

Several Opinions of the CPC Central Committee and the State Council on Promoting the Development and Growth of the Private Economy of the PRC

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

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Section I — General Requirements

Article 1 — The private economy is an endogenous force in advancing Chinese-style modernization, an important foundation for high-quality development, and an important force in promoting the comprehensive construction of a modern socialist country and achieving the second centenary goal. These Opinions are issued for the purposes of promoting the development and growth of the private economy.

Article 2 — The guiding principles shall be: adhering to and strengthening the Party's overall leadership over the work relating to the private economy; upholding the Two Unswerving principle; fully and accurately

implementing the new development philosophy; focusing on promoting high-quality development; and creating a market-oriented, law-based, and internationalized first-class business environment.

Article 3 — The objectives are: to continuously optimize the development environment for the private economy; to strengthen policy support in accordance with the law; to comprehensively build a pro-business and business-friendly government; to promote the realization of new leaps in the development and growth of the private economy; and to better leverage the role of the private economy in stabilizing growth, promoting innovation, increasing employment, and improving people's livelihoods.

Section II — Continuously Optimizing the Business Environment for the Private Economy

Article 4 — Continue to break down barriers to market access. All regions and departments shall not set or covertly set barriers to market access. All types of enterprises shall be treated equally in respect of access to competitive fields such as bidding and tendering and government procurement. The negative list system for market access shall be fully implemented, and a case-based review and notification mechanism for market access barriers shall be established.

Article 5 — Fully implement the system of fair competition review. Adhere to equal treatment of enterprises under all forms of ownership. Strengthen the rigid constraints of the fair competition review system. Without fair competition review, policies and measures relating to the economic activities of undertakings shall not be introduced. No preferential policies shall be introduced without the approval of fair competition review.

Article 6 — Improve the credit incentive and restraint mechanism. Maximize the role of credit in effective allocation of financial resources. Improve the credit information recording and sharing system, and fully promote the building of a trustworthy society. Implement differentiated regulatory measures based on credit ratings.

Article 7 — Improve market-oriented restructuring mechanisms. Encourage private enterprises to revitalize existing assets and expand reinvestment through various means. Support private enterprises in participating in the reform of state-owned enterprises through equity participation, holding of controlling stakes, and other means. Encourage eligible private enterprises to issue various types of bonds and to list and finance themselves.

Section III — Strengthening Policy Support for the Private Economy

Article 8 — Improve the financing support policy system. Improve the credit, bond, and equity financing support policies for private enterprises. Promote the establishment of specialized loan approval criteria and due diligence exemption mechanisms for loans to private enterprises and small and micro enterprises.

Article 9 — Improve the mechanism for preventing and resolving the risk of arrears owed to small and medium-sized enterprises. Establish and improve the normalized mechanism for preventing and resolving arrears owed to enterprises in accordance with laws and regulations. Strictly implement the Regulations on Ensuring Payment to Small and Medium-sized Enterprises.

Article 10 — Strengthen support for human resources. Smooth the channels for talent to flow to private enterprises. Improve the evaluation and recognition system for professional titles in private enterprises. Support the joint training of talent through industry-education integration between private enterprises and universities and research institutions.

Article 11 — Improve policies to support the expansion of effective investment by private capital. Support private capital in participating in the construction of major national projects and the projects to fill shortcomings in key areas. Build a mechanism for recommending projects to private capital. Encourage private enterprises to carry out digital transformation and green and low-carbon development.

Article 12 — Strengthen the protection and application of intellectual property rights. Increase efforts to protect the intellectual property rights of private enterprises. Severely crack down on intellectual property infringement and counterfeit and shoddy products. Improve the compensation mechanism for intellectual property infringement.

Section IV — Strengthening Legal Safeguards for the Private Economy

Article 13 — Protect the property rights of private enterprises and the rights and interests of entrepreneurs in accordance with the law. Prevent and correct the use of criminal means in economic disputes. Strictly regulate compulsory measures such as the sealing, seizure, and freezing of property. Strictly distinguish between legal and illegal income, between the property of enterprises and the personal property of entrepreneurs, and between suspected crimes and general violations of the law.

Article 14 — Build a system for the prevention, control, and governance of corruption in private enterprises. Strengthen the customary compliance system in private enterprises in accordance with the law. Promote the healthy development of private enterprises and the sound development of the rule of law business environment.

Article 15 — Improve the system for the supervision of enterprise-related charges. Further clean up and regulate enterprise-related charges. Strictly implement the list-based management system for enterprise-related charges. No charges shall be collected without a legal or regulatory basis.

Section V — Promoting the Sound Development of the Private Economy

Article 16 — Guide and improve the modern enterprise system with Chinese characteristics. Support private enterprises in improving their corporate governance structure, standardizing the conduct of shareholders, strengthening internal supervision, and achieving sound and compliant development. Encourage qualified private enterprises to establish and improve a modern enterprise system with Chinese characteristics.

Article 17 — Support private enterprises in enhancing their scientific and technological innovation capabilities. Encourage private enterprises to increase R&D investment and carry out key core technology research in accordance with the direction of national needs and industry development trends. Support private enterprises in establishing scientific and technological innovation platforms such as national technological innovation centers and key laboratories.

Article 18 — Accelerate digital transformation and technological transformation. Encourage private enterprises to carry out in-depth application of new technologies, new products, new business forms, and new models. Support private enterprises in carrying out technological transformation and equipment upgrading, and increase the application of intelligent equipment.

Article 19 — Encourage private enterprises to expand their international operations. Support private enterprises in participating in the Belt and Road Initiative and in the construction of major foreign-related projects. Improve services and support for private enterprises to go global, and enhance risk prevention and response capabilities.

Section VI — Fostering a Supportive Social Environment

Article 20 — Guide the whole society to objectively, correctly, and comprehensively understand the significant role and contributions of the private economy and private entrepreneurs. Cultivate a public opinion environment that respects the innovation and entrepreneurship of the private economy. Properly publicize and interpret the policies supporting the development of the private economy.

Article 21 — Support private enterprises in better fulfilling their social responsibilities. Encourage private entrepreneurs to actively participate in and initiate public welfare and charitable undertakings. Promote the building of harmonious labor relations in private enterprises.

Section VII — Strengthening Implementation and Safeguards

Article 22 — Strengthen organizational leadership. Adhere to and strengthen the Party's leadership over the work relating to the private economy, and improve institutional mechanisms. Establish and improve a monitoring and evaluation mechanism for promoting the development of the private economy, and promptly summarize and promote good experiences and good practices.

Article 23 — Improve the mechanism for the implementation of policies. All regions and departments shall, in light of actual circumstances, formulate implementation rules and supporting measures. Strengthen the publicity, interpretation, and supervision of policy implementation. Establish and improve a tracking, evaluation, and feedback mechanism for policy effectiveness.

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