

Notice on Distributing the Manual of Guidance on Administration for Foreign Investment Access (2008 Edition)

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The competent commerce authorities of provinces, autonomous areas, municipalities directly under the Central government, separately planning cities and Xinjiang Production and Construction Corps, national economic and technological development zones, Xiamen Haicang Taiwanese Investment Zone, Shanghai Jinqiao Export Processing Zone, Hainan Yangpu Bonded Area, Ningbo Daxie Development Zone and Suzhou Industrial Zone:

For the purpose of in-depth implementation of the spirits of the State Council on administrative approval reform, the Ministry of Commerce has since 2008 intensified the strength in delegating the rights and authorities of examination and approval for establishment and alteration of foreign-invested enterprises. To simplify and regulate the administrative licensing of the competent commerce authorities of the country and enhance the openness of government affairs, the Department of Foreign Investment Administration of the Ministry of Commerce has, in accordance to the provisions of the existing relevant laws and regulations and operating practice, prepared the Manual of Guidance on Administration for Foreign Investment Access (Draft for solicitation of comments, 2008 Edition) for classified introduction to the examination and approval authorities, application and notification procedures, materials of application and notification and examination and time limit of approval for administrative licensing of foreign investment access of part of the services industries including foreign-invested joint stock companies and commerce. The advice of the persons present at the National Foreign Investment Examination and Approval Professional Training and Symposium was solicited, the draft for solicitation of comments was revised and the relevant provisions and interpretations of the administrations for industry and commerce were simultaneously supplemented for your reference in the work.

The examination and approval authorities at all levels shall, in strict accordance with the provisions of relevant state laws and regulations and the requirements of the related policies, constantly improve the capability for performing the duties according to law and better serving enterprises. The Department of Foreign Investment Administration of the Ministry of Commerce will irregularly update the Manual of Guidance on Administration for Foreign Investment Access in future and the competent commerce authorities at all levels are required to give timely feedback on the problems and proposals in the practical work.

Attachment: Manual of Guidance on Administration for Foreign Investment Access (2008 Edition) (Omitted)

Department of Foreign Investment Administration of the Ministry of Commerce

December 18, 2008

Non for distribution