

Guiding Opinions of the State Council on Further Optimizing the Business Environment of the PRC

Dan Young Business Consultancy — www.danyoungcpa.com
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Issued by the State Council of the People's Republic of China on September 21, 2023

Effective: September 21, 2023

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I — Overall Requirements

Article 1 — To thoroughly implement the decisions and plans of the Central Committee of the Communist Party of China and the State Council on optimizing the business environment, further stimulate business vitality, and promote high-quality economic development, the following opinions are hereby put forward.

Article 2 — The guiding ideology shall be to adhere to the people-centered development philosophy, deepen the reforms to streamline administration, delegate power, improve regulation, and upgrade services, create a market-oriented, law-based, and internationalized business environment, and provide strong support for promoting Chinese-style modernization.

Article 3 — The basic principles shall include: adhering to market orientation to ensure fair competition; adhering to the rule of law to safeguard the legitimate rights and interests of all types of market entities; adhering to international benchmarking to create a world-class business environment; and adhering to

systematic advancement to comprehensively improve the overall quality of the business environment.

II — Creating a Fair and Orderly Market Environment

Article 4 — The market access negative list system shall be fully implemented. All types of market entities shall be treated equally in accordance with the law. The hidden barriers to market access shall be continuously cleared, and market entry restrictions that are not based on laws and regulations shall be abolished.

Article 5 — The fair competition review system shall be strengthened. When formulating provisions and measures involving the economic activities of business entities, fair competition reviews shall be conducted. Regulations and practices that impede the unified national market and fair competition shall be abolished or amended.

Article 6 — Equal protection shall be provided for all types of ownership economies in accordance with the law. The lawful rights and interests of state-owned, private, and foreign-funded enterprises shall be equally protected. The legitimate property rights of various business entities and the lawful rights and interests of entrepreneurs shall be protected in accordance with the law.

Article 7 — The construction of a unified national market shall be accelerated. Local protection and market segmentation shall be abolished. Unlawful regional barriers shall be eliminated, and the free flow of commodities, factors, resources, and services shall be facilitated.

III — Building a High-Efficiency Government Service System

Article 8 — The reform of administrative examination and approval shall be deepened. Items of administrative licensing shall be comprehensively sorted out, and administrative licensing items set beyond the law shall be abolished. The handling of administrative licensing matters shall be standardized, and the time limit for processing shall be reduced.

Article 9 — The construction of a digital government shall be advanced. Government services shall be handled online as a matter of principle, with offline services provided as a supplement. One-stop online handling of matters shall be achieved, and the convenience of government services shall be continuously improved.

Article 10 — Policies and measures to facilitate investment and construction shall be fully implemented. The reform of the approval system for investment projects shall be deepened, and the approval of enterprise investment projects shall be further streamlined through notification and commitment systems, to improve the efficiency of project implementation.

IV — Strengthening Rule-of-Law Safeguards

Article 11 — A sound legal and regulatory system for the business environment shall be established. The legislation on optimizing the business environment shall be accelerated. Normative documents that are not conducive to optimizing the business environment shall be promptly cleaned up, abolished, or amended.

Article 12 — The regulatory law enforcement system shall be innovated and improved. The credit-based new regulatory mechanism shall be improved, with differentiated regulatory measures such as reducing the proportion and frequency of spot checks for enterprises with good credit and increasing the frequency for those with poor credit.

Article 13 — Judicial safeguards for the business environment shall be strengthened. The judicial protection of property rights in accordance with the law shall be enhanced. The diversified resolution of commercial disputes shall be promoted. The pilot program of comprehensively deepening the reform of the commercial dispute resolution mechanism shall be advanced.

V — Optimizing the Foreign Investment Environment

Article 14 — Foreign investment access shall be continuously expanded. The negative list for foreign investment access shall be reasonably reduced. The pilot programs for expanding the opening up of the service industry shall be advanced in an orderly manner. Qualified foreign investors shall be encouraged to establish investment companies and regional headquarters.

Article 15 — The legitimate rights and interests of foreign-invested enterprises shall be safeguarded. Foreign-invested enterprises shall be guaranteed access to factors of production, qualification licensing, standard setting, government procurement, and other aspects on an equal basis in accordance with the law. The legitimate rights and interests of foreign investors shall be protected in accordance with the law.

Article 16 — Services for foreign-invested enterprises shall be optimized. A sound work mechanism for foreign investment complaints shall be established, and the channels for acceptance and handling of foreign investment complaints shall be improved. Regular communication and exchange mechanisms with foreign-invested enterprises and foreign chambers of commerce shall be established.

VI — Strengthening Organizational Implementation

Article 17 — Local people's governments at all levels and relevant departments shall fully understand the significance of optimizing the business environment, strengthen organizational leadership, clarify responsibilities and division of work, and ensure the implementation of various tasks. Regular supervision, inspection, and assessment of the optimization of the business environment shall be conducted.

Article 18 — These Opinions shall come into force on the date of issuance. Localities and departments shall formulate specific implementation measures in light of actual conditions.

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