production and operation, and local authorities may arrange certain rewards to those enterprises. Local authorities are supported to formulate their own guidelines for foreign investment and promptly publicize related laws, regulations, and guidelines to serve and facilitate foreign investors and foreign-funded enterprises. (Responsible authorities: Jiangsu Provincial Department of Commerce. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

(8) Making good use of various platforms in development zones to promote investment. Assessment and evaluation on development zones' performance will be further improved with a heavier weight on indicators for foreign capital utilization. Support will be given to development zones at or above the provincial level to build innovation demonstration parks with distinct characteristics, international cooperation parks and intelligent parks to introduce, by pivoting the pillar industries in each park, a group of leading and flagship-type foreign investment projects from the developed economies, the Fortune 500 companies or the mid-to-high-end of the industrial and value chains. Deepen the institutional reforms at development zones and step up effort to put regional assessment mechanism in place to deliver good services to foreign-funded enterprises. Support will be given to some development zones that are capable of building international communities and schools for children of foreign nationals, and services for health care, elderly care, culture and education will be enhanced. Support will be given to development zones to make innovative use of foreign investment by introducing overseas innovative enterprises and venture capital companies. (Responsible authorities: Jiangsu Provincial Department of Commerce, Jiangsu Provincial Department of Education, Jiangsu Commission of Health and Jiangsu Provincial Department of Science and Technology. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

(9) Establishing and improving a working mechanism for service coordination. A theme campaign will be carried out to serve flat out

foreign enterprises, investment promotion and business development, as well as implementation of projects through making fact-finding investigations, special interviews and follow-up trips to strengthen face-to-face communication with foreign enterprises. Make good use of the liaison mechanism to connect major foreign-funded projects with the designated competent government officials to deliver non-stop express services for major foreign investment. Establish and improve the working mechanism for addressing complaints of foreign investors. Put in place a joint conference mechanism to deal with those complaints, and set up or designate agencies to accept cases of complaint from foreign enterprises. Complaints of foreign enterprises will be addressed promptly in accordance with the level of the investment. Make good use of the coordinating mechanism between governments and foreign enterprises. Convene the Jiangsu International Consultative Conference for Opening-up and Innovation on a regular basis, and enhance inter-departmental coordination to address the practical difficulties confronted by the enterprises. (Responsible authorities: Jiangsu Provincial Department of Commerce as the major competent authority will work with other relevant authorities. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

3. Improving facilitation for foreign investment

(10) Reducing the cost of cross-border capital utilization. Launch pilot program of cross-border RMB business in areas where conditions permit, and work to implement measures that allow foreign enterprises to use RMB capital funds to issue entrusted loans to their affiliated companies within the Chinese territory. Fully launch the program on revenue/payment facilitation under the capital account. Work to facilitate the registration and management of external debts. A unified, macro prudential management policy will be adopted for cross-border financing. Support will be given to foreign-invested enterprises to decide their own form of external debts. Non-investment foreign enterprises are allowed to make equity investment within the Chinese territory under the premises that the authenticity of the investment is verified and in compliance of relevant laws and regulations including the foreign investment negative list. (Responsible authorities: Nanjing Branch, the People's Bank of

China. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

(11) Providing greater convenience for foreigners to work in Jiangsu. For innovative, entrepreneurial and high-skilled talent, and other types of professionals whose expertise is urgently and highly needed in Jiangsu, restrictions can be relaxed in terms of age, education or work experience according to the work requirements and the personal situation of the applicants. Foreign graduates who are engaged in innovation and entrepreneurship in Jiangsu can apply for a residence permit for private affairs with a validity period of 2 to 5 years (with a note of "entrepreneurship" on the permit) with materials including a Chinese university diploma and innovation and entrepreneurship certification. Foreigners who have obtained a work-type residence permit with a validity period of more than 1 year for 2 consecutive times and are free of any violation of laws may obtain a work-type residence permit with a validity period of 5 years for the third time according to relevant regulations. Streamline the procedures for foreigners' work permits and work-type residence permits, establish an interdepartmental information sharing mechanism, and explore the integration of foreigners' work permits and work-type residence permits. (Responsible authorities: Jiangsu Provincial Department of Science and Technology, Jiangsu Provincial Department of Public Security, Jiangsu Provincial Department of Education, and Jiangsu Provincial Department of Human Resources and Social Security. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

(12) Streamlining the administrative approval system for land-use planning of foreign-funded projects. Based on the previous attempt to integrate regulations, reforms on land use approval will be advanced by unifying the review and licensing procedures and opinions on site selection and preliminary examination of land use. Those who have obtained the right of using state-owned land for construction projects by means of assignment can be granted a new construction land planning permit as a replacement of the old version of construction land planning permit and construction land approval letter. Those who have obtained the right of using state-owned land for construction projects by means of

allocation can be granted the construction land planning permit and the letter of decision on state-owned land allocation at the same time. (Responsible authorities: Jiangsu Provincial Department of Ecology and Environment as the major competent authority will work with other competent authorities. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

4. Protecting the legitimate rights and interests of foreign investors

(13) Fully implementing the regulations and policies on foreign investment. All cities and competent authorities shall implement, publicize and interpret the *Foreign Investment Law of the People's Republic of China* and *Regulations on Optimizing the Business Environment*. Process administrative licensing on foreign investment in accordance with the *Foreign Investment Law*, the *Administrative Licensing Law* and other laws and regulations. The scope, procedures and standards of administrative licensing shall not be changed without authorization. Administrative authorities and their employees must not use administrative licensing, administrative inspections, administrative coercion, or other administrative means to force or disguisedly force foreign investors and foreign-funded enterprises to transfer technologies. All cities and competent authorities shall formulate and issue administrative regulatory documents involving foreign investment, strengthen legitimacy audit, and seek the opinions and suggestions of representative foreign-funded enterprises, relevant industry associations, and chambers of commerce in advance, strictly enforce the requirement of setting an interval between the date of implementation and promulgation of administrative regulatory documents, and improve the predictability and transparency of policies. (Responsible authorities: competent authorities at provincial level. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

(14) Maintaining the continuity and stability of foreign investment policies. All cities must fulfill their policy commitments to investors and foreign-funded enterprises and all kinds of contracts signed in investment promotion activities according to law. (Responsible authorities: The

people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

(15) Implementing the fair competition review system. Discriminative regulations and practices concerning market access, qualification criteria and industrial subsidies against businesses on grounds of ownership structure will be further removed to level the playing field for domestic and foreign-funded enterprises. Unify the business scope of domestic and foreign-funded construction enterprises. Relax regulations for foreign-funded enterprises to run internet access businesses and entertainment venues. In accordance with the principle of equal treatment for domestic and foreign capital, relevant regulations for the qualification review and approval of China Compulsory Certification (CCC) organizations shall be implemented. (Responsible authorities: Jiangsu Provincial Administration for Market Regulation, Jiangsu Provincial Department of Housing and Urban-Rural Development, and Jiangsu Provincial Department of Culture and Tourism. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

(16) Ensuring foreign-funded enterprises' participation in standard-setting and government procurement on an equal footing. Encourage domestic and foreign-funded enterprises to participate in standard-setting work on fair terms and foreign-funded enterprises to participate in the standard-setting work for medical devices, food and medicine, and information products. Refrain from implementing discriminatory treatment for foreign-funded enterprises. There must not be unreasonable requirements restricting suppliers' form of ownership, organizational form, stockholder structure, or investors' nationality in published information on government procurement, determination of supplier requirements, assessment standards, and other such areas. (Responsible authorities: Jiangsu Provincial Administration for Market Regulation. Jiangsu Provincial Department of Finance as the major competent authorities will work with other competent authorities. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

(17) Strengthening judicial protection for intellectual property rights (IPRs). Give full play to the effectiveness of the system of litigation preservation, and apply the rules of obstruction of evidence and information disclosure system in accordance with law. The concept and methods of precision adjudication are adopted to make up for the loss of rights holders. Apply punitive damages according to law. Give better play to the role of technical experts, technical investigators, etc. in ascertaining technical facts to improve efficiency. Conduct trials of standard essential patent (SEP) cases according to law. Make good use of industry associations and professional mediation organizations to promote online mediation and encourage parties to resolve disputes through multiple channels and means. Publicize the status quo and typical cases on judicial protection of intellectual properties during the Publicity Week of World Intellectual Property Day. (Responsible authority: people's courts at provincial level)

(18) Strengthening IPR protection and application. Increase support for products of foreign-funded enterprises with proprietary IPRs in government procurement. Encourage well-known intellectual property service agencies to set up offices in Jiangsu. Local authorities may provide support in line with actual conditions. Improve the IPR administrative enforcement system at provincial, city and county levels, improve the transfer system of intellectual property criminal cases, strengthen IPR administrative enforcement, and advance the construction of IPR protection centers, fast rights-protection centers and IPR assistance centers. Promote IPR arbitration and mediation and explore diversified IPR dispute resolution mechanisms. Strengthen the protection and application of geographical indications. Enhance cooperation between government and e-commerce enterprises in intellectual property law enforcement, and guide e-commerce enterprises to establish and improve intellectual property protection mechanisms. Study and formulate local standards for intellectual property administration in the physical market. (Responsible authorities: Jiangsu Provincial Administration for Market Regulation and Jiangsu Provincial Department of Justice. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

(19) Regulating supervision and law enforcement. Release a Guiding Catalogue for Integrated Administrative Law Enforcement in Ecological and Environmental Protection and formulate an annual law enforcement plan for workplace safety. Conduct inspections by randomly selecting inspectors on randomly selected entities and publicize the inspection results on a regular basis and reasonably set the frequency of supervision and law enforcement inspections. In accordance with the *Law of the People's Republic of China on the Prevention and Control of Atmospheric Pollution* and other relevant laws and regulations, stipulate a contingency plan for heavily-polluted days, improve the *Heavy Air Pollution Contingency Plan* in Jiangsu, and take targeted emergency measures against air pollution. Implement the *Applicable Rules for Discretionary Administrative Penalty of Market Supervision and Administration in Jiangsu (Trial)*. (Responsible authorities: Jiangsu Provincial Department of Ecology and Environment, Jiangsu Provincial Department of Emergency Management, Jiangsu Provincial Administration for Market Regulation, and Jiangsu Provincial Department of Human Resources and Social Security. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

5. Improving the quality and efficiency of foreign capital utilization

(20) Supporting foreign-funded enterprises in R&D and innovation. Guide foreign-funded enterprises to strengthen independent R&D, accelerate the construction of high-level R&D institutions, and encourage multinational enterprises to establish joint R&D institutions and carry out R&D cooperation with local enterprises, scientific research institutions, and universities. By combining talent and investment promotion, introduce a number of global cutting-edge technologies and high-level innovative talent that meet the needs of industrial development. Provide policy training, guidance and services for the certification of high-tech enterprises and support qualified foreign-funded enterprises in applying to be high-tech enterprises. Formulate and introduce incentive policies for the development of R&D center by foreign-funded enterprises in Jiangsu. (Responsible authorities: Jiangsu Provincial Department of Science and Technology, Jiangsu Provincial Department of Commerce, and Jiangsu Provincial Department of Education. The people's governments of cities

(with districts) shall deliver in accordance with assignment of responsibility.)

(21) Encouraging foreign-funded enterprises to participate in the development of advanced manufacturing clusters. Based on the provincial advanced manufacturing clusters and local industrial landmarks, encourage all cities to further sort out the industrial chain and a list of key links by strengthening the core industries, supplementing and extending the industrial chain, strengthen investment promotion and aggregation of factors to empower the industrial chain, with a focus on the development of advanced manufacturing clusters of foreign-funded enterprises in biomedicine and new medical devices, integrated circuits, high-end equipment, automobiles and spare parts. Support foreign-funded enterprises in integrating upstream and downstream industrial chains and expanding industrial layout. Encourage foreign investors to invest in the construction of new infrastructure such as artificial intelligence and industrial internet. (Responsible authorities: Jiangsu Provincial Department of Industry and Information Technology, and Jiangsu Provincial Department of Commerce. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

(22) Promoting the development of regional headquarters of multinational enterprises. Strengthen the planning of regional headquarters of multinational enterprises and improve incentive policies. Study and formulate management measures for cluster areas of regional headquarters of multinational enterprises and establish cluster areas of regional headquarters of multinational enterprises in key areas. Encourage and support areas where conditions permit to establish service centers for regional headquarters of multinational enterprises to further optimize corporate services. (Responsible authorities: Jiangsu Provincial Department of Commerce. The people's governments of cities (with districts) shall deliver in accordance with assignment of responsibility.)

(23) Enhancing the coordinated development of export enterprises and foreign-funded enterprises. Support foreign-funded enterprises in

expanding domestic market with existing technologies and production capacities, create self-owned brands, and pursue diversified development by attaching equal importance to export and domestic trade. Expand the pilot general taxpayer qualification of enterprises' value added tax (VAT) to all comprehensive bonded zones and promote the pilot policy of selective tariffs on domestic sales to reduce the costs of foreign-funded enterprises' domestic sales. Encourage foreign-funded enterprises to increase imports of advanced technical equipment, key parts and components and upgrade their technologies and equipment. (Responsible authorities: Nanjing Customs District P. R. China, Jiangsu Provincial Tax Service of State Taxation Administration, and Jiangsu Provincial Department of Commerce)

All cities and competent authorities should fully recognize the significance of enhancing the utilization of foreign capital by paying greater attention, taking vigorous actions, strengthening accountability, and promoting policy publicity and interpretation. Supporting policies should be studied and formulated to make sure policies and measures are put into actual practice.

Jiangsu Provincial People's Government

May 19, 2020

(This document is publicly available.)