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# Guiding Opinions of 19 departments, including the Ministry of Commerce, on promoting the high-quality development of foreign contracted projects

**Guiding Opinions of 19 departments, including the Ministry of Commerce, on promoting the high-quality development of foreign contracted projects**

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Relevant departments and institutions of all provinces, autonomous regions, municipalities directly under the Central Government, cities under separate state planning and Xinjiang Production and Construction Corps:

Since the 18th National Congress of the Communist Party of China, under the guidance of the Belt and Road Initiative for co-construction, the development of foreign contracted projects has entered a new stage and achieved remarkable results. A number of major projects have become visible achievements of the joint construction of the Belt and Road Initiative. Externally contracted projects involve investment and financing, design consulting, equipment procurement, construction, operation management and other aspects of overseas engineering projects, which have played

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### Public service products

an important role in driving China's products and technical services to "go global" and deepen international production capacity cooperation, promoting the transformation and upgrading of the domestic economy, and achieving win-win development with relevant countries. At present, the international and domestic environment is undergoing profound and complex changes. There are not only good opportunities for the development of foreign contracted projects, but also many risks and challenges. In order to strengthen macro guidance and promote the high-quality development of outsourced projects, the following opinions are hereby put forward.

## I. General requirements

**(I) Guiding ideology.** Guided by Xi Jinping's Thought on Socialism with Chinese Characteristics for a New Era, we will fully implement the spirit of the 19th National Congress of the Communist Party of China and the Second and Third Plenary Sessions of the 19th Central Committee of the Communist Party of China, conscientiously implement the decision-making and deployment of the CPC Central Committee and the State Council, closely focus on the overall promotion of the overall layout of the "five-in-one" and coordinate the promotion of the "four comprehensive" strategic layout, and adhere to the progress while maintaining stability. The general tone of work, adhere to the new development concept, firmly pursue the strategy of mutually beneficial and win-win opening up, take the joint construction of the Belt and Road Initiative as the lead, and focus on the construction of major projects such as infrastructure and capacity cooperation, accelerate the formation of new advantages in international economic cooperation and competition, and promote the transformation, upgrading and high-quality development of foreign contracted projects.

### **(II) Basic principles.**

-- Adhere to the main body of the enterprise. Give full play to the decisive role of the market in resource allocation, implement the dominant position of enterprises in the market, encourage enterprises with strength and conditions to own all kinds, constantly improve their transnational business capabilities and international management levels, and actively and steadily carry out outsourcing projects in accordance with market principles and international common rules.

--Adhere to quality first. Accelerate the formation of new advantages in the development of foreign contracted projects and realize the transformation from scale speed to quality and efficiency. Guide enterprises to adhere to the concept of openness, green and integrity, focus on key points, exquisite carving, pay attention to eco-environmental protection, and build high-quality, sustainable, risk-resistant, reasonable priced and inclusive infrastructure projects.

-- Adhere to mutual benefit and win-win results. Adhere to the principle of joint consultation, co-construction and sharing, fully respect and take into account the interests and concerns of all parties, strengthen planning, policies and project docking, actively carry out third-party market cooperation, and promote the economic and social development and improvement of people's livelihood in relevant countries and regions through foreign contracted projects. Guide enterprises to establish a correct concept of righteousness and profit, earnestly fulfill their social responsibilities, and deeply integrate into local society.

--Adhere to standardization and order. Strengthen organizational leadership and overall coordination, improve management mechanisms, reform management methods, strengthen industry self-discipline, urge enterprises to effectively standardize business behavior, and maintain good market order. Adhere to bottom-line thinking, build a comprehensive risk prevention and control system, and actively prevent and resolve all kinds of risks.

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**(III) Main objectives.** We will achieve a steady rise in the scale and global market share of outsourced projects, gradually optimize the structure, continuously expand the field, and significantly enhance comprehensive competitiveness. From a large country of outsourced projects to a strong foreign contracted project. Form a number of world-class external contract engineering enterprises; cultivate a group of talents with international management capabilities; create a number of demonstration projects with good comprehensive benefits, broad social influence and green environmental protection; and promote China's brand construction to be generally recognized and praised by the international community. Establish a complete, standardized and scientific management system and mechanism for outsourced projects to promote effective services, strong supervision and supervision, and greatly improve the level of convenience. We will better serve China's overall economic and social development and opening up to the outside world, effectively promote the economic development of the host country and the world, and make positive contributions to the construction of a community with a shared future for mankind.

## **II. Accelerate the formation of new advantages in the development of externally contracted projects**

**(4)** Actively encourage design consulting to "go out". We will guide strong and qualified engineering design consulting institutions to carry out international operations, actively participate in the survey, planning, design, consulting, cost, supervision, project management, etc. of overseas projects, accelerate the pace of integration with international standards, constantly improve international competitiveness, and promote the development of outsourced projects to the high end of the industrial chain. Give full play to the leading action of engineering design and whole-process engineering consulting to China's technology and standards and construction to add new impetus for the development of outsourced projects.

**(5)** Actively promote the comprehensive development of investment and construction. Strengthen the ability of enterprises to participate in project investment and financing and post-completion operation management, and encourage financial institutions to provide project financing for qualified government-operation-transfer (BOT) and other government and social capital cooperation (PPP) projects in accordance with the principle of marketization. Enterprises are encouraged to implement projects in various ways such as construction-run integration and investment and construction-run integration, improve the participation of the industrial chain and its position in the international division of labor, and gradually realize the transformation from construction advantages to the comprehensive advantages of investment and financing, engineering construction and operation services.

**(6)** Actively rely on the support of domestic advantageous industries. Promote the organic combination and mutual promotion of foreign investment cooperation such as outsourcing projects and manufacturing industry, and the construction of overseas economic and trade cooperation zones. Enterprises are encouraged to rely on the industrial advantages of China's information and communication, power, transportation, chemical, metallurgy, building materials and other industries, especially give full play to the advantages of the whole industrial chain of the above-mentioned industries in technology research and development, equipment manufacturing, and the comparative advantages of reasonable product prices, efficient and fast service, to promote the continuous development of the field of outsourcing engineering. The width and level have been gradually improved.

(7) Actively cultivate the momentum of innovation and development. Adhere to the leadership of innovation, encourage enterprises to carry out management innovation and model innovation of outsourcing projects, pay attention to the application of new concepts, new technologies and materials in the field of outsourced projects, seize the opportunities of digital, networked and intelligent development, and explore new growth momentum and development paths of outsourced projects. Promote enterprises to strengthen transnational innovation cooperation, enhance innovation capabilities, and adapt to the new trend of international contracted engineering cooperation and competition.

(8) Actively improve the capacity for sustainable development. In accordance with internationally accepted rules and standards, integrate the concept of sustainable development into the project selection, implementation, management and other aspects of outsourced projects, optimize and refine projects, promote resource conservation and efficient utilization, ensure the economic, social and environmental sustainability of projects, and create high-quality, sustainable, technologically advanced and green. Environmental protection is the core of China's construction brand. Guide enterprises to strengthen communication and integration of interests with the government, enterprises and the people of the host country, respect local customs and habits, carry out territorial management, promote local employment, pay attention to environmental protection, fulfill social responsibilities, and achieve sustainable development.

(9) Actively improve the level of international cooperation. Adhere to openness and tolerance, and encourage tripartite and multilateral cooperation with willing countries, international organizations, large multinational enterprises, international financial institutions, etc. in the design consulting, cost consulting, investment and financing, standardization of project construction, construction and operation management of foreign contracted projects. Through multi-party participation, give full play to the potential of all parties and achieve complementary advantages and win-win development. It provides enterprises to cooperate with international contracted engineering enterprises through acquisition, equity participation, joint ventures, etc., and create convenient conditions for participating in international competition at a higher level.

### **III. Strengthen the promotion and service of outsourced projects**

(10) Strengthen planning and guidance. Work with relevant governments and regional organizations to do a good job in the top-level design and planning guidance of foreign contracted engineering cooperation. Connect with local economic and social development strategies, specific cooperation needs and the use of development assistance, focus on the main areas of facilities connectivity, industrial promotion, people's livelihood improvement, green development and other major areas, and jointly agree on cooperation plans, policies and measures, and key projects to improve the scientificity and effectiveness of cooperation in foreign contracted projects.

(11) **Create** a good external environment. We will promote the construction of multilateral and bilateral intergovernmental coordination mechanisms, establish exchange platforms such as foreign contracting engineering cooperation working groups with key countries and regional organizations, strengthen communication and coordination, solve difficult problems, and steadily promote cooperation. Sign or update agreements with relevant countries and regions on free trade zones, investment protection, infrastructure cooperation, avoidance of double taxation, etc. to create a

transparent, stable and predictable cooperation environment. Adopt diversified media communication methods, so that the international community can keep abreast of the relevant information about the development of China's foreign contracting projects, tell Chinese stories well, and show a good image of China's construction brand.

**(12)** Enhance the capacity of financial services. Financial institutions are encouraged to innovate and enrich financial products and investment and financing models that serve the development of outsourcing projects under the premise of compliance in accordance with the law, controllable risks and business sustainability, and provide better financing and credit financing services. Eligible enterprises are encouraged to raise funds for foreign contracting projects through direct financing such as issuing stocks and bonds. We will improve the export credit insurance policy and give full play to the role of risk sharing and financing promotion. Expand the use of RMB settlement and RMB financial products in the field of outsourcing projects. Financial institutions are encouraged to enhance the ability to prevent and mitigate financing risks before the fact, and improve the sustainability of financial services outsourcing projects.

**(13)** Improve public information and facilitation services. We will enrich all kinds of public service products that promote the development of outsourcing projects, strengthen policy publicity and interpretation, provide timely information such as the national business environment and project cooperation needs, and regularly publish industry development reports. In accordance with the prevailing international rules and Chinese laws and regulations, it provides more accurate and effective facilitation services for externally contracted engineering enterprises and personnel in terms of entry and exit, customs clearance of goods, taxation, and settlement of domestic and foreign currency.

**(14)** Give full play to the role of industry organizations. Continue to support the development of relevant business (confesociation) and overseas Chinese-funded enterprise (co-confesociation), improve the self-discipline system, promote inter-enterprise cooperation, avoid disorderly and vicious competition, and safeguard the overall interests of the industry; provide professional services such as training, exhibitions, build promotion platforms, assist enterprises to explore the international market, and promote market diversification. Play a bridging and industry support role between governments, enterprises and foreign peer organizations, actively participate in the formulation of international rules and standards, and promote mutual recognition of standards and qualifications.

**(15)** Strengthen talent support and think tank construction. Support talents in relevant fields and disciplines to enter the external contracting engineering industry, introduce international talents, and build a talent team with international management capabilities. Innovate the talent training mechanism, encourage colleges and universities to set up disciplines and majors that match the development needs of outsourcing projects in combination with their own school running practice, and cultivate international talents. Support the construction of expert think tanks in the outsourcing engineering industry, strengthen research and analysis of industry development, and provide decision-making advice and intellectual support for governments and enterprises.

(16) Strengthen comprehensive professional services. Support China's international commercial dispute settlement agency to play a more effective role in the settlement of disputes over foreign contracted projects. Guide enterprises to use diversified dispute resolution mechanisms to properly resolve various disputes in the field of foreign contracted projects in accordance with the law. China's intermediary institutions such as legal consulting, investment consultants, engineering equipment quality and safety supervision, cost consulting, risk management, finance and taxation are encouraged to accelerate the pace of international integration and provide more effective professional services for the development of outsourced projects.

#### **IV. Improve the supervision and guarantee of foreign contracted projects**

(17) Improve the management mechanism. Implement the Regulations on the Administration of Outsourced Projects, strengthen the overall planning and coordination of the management of outsourced projects, constantly improve the management system of macro-direction and joint supervision of relevant departments of the State Council, local government territorial management, coordination and self-discipline of industry organizations, and close cooperation with the government of the country where the project is located, so as to promote the formation of clear responsibilities and coordinated. Effective and restrained working mechanism to create a good institutional and policy environment for the high-quality development of outsourced projects.

(18) Reform the management mode. We will further deepen the reform of "decentralization, management and service" of foreign contracted projects, establish a "filing + negative list" management method, and reduce the scope and links of government approval. We will improve the punishment provisions for illegal acts in foreign contracted projects, strengthen supervision during and after the event, strengthen statistical analysis and operation monitoring, make good use of key inspections and "double random and one open" spot checks, strengthen administrative law enforcement of foreign contracted projects, implement joint punishments for violations of laws and regulations, and effectively maintain fair competition and market rank. Order.

(19) Supervise enterprises to operate in compliance. We will promote enterprises to continuously enhance their compliance management capabilities, earnestly standardize the operation behavior of foreign contracted projects, strictly abide by the laws and regulations, relevant international rules and standards of China and the country where the project is located in key links such as project bidding, contract performance, labor rights and interests protection, environmental protection, consciously resist commercial bribery, and strictly prohibit projects. Send personnel to participate in gambling and other activities. We will promote the construction of a credit system for foreign economic cooperation, improve the provisions on the identification of dishonesty and information records of foreign contracted projects, and urge enterprises to operate in good faith.

(20) Strengthen risk prevention. Build a comprehensive risk prevention and control system and emergency response mechanism to serve the development of outsourcing projects, improve the overseas enterprises and foreign investment liaison service platform, and timely analyze, judge and warn of major risks in overseas political, economic, social, security, public opinion and other fields. Urge enterprises to improve the safety management system, implement risk prevention

measures, and improve the ability to deal with emergencies. We will do a good job in preventive consular protection and cooperate with relevant countries to ensure the safety and legitimate rights and interests of enterprises and personnel outside China.

#### **V. Organizational implementation**

Relevant departments and units should fully understand the importance of the development of foreign contracted projects, and take overall consideration into the overall situation of promoting the construction of the Belt and Road Initiative, "going global", building a new system of open economy, and cultivating new advantages of international economic cooperation and competition. Within the scope of their respective responsibilities, we should actively take targeted measures and solidly promote relevant work in accordance with the tasks identified in this opinion. The competent commercial departments should do a good job in the overall planning and coordination of the development of foreign contracted projects, establish and improve working mechanisms in conjunction with relevant departments and units, constantly improve management systems, policies and measures, study and solve major problems in a timely manner, and ensure the effective results of promoting the high-quality development of outsourced projects.

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