Science and Technology Progress Law of the PRC

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Unofficial English translation prepared for reference only. The official Chinese text prevails.

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of promoting scientific and technological progress, giving full play to the role of science and technology as the primary productive force, promoting the transformation of scientific and technological achievements into actual productive forces, and promoting socialist modernization.

Article 2 — The state shall uphold the principles of independent innovation, making key breakthroughs, supporting development and leading the future in scientific and technological work, and shall implement the strategies of rejuvenating the country through science and education, strengthening the country through human resources, and innovation-driven development.

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Article 3 — The state shall protect the freedom of scientific research and shall encourage scientific exploration and technological innovation, so as to enable science and technology to play a supporting and leading role in economic and social development.

Article 4 — The state shall encourage scientific research and technological development, promote the extensive application of science and technology, and transform economic growth methods.

Article 5 — The state shall improve the modern scientific and technological innovation system, encourage enterprises, universities and scientific research institutions to carry out collaborative innovation, and enhance the overall efficiency of the national innovation system.

Article 6 — The scientific and technological administrative department under the State Council shall be responsible for the macroscopic management and overall coordination of scientific and technological work throughout the country. Other relevant departments under the State Council shall be responsible for the relevant scientific and technological progress work within the scope of their respective functions.

Chapter II — Scientific Research and Technological Development

Article 7 — The state shall encourage and support basic research and applied basic research, and shall strengthen the construction of scientific research bases and infrastructure.

Article 8 — The state shall establish a natural science fund to fund basic research and frontier exploration, and shall cultivate scientific and technological talents and innovative teams.

Article 9 — The state shall encourage the combination of enterprises, universities and scientific research institutions in various forms such as industry-university-research cooperation, jointly carrying out technological research and development and the transformation of scientific achievements.

Article 10 — The state shall establish and improve the scientific and technological resource sharing mechanism and promote the open sharing of scientific and technological resources.

Article 11 — The state shall encourage and support international scientific and technological cooperation and exchanges, and promote the exchange and sharing of scientific and technological resources.

Chapter III — Application of Scientific and Technological Achievements

Article 12 — The state shall establish and improve the system for the transformation of scientific and technological achievements, promote the commercial application and industrialization of scientific and technological achievements, and encourage the transfer and licensing of scientific and technological achievements.

Article 13 — Scientific and technological research and development institutions and universities shall strengthen the transformation and application of scientific and technological achievements, and shall assess the value of scientific and technological achievements and promote their transformation.

Article 14 — The state shall encourage the establishment of technology transfer institutions and provide professional services for the transformation of scientific and technological achievements.

Chapter IV — Enterprises' Technological Progress

Article 15 — The state shall encourage enterprises to increase their investment in research and development and enhance their capability for independent innovation, and shall establish a technological innovation system in which enterprises play the principal role, the market provides the orientation, and industry, universities and research institutions are combined.

Article 16 — The state shall encourage enterprises to establish internal research and development institutions and shall support enterprises in jointly establishing research and development platforms with

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universities and scientific research institutions.

Article 17 — Enterprises shall enjoy tax preferences for research and development expenses in accordance with the relevant state provisions. The state shall implement preferential tax policies for the technological innovation activities of small and medium-sized enterprises.

Article 18 — The state shall implement an accreditation system for high-tech enterprises, and high-tech enterprises shall enjoy preferential tax policies in accordance with the law.

Chapter V — Scientific and Technological Personnel

Article 19 — The state shall create a sound environment and conditions for scientific and technological personnel, and shall give full play to the role of scientific and technological personnel. The state shall implement an income distribution policy that inclines toward scientific and technological personnel.

Article 20 — Scientific and technological personnel shall have the right to obtain remuneration, awards or equity incentives based on their contributions in scientific research and the transformation of scientific and technological achievements in accordance with the law.

Article 21 — The state shall encourage scientific and technological personnel to make innovations independently, to freely explore and to act with integrity. Scientific and technological personnel shall abide by academic norms and professional ethics.

Article 22 — The state shall reform and improve the academic evaluation system and the scientific and technological award system, and shall establish a scientific and technological evaluation system oriented toward innovation quality, contribution and performance.

Chapter VI — Safeguard Measures

Article 23 — The state shall gradually increase the total amount of funds invested in science and technology throughout the country. The growth rate of the state financial allocations for science and technology shall be higher than the growth rate of the state regular financial revenues.

Article 24 — The state shall encourage domestic and foreign capital to set up science and technology funds, and shall support scientific research and technological development activities.

Article 25 — The state shall encourage financial institutions to develop science and technology finance and support the financing of technological innovation enterprises.

Article 26 — The state shall establish and improve the intellectual property protection system and shall create a legal environment conducive to scientific and technological progress.

Chapter VII — Legal Liability

Article 27 — Where any entity or individual misappropriates, embezzles or withholds state science and technology funds, the relevant authority shall order corrections and recover the misappropriated, embezzled or withheld funds within a specified period. The persons directly in charge and other directly responsible persons shall be subject to administrative sanctions in accordance with the law. Where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 28 — Where any entity or individual resorts to deception in the course of scientific and technological activities by providing false materials or plagiarizing the scientific and technological achievements of others, the relevant authority shall order corrections, annul the scientific and technological award or qualification granted, and recover the awarded funds. Where a crime is constituted, criminal liability shall be pursued in accordance with the law.

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Article 29 — Where any staff member of the scientific and technological administrative department abuses his or her power, neglects his or her duties, or engages in malpractice for personal gain, he or she shall be subject to administrative sanctions in accordance with the law. Where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Chapter VIII — Supplementary Provisions

Article 30 — The State Council and the Central Military Commission may separately formulate regulations on scientific and technological progress work for national defense science and technology.

Article 31 — This Law shall enter into force as of October 1, 1993. The Science and Technology Progress Law of the People's Republic of China adopted at the 2nd Meeting of the Standing Committee of the Eighth National People's Congress on July 2, 1993, shall enter into force as of October 1, 1993. This version incorporates the amendments adopted at the 32nd Meeting of the Standing Committee of the Thirteenth National People's Congress on December 24, 2021.

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