



国务院关于发布实施《促进产业结构调整暂行规定》的决定

## Decision of the State Council on Promulgating the Interim Provisions on Promoting Industrial Structure Adjustment

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各省、自治区、直辖市人民政府，国务院各部委、各直属机构：

The people's governments of all provinces, autonomous regions, and municipalities directly under the Central Government, all ministries and commissions as well as all affiliated institutions of the State Council:

《促进产业结构调整暂行规定》（以下简称《暂行规定》）已经2005年11月9日国务院第112次常务会议审议通过，现予发布。

The "Interim Provisions on Promoting Industrial Structure Adjustment" (hereinafter referred to as the "Interim Provisions"), which were deliberated and adopted at 112th executive meeting of the State Council on November 9, 2005, are hereby promulgated.

制定和实施《暂行规定》，是贯彻落实党的十六届五中全会精神，实现“十一五”规划目标的一项重要举措，对于全面落实科学发展观，加强和改善宏观调控，进一步转变经济增长方式，推进产业结构调整和优化升级，保持国民经济平稳较快发展具有重要意义。

The formulation and implementation of the "Interim Provisions" is an important measure to implement the spirit of the fifth plenary session of the 16th CPC Central Committee, to achieve the objective of the "Eleventh Five-year" planning, and is of great significance to ensure the all-round implementation of the scientific view of development, to strengthen and improve macro-control, to further transform the ways of economic growth, to propel industrial structure adjustment, optimization and upgrading, and to keep the stable and fast development of the national economy. The people's governments of all provinces, autonomous regions, and municipalities directly under the Central Government shall take the promotion of industrial structure adjustment as an important reform and

各省、自治区、直辖市人民政府要将推进产业结构调整作为当前和今后一段时期改革发展的重要任务，建立责任制，狠

抓落实，按照《暂行规定》的要求，结合本地区产业发展实际，制订具体措施，合理引导投资方向，鼓励和支持发展先进生产能力，限制和淘汰落后生产能力，防止盲目投资和低水平重复建设，切实推进产业结构优化升级。各有关部门要加快制定和修订财税、信贷、土地、进出口等相关政策，切实加强和与产业政策的协调配合，进一步完善促进产业结构调整的政策体系。各省、自治区、直辖市人民政府和国家发展改革委、财政、税务、国土资源、环保、工商、质检、银监、电监、安全监管以及行业主管等有关部门，要建立健全产业结构调整工作的组织协调和监督检查机制，各司其职，密切配合，形成合力，切实增强产业政策的执行效力。在贯彻实施《暂行规定》时，要正确处理政府引导与市场调节之间的关系，充分发挥市场配置资源的基础性作用，正确处理发展与稳定、局部利益与整体利益、眼前利益与长远利益的关系，保持经济平稳较快发展。

development task at present and within a period in the future, establish the liability system, lay emphasis on implementation, and shall, in accordance with the "Interim Provisions" and in light of the local situation on industrial development, formulate specific measures, rationally guide the investment directions, encourage and support the development of advanced production capacities, restrict and eliminate outdated production capacities, prevent blind investments and low-level redundant construction, and effectively propel industrial structure optimization and upgrading. All relevant administrative departments shall speed up the formulation and amendment of policies on public finance, taxation, credit, land, import and export, etc., effectively intensify the coordination and cooperation with industrial policies, and further improve and promote the policy system on industrial structure adjustment. The people's governments of all provinces, autonomous regions, and municipalities directly under the Central Government, the relevant administrative departments of the state for development and reform, public finance, taxation, land resources, environmental protection, industry and commerce, quality inspection, banking supervision, electric power supervision, work safety supervision, as well as the administrative departments of all industries, etc. shall establish and improve the mechanism for organization, supervision and inspection of the industrial structure adjustment work, perform their respective duties, cooperate with each other closely, form a resultant force, and effectively intensify the effectiveness of implementing industrial policies. The relevant governments and departments shall, when implementing the "Interim Provisions", correctly deal with the relationship between government guidance and market regulation, give full play to the fundamental role of the market in allocating resources, correctly deal with the relationship between development and stability, that between partial interests and overall interests, and that between immediate interests and long-term interests, so as to keep the stable and fast development of the economy.

附件：促进产业结构调整暂行规定

Annex: Interim Provisions on Promoting Industrial Structure Adjustment

## 第一章 总则

## Chapter I General Provisions

第一条 为全面落实科学发展观，加强和改善宏观调控

Article 1 The present Provisions are formulated in accordance with the relevant laws and administrative regulations of the

，引导社会投资，促进产业结构优化升级，根据国家有关法律、行政法规，制定本规定。

state for the purpose of ensuring the all-round implementation of the scientific view of development, strengthening and improving the macro-control policy, guiding social investments, and promoting industrial structure optimization and upgrading.

第二条 产业结构调整的目标：

Article 2 Objectives of Industrial Structure Adjustment:

推进产业结构优化升级，促进一、二、三产业健康协调发展，逐步形成农业为基础、高新技术产业为先导、基础产业和制造业为支撑、服务业全面发展的产业格局，坚持节约发展、清洁发展、安全发展，实现可持续发展。

We shall propel industrial structure optimization and upgrading, promote the healthy and harmonious development of the first, second and third industries, gradually form the industry pattern with agriculture as the base, hi-tech industry as the forerunner, and basic industry and manufacturing industry as the support, under which the service industry develops in an all-round way. We shall also adhere to conservation-conscious development, clean development and safe development, and realize sustainable development.

第三条 产业结构调整的原则：

Article 3 Principles of Industrial Structure Adjustment:

坚持市场调节和政府引导相结合。充分发挥市场配置资源的基础性作用，加强国家产业政策的合理引导，实现资源优化配置。

Adhering to combining market regulation with government guidance. We shall give full play to the fundamental role of the market in allocating resources, strengthen the reasonable guidance of state industrial policies, and realize optimized resource allocation.

以自主创新提升产业技术水平。把增强自主创新能力作为调整产业结构的中心环节，建立以企业为主体、市场为导向、产学研相结合的技术创新体系，大力提高原始创新能力、集成创新能力和引进消化吸收再创新能力，提升产业整体技术水平。

Improving the industrial technological level through independent innovation. We shall regard the enhancement of independent innovation capabilities as the central element of adjusting the industrial structure, and establish a technical innovation system with enterprises as the principal part and market as the guidance, which combines production, study and research. We shall make great efforts to enhance the original innovation capabilities, integrated innovation capabilities, and the capabilities of import, digestion, absorption and re-innovation, and shall improve the overall industrial technological level.

坚持走新型工业化道路。以信息化带动工业化，以工业化促进信息化，走科技含量高、经济效益好、资源消耗低、环境污染少、安全有保障、人力资源优势得到充分发挥的发展道路，努力推进经济增长方式的根本转变。

Adhering to walking a new road to industrialization. We shall drive industrialization with informatization, and promote informatization with industrialization; walk a safeguarded development road with high scientific and technological contents, promising economic benefits, low consumption of resources, little environmental pollution, and full human resource advantages, and endeavor to propel the fundamental transformation of the way of economic growth.

促进产业协调健康发展。发展先进制造业，提高服务业比重和水平，加强基础设施

Promoting coordinated and healthy industrial development. We shall develop advanced manufacturing industry, increase the

建设, 优化城乡区域产业结构和布局, 优化对外贸易和利用外资结构, 维护群众合法权益, 努力扩大就业, 推进经济社会协调发展。

proportion and improve the level of the service industry, strengthen infrastructural construction, optimize urban and rural regional industrial structure and layout, optimize the structure of foreign trade and foreign capital utilization, maintain the lawful rights and interests of the masses, endeavor to boost employment, and propel the harmonious economic and social development.

## 第二章 产业结构调整的方向和重点

## Chapter II Directions and Key Points of Industrial Structure Adjustment

第四条 巩固和加强农业基础地位, 加快传统农业向现代农业转变。加快农业科技进步, 加强农业设施建设, 调整农业生产结构, 转变农业增长方式, 提高农业综合生产能力。稳定发展粮食生产, 加快实施优质粮食产业工程, 建设大型商品粮生产基地, 确保粮食安全。优化农业生产布局, 推进农业产业化经营, 加快农业标准化, 促进农产品加工转化增值, 发展高产、优质、高效、生态、安全农业。大力发展畜牧业, 提高规模化、集约化、标准化水平, 保护天然草场, 建设饲料草场基地。积极发展水产业, 保护和合理利用渔业资源, 推广绿色渔业养殖方式, 发展高效生态养殖业。因地制宜发展原料林、用材林基地, 提高木材综合利用率。加强农田水利建设, 改造中低产田, 搞好土地整理。提高农业机械化水平, 健全农业技术推广、农产品市场、农产品质量安全和动植物病虫害防控体系。积极推行节水灌溉, 科学使用肥料、农药, 促进农业可持续发展。

Article 4 Consolidating and strengthening the basic status of agriculture, and speeding up the transformation of traditional agriculture into modern agriculture. We shall speed up agricultural technical progress, strengthen the construction of agricultural facilities, adjust the agricultural production structure, transform the way of agricultural growth, and enhance the comprehensive agricultural production capacities. We shall stabilize and develop grain production, speed up the implementation of high-quality grain industry projects, build large commodity grain production bases, and guarantee the grain safety. We shall optimize the agricultural production layout, propel industrialized agricultural management, speed up agricultural standardization, promote agricultural product processing conversion value adding, and develop high-yield, high-quality, high-efficiency, ecological and safe agriculture. We shall make great efforts to develop animal husbandry, improve the level of scale production, intensification and standardization, protect natural grasslands, and build forage grassland bases. We shall actively develop aquaculture, protect and reasonably utilize fishery resources, extend green fishery breeding modes, develop high-efficiency ecological breeding industry. We shall develop materials forests, timber forest bases in light of local circumstances, and raise the rate of comprehensive utilization of timbers. We shall strengthen water conservancy construction of farmlands, improve low and medium-yielding fields, and do a good job in land rehabilitation. We shall improve the level of agricultural mechanization, and improve the agricultural technology extension, agricultural product markets, agricultural product quality safety, and the animal and plant disease and pest prevention and control system. In addition, we shall actively adopt water saving irrigation, scientifically use fertilizers and pesticides, and

第五条 加强能源、交通、水利和信息等基础设施建设，增强对经济社会发展的保障能力。

坚持节约优先、立足国内、煤为基础、多元发展，优化能源结构，构筑稳定、经济、清洁的能源供应体系。以大型高效机组为重点优化发展煤电，在生态保护基础上有序开发水电，积极发展核电，加强电网建设，优化电网结构，扩大西电东送规模。建设大型煤炭基地，调整改造中小煤矿，坚决淘汰不具备安全生产条件和浪费破坏资源的小煤矿，加快实施煤矸石、煤层气、矿井水等资源综合利用，鼓励煤电联营。实行油气并举，加大石油、天然气资源勘探和开发利用力度，扩大境外合作开发，加快油气领域基础设施建设。积极扶持和发展新能源和可再生能源产业，鼓励石油替代资源和清洁能源的开发利用，积极推进洁净煤技术产业化，加快发展风能、太阳能、生物质能等。

以扩大网络为重点，形成便捷、通畅、高效、安全的综合交通运输体系。坚持统筹规划、合理布局，实现铁路、公路、水运、民航、管道等运输方式优势互补，相互衔接，发挥组合效率和整体优势。加快发展铁路、城市轨道交通，重点建设客运专线、运煤通道、区域通道和西部地区铁路。完善国道主干线、西部地区公路干线，建设国家高速公路网，大力推进农村公路建设。优

Article 5 Strengthening the construction of infrastructures such as energy, traffic, water conservancy and information network, etc., and enhancing their capacities of guaranteeing economic and social development.

We shall adhere to the principles of giving priority to conservation, and relying on domestic resources, focusing on developing coal resources, and developing diverse energy resources, and put in place a system that supplies stable, economical and clean energy. We shall optimize and develop coal electricity by stressing large-type high-efficiency sets, orderly developing hydro-electric power on the basis of ecological protection, actively develop nuclear power, strengthen electric power network construction, optimize the structure of electric power network, and enlarge the scale of West-to-East power transmission. We shall build large-type coal bases, adjust and transform medium and small coal mines, firmly eliminate the small coal mines failing to meet work safety conditions and wasting or destroying resources, speed up comprehensive utilization of such resources as coal waste rocks, coal bed gas, mine drainage, etc., and encourage coal-electricity joint venture. We shall develop both petroleum and gas industry simultaneously, make greater efforts to explore, develop and utilize petroleum and natural gas resources, enlarge overseas cooperation and development, and speed up infrastructural construction in the areas of petroleum and natural gas. We shall actively support and develop new energy and renewable energy industries, encourage the development and utilization of substitute resources for petroleum, and clean energy, as well, actively propel the industrialization of clean coal technology, and speed up the development of wind power, solar energy, and biomass energy, etc.

We shall, by stressing network enlargement, form a convenient, expedite, high-efficiency, safe comprehensive traffic and transport system. We shall, by adhering to the overall planning and reasonable layout, realize mutual complement of advantages of the modes of transport by railway, by highway, by water, by civil aviation, and by pipeline, etc., and give play to the composite efficiency and overall advantages through mutual connection. We shall speed up the development of railways and urban track traffic network, emphatically build special passenger transport avenues, coal transport avenues,

先发展城市公共交通。加强集装箱、能源物资、矿石深水码头建设，发展内河航运。扩充大型机场，完善中型机场，增加小型机场，构建布局合理、规模适当、功能完备、协调发展的机场体系。加强管道运输建设。

加强水利建设，优化水资源配置。统筹上下游、地表地下水资源调配、控制地下水开采，积极开展海水淡化。加强防洪抗旱工程建设，以堤防加固和控制性水利枢纽等防洪体系为重点，强化防洪减灾薄弱环节建设，继续加强大江大河干流堤防、行蓄洪区、病险水库除险加固和城市防洪骨干工程建设，建设南水北调工程。加大人畜饮水工程和灌区配套工程建设改造力度。

加强宽带通信网、数字电视网和下一代互联网等信息基础设施建设，推进“三网融合”，健全信息安全保障体系。

regional avenues, and railways in Western Regions. We shall improve the major arterial national highways and arterial highways in Western Regions, build national expressway network, and make great efforts to propel the construction of rural highways. We shall give priority to the development of urban public traffic, strengthen the construction of deepwater harbors for containers, energy resources and ores, and develop inland water navigation. We shall enlarge large airports, improve medium airports, increase small airports, and build up a harmoniously developing airport system with reasonable layout, appropriate scale and complete functions. We shall strengthen the construction of pipeline transport.

We shall strengthen water conservancy construction, and optimize water resource allocation. We shall make a unified planning on upriver and downriver water resources as well as surface water and underground water resources, control the exploitation of underground water, and actively desalt seawater. We shall strengthen flood prevention and drought-resistant project construction, intensify the construction to lessen the weak points in flood prevention and disaster reduction by stressing the reinforcement of embankment, key controlling water conservancy projects and other flood prevention systems, and continue reinforcing the embankments of big rivers, flood passage or storage basins, eliminating the dangers of dangerous reservoirs, strengthening backbone urban flood prevention projects construction, and constructing the South-North Water Diversion Project. We shall intensify our efforts in constructing and transforming drinking water projects for both people and stock and the auxiliary projects in irrigation areas.

We shall strengthen the construction of information infrastructures such as wide band communication network, digital television network and the next generation of Internet, etc., propel the integration of the three kinds of networks, and improve the information safeguarding system.

第六条 以振兴装备制造业为重点发展先进制造业，发挥其对经济发展的重要支撑作用。

装备制造业要依托重点建设工程，通过自主创新、引进技术、合作开发、联合制造等

Article 6 Developing advanced manufacturing industry by stressing the promotion of equipment manufacturing industry, and giving play to its important supporting function to the economic development.

The equipment manufacturing industry shall depend on major construction projects, improve the localization of important technical equipment through independent innovation,

方式, 提高重大技术装备国产化水平, 特别是在高效清洁发电和输变电、大型石油化工、先进适用运输装备、高档数控机床、自动化控制、集成电路设备、先进动力装备、节能降耗装备等领域实现突破, 提高研发设计、核心元器件配套、加工制造和系统集成整体水平。

坚持以信息化带动工业化, 鼓励运用高新技术和先进适用技术改造提升制造业, 提高自主知识产权、自主品牌和高端产品比重。根据能源、资源条件和环境容量, 着力调整原材料工业的产品结构、企业组织结构和产业布局, 提高产品质量和技术含量。支持发展冷轧薄板、冷轧硅钢片、高浓度磷肥、高效低毒低残留农药、乙烯、精细化工、高性能差别化纤维。促进炼油、乙烯、钢铁、水泥、造纸向基地化和大型化发展。加强铁、铜、铝等重要资源的地质勘查, 增加资源地质储量, 实行合理开采和综合利用。

第七条 加快发展高技术产业, 进一步增强高技术产业对经济增长的带动作用。

增强自主创新能力, 努力掌握核心技术和关键技术, 大力开发对经济社会发展具有重大带动作用的高新技术, 支持开发重大产业技术, 制定重要技术标准, 构建自主创新的技术基础, 加快高技术产业从加

technology import, cooperative development, combined manufacturing, etc., break through especially in the areas such as high-efficiency clean power generation and power transmission and transformation, large petroleum chemical and advanced applicable transport equipment, high-class numerical control machine tools, automation control and integrated circuit equipment, advanced power equipment, energy conservative and consumption reducing equipment, etc., improve the overall level of research and development design, supply, processing, manufacturing, and systematic integration of core elements and parts.

We shall adhere to driving industrialization with informatization, encourage the adoption of hi-techs and advanced applicable technologies to transform and enhance the manufacturing industry, and increase the proportions of independent intellectual property rights, independent brands and high-end products. We shall, in light of the energy and resource conditions as well as environmental capacity, emphatically adjust the product structure in the raw material industry, enterprise organization structure and industry layout, and improve product quality and technical content. We shall support the development of cold rolled stainless steel sheets, cold rolled silicon steel, high-density phosphate fertilizer, high-efficiency low-toxic and less-persistent pesticides, ethylene, fine chemical industry, and high-performance differentiated fibers. We shall urge the industries of oil refining, ethylene, steel, cement and paper making to develop towards those of large bases and of large scale. We shall strengthen the geological survey of important resources such as iron, copper and aluminum, etc., increase the geological reserve of resources, and practice rational exploitation and comprehensive utilization.

Article 7 Speeding up the development of hi-tech industry, and further strengthening the driving function of hi-tech industry to economic growth.

We shall enhance independent innovation capabilities, endeavor to grasp core and key technologies, make great efforts to develop the hi-techs which are of great importance to driving economic and social development, support and develop major industry technologies, formulate important technical standards, build technical bases for independent innovations, speed up the extension of hi-tech industry from processing and



工装配为主向自主研发制造

assembling to independent research and development

延伸。按照产业聚集、规模化发展和扩大国际合作的要求,大力发展信息、生物、新材料、新能源、航空航天等产业,培育更多新的经济增长点。优先发展信息产业,大力发展集成电路、软件等核心产业,重点培育数字化音视频、新一代移动通信、高性能计算机及网络设备等信息产业群,加强信息资源开发和共享,推进信息技术的普及和应用。充分发挥我国特有的资源优势和技术优势,重点发展生物农业、生物医药、生物能源和生物化工等生物产业。加快发展民用航空、航天产业,推进民用飞机、航空发动机及机载系统的开发和产业化,进一步发展民用航天技术和卫星技术。积极发展新材料产业,支持开发具有技术特色以及可发挥我国比较优势的光电子材料、高性能结构和新型特种功能材料等产品。

manufacturing. We shall, in light of the requirements on industry gathering, scale development and enlargement of international cooperation, make great efforts to develop industries in the areas of information, biology, new materials, new energy, aviation and spaceflight, etc., and cultivate more new economic growth points. We shall give priority to developing information industry, make great efforts to develop core industries of integrated circuits and software, etc., emphatically cultivate information industry clusters in respect of digital audio and video frequency, the new generation of mobile communication, high-performance computer and network equipment, etc., strengthen information resource development and sharing, and propel the dissemination and application of information technologies. We shall give full play to China's special resource advantages and technical advantages, emphatically develop biologic industries such as bio-agriculture, bio-medicine, bio-energy, bio-chemical industry, etc. We shall speed up the development of civil aviation and space industry, propel the development and industrialization of civil aircrafts, aeroengines and airborne systems, and further develop civil space technologies and satellite technologies. We shall actively develop new materials industry, support and develop the photoelectronic materials which have technical characteristics and may exert the comparative advantages in China, as well as products such as materials with high-performance structure and special new functions.

第八条 提高服务业比重,优化服务业结构,促进服务业全面快速发展。坚持市场化、产业化、社会化的方向,加强分类指导和有效监管,进一步创新、完善服务业发展的体制和机制,建立公开、平等、规范的行业准入制度。发展竞争力较强的大型服务企业集团,大城市要把发展服务业放在优先地位,有条件的要逐步形成服务经济为主的产业结构。增加服务品种,提高服务水平,增强就业能力,提升产业素质。大力发展金融、保险、

Article 8 Increasing the proportion of the service industry, optimizing the structure of the service industry, and promoting the all-round and rapid development of the service industry. We shall adhere to the directions towards market, industrialization and socialization, strengthen the classified guidance and effective supervision, further innovate and improve the systems and mechanisms for service industry development, and establish a public, equal and regular industry access system. We shall develop large service enterprise groups with strong competitive strength. The big cities shall put the development of the service industries on a prior status, and the conditioned big cities shall gradually form an industrial structure mainly composed of service economy. We shall increase service varieties, improve our service level, and enhance the employment capacity and industrial quality. We shall make



物流、信息和法律服务、会计、知识产权、技术、设计、咨询服务等现代服务业，积极发展文化、旅游、社区服务等需求潜力大的产业，加快教育培训、养老服务、医疗保健等领域的改革和发展。规范和提升商贸、餐饮、住宿等传统服务业，推进连锁经营、特许经营、代理制、多式联运、电子商务等组织形式和服务方式。

great efforts to develop finance, insurance, logistics, information and legal services, accounting, intellectual property rights, technology, design, consulting service and other similar modern service industries, actively develop the industries with big potentiality of demands such as cultural industry, tourism industry, and community service industry, etc., and speed up the reform and development in the areas of education, training, services for the aged, medical treatment, health care, etc. We shall regulate and enhance traditional service industries such as commercial trade, catering and accommodation, etc., propel such organizational forms and service modes as chained operation, franchise, agency system, multi-modal transport, and electronic commerce, etc.

第九条 大力发展循环经济，建设资源节约和环境友好型社会，实现经济增长与人口资源环境相协调。坚持开发与节约并重、节约优先的方针，按照减量化、再利用、资源化原则，大力推进节能节水节地节材，加强资源综合利用，全面推行清洁生产，完善再生资源回收利用体系，形成低投入、低消耗、低排放和高效率的节约型增长方式。积极开发推广资源节约、替代和循环利用技术和产品，重点推进钢铁、有色、电力、石化、建筑、煤炭、建材、造纸等行业节能降耗技术改造，发展节能省地型建筑，对消耗高、污染重、危及安全生产、技术落后的工艺和产品实施强制淘汰制度，依法关闭破坏环境和不具备安全生产条件的企业。调整高耗能、高污染产业规模，降低高耗能、高污染产业比重。鼓励生产和使用节约性能好的各类消费品，形成节约资源的消费模式。大力发展环保产业，以控制不合理的资源开发为重点，强化对水资源、

Article 9 Making great efforts to develop circular economy, building a resource saving and environment-friendly society, and realizing the harmony of economic growth and population resource environment. We shall adhere to the guidelines of stressing both development and conservation but giving priority to the latter, and shall, in compliance with the reduction-based, re-utilization, resource-based principles, make great efforts to propel the conservation of energy, water, land and materials, strengthen comprehensive utilization of resources, adopt all-round clean production, improve a renewable resource recycling and utilization system, and form a low-cost, low-consumption, low-discharge and high-efficiency conservation-conscious way of growth. We shall actively develop and spread resource conserving, substitutive and circular utilization technologies and products, emphatically propel the transformation of energy conserving and consumption reducing technologies in the industries of steel, non-ferrous metal, electric power, petroleum chemistry, construction, coal, building materials, paper making, etc., develop energy conserving and land saving buildings, applying mandatory elimination system to the techniques and products with high energy consumption, serious pollution, work safety endangering, and outdated technologies, and lawfully close up enterprises that destroy environment and fail to meet work safety conditions. We shall adjust the scale of industries with high energy consumption and serious pollution, and decrease the proportion of such industries. We shall encourage the production and use of various consumables with good conserving performance, and form a consumption mode of conserving resources. In addition,

土地、森林、草原、海洋等的生态保护。

we shall make great efforts to develop the environmental protection industry, and intensify the ecological protection of water resources, land, forests, grasslands, and sea, etc. by stressing the control of unreasonable resource development.

第十条 优化产业组织结构，调整区域产业布局。提高企业规模经济水平和产业集中度，加快大型企业发展，形成一批拥有自主知识产权、主业突出、核心竞争力强的大公司和企业集团。充分发挥中小企业的的作用，推动中小企业与大企业形成分工协作关系，提高生产专业化水平，促进中小企业技术进步和产业升级。充分发挥比较优势，积极推动生产要素合理流动和配置，引导产业集群化发展。西部地区要加强基础设施建设和生态环境保护，健全公共服务，结合本地资源优势发展特色产业，增强自我发展能力。东北地区要加快产业结构调整 and 国有企业改革改组改造，发展现代农业，着力振兴装备制造业，促进资源枯竭型城市转型。中部地区要抓好粮食主产区建设，发展有比较优势的能源和制造业，加强基础设施建设，加快建立现代市场体系。东部地区要努力提高自主创新能力，加快实现结构优化升级和增长方式转变，提高外向型经济水平，增强国际竞争力和可持续发展能力。从区域发展的总体战略布局出发，根据资源环境承载能力和发展潜力，实行优化开发、重点开发、限制开发和禁止开发等有区别的区域产业布局。

Article 10 Optimizing the industrial organizational structure, and adjusting the regional industrial layout. We shall improve the enterprises' level of economy of scale and the extent of their industrial concentration, speed up the development of large enterprises, and form a group of large companies and enterprise groups with independent intellectual property rights, prominent performance, and strong core competitive strength. We shall give full play to the functions of medium and small enterprises, propel medium and small enterprises to form the work division and coordination relationship with large enterprises, improve their professional level of production, and promote the technical progress and industry upgrading of medium and small enterprises. We shall give full play to the comparative advantages, actively propel rational flow and allocation of production factors, and guide clustered development of industries. The Western Regions shall strengthen infrastructural construction and ecological environmental protection, improve public services, develop characteristic industries and enhance their self-development capabilities in light of local resource advantages. The Northeastern Regions shall speed up the industrial structure adjustment and state-owned enterprise reform and restructuring, develop modern agriculture, emphatically promote the equipment manufacturing industry, and promote the transformation of resource-exhausted cities. The Middle Regions shall do a good job in the construction of main grain-producing areas, develop energy and manufacturing industries with comparative advantages, strengthen infrastructural construction, and speed up building a modern market system. The Eastern Regions shall endeavor to improve independent innovation capabilities, speed up realizing the optimization and upgrading of structure and the transformation of the way of growth, improve the level of global-market-oriented economy, and enhance the international competitive strength and sustainable development capacity. They shall, by starting from the overall strategy layout of regional development, and on the basis of the bearing capacities of resources and environment as well as the development potentiality, adopt different regional

industry layouts of optimized development, key development, restricted development and prohibited development, etc.

第十一条 实施互利共赢的开放战略，提高对外开放水平，促进国内产业结构升级。加快转变对外贸易增长方式，扩大具有自主知识产权、自主品牌的商品出口，控制高能耗高污染产品的出口，鼓励进口先进技术和国内短缺资源。支持有条件的企业“走出去”，在国际市场竞争中发展壮大，带动国内产业发展。提高加工贸易的产业层次，增强国内配套能力。大力发展服务贸易，继续开放服务市场，有序承接国际现代服务业转移。提高利用外资的质量和水平，着重引进先进技术、管理经验和高素质人才，注重引进技术的消化吸收和创新提高。吸引外资能力较强的地区和开发区，要着重提高生产制造层次，并积极向研究开发、现代物流等领域拓展。

Article 11 Implementing the mutual-benefit and win-win opening strategy, improving the level of opening up, and promoting domestic industrial structure upgrading. We shall speed up transforming the way of foreign trade growth, enlarge the export of commodities with independent intellectual property rights and independent brands, control the export of products with high energy consumption and serious pollution, and encourage the import of advanced technologies, equipment and resources in short supply in China. We shall support conditioned enterprises to "Go Global", and to develop and grow up in international market competition, so as to drive the development of domestic industries. We shall improve the industrial level of processing trade, and enhance the domestic capacity of coordinated production. We shall make great efforts to develop service trade, continue opening service markets, and orderly undertake the transfer of international modern service industries. We shall improve the quality and level of utilization of foreign capital, emphatically import advanced technologies, management experiences and high-quality talents, and pay attention to the digestion, absorption, innovation and improvement of the imported technologies. The regions and development zones which have strong capacities of absorbing foreign investments shall emphatically improve the level of production and manufacture, and actively extend themselves to the areas of research, development, and modern logistics, etc.

### 第三章 产业结构调整指导目录

### Chapter III Catalogue for the Guidance of Industrial Structure Adjustment

第十二条 《产业结构调整指导目录》是引导投资方向，政府管理投资项目，制定和实施财税、信贷、土地、进出口等政策的重要依据。

《产业结构调整指导目录》由发展改革委同国务院有关部门依据国家有关法律法规制订，经国务院批准后公布。根据实际情况，需要对《产业结构调整指导目录》进行部分

Article 12 The "Catalogue for the Guidance of Industrial Structure Adjustment" is the important basis for guiding investment directions, and for the governments to administer investment projects, to formulate and enforce policies on public finance, taxation, credit, land, import and export, etc. The "Catalogue for the Guidance of Industrial Structure Adjustment" shall be formulated in accordance with the relevant laws and regulations of the state by the State Development and Reform Commission jointly with the relevant administrative departments of the State Council, and be promulgated upon approval of the State Council. If, when required by the actual

调整时，由发展改革委会同国务院有关部门适时修订并公布。

《产业结构调整指导目录》原则上适用于我国境内的各类企业。其中外商投资按照《外商投资产业指导目录》执行。《产业结构调整指导目录》是修订《外商投资产业指导目录》的主要依据之一。《产业结构调整指导目录》淘汰类适用于外商投资企业。《产业结构调整指导目录》和《外商投资产业指导目录》执行中的政策衔接问题由发展改革委同商务部研究协商。

situation, the "Catalogue for the Guidance of Industrial Structure Adjustment" needs to be partially adjusted, it shall be timely amended and promulgated by the State Development and Reform Commission jointly with the relevant administrative departments of the State Council.

In principle, the "Catalogue for the Guidance of Industrial Structure Adjustment" shall apply to various types of enterprises inside China. The foreign investments of such enterprises shall be governed by the "Catalogue for the Guidance of Foreign Investment Industries". The "Catalogue for the Guidance of Industrial Structure Adjustment" is the main basis for amending the "Catalogue for the Guidance of Foreign Investment Industries". The industries of the eliminated category under the "Catalogue for the Guidance of Industrial Structure Adjustment" shall apply to foreign-funded enterprises. The policy connection of the "Catalogue for the Guidance of Industrial Structure Adjustment" and the "Catalogue for the Guidance of Foreign Investment Industries" in implementation shall be subject to the deliberation and negotiation of the State Development and Reform Commission and the Ministry of Commerce.

第十三条 《产业结构调整指导目录》由鼓励、限制和淘汰三类目录组成。不属于鼓励类、限制类和淘汰类，且符合国家有关法律、法规和政策规定的，为允许类。允许类不列入《产业结构调整指导目录》。

Article 13 The "Catalogue for the Guidance of Industrial Structure Adjustment" is composed of three categories of industries, namely, the encouraged category, the restricted category and the eliminated category. The industries not belonging to the encouraged category, the restricted category or the eliminated category, but conforming to the relevant laws, regulations and policies of the state, shall belong to the permitted category. The industries of the permitted category are not listed into the "Catalogue for the Guidance of Industrial Structure Adjustment".

第十四条 鼓励类主要是对经济社会发展有重要促进作用，有利于节约资源、保护环境、产业结构优化升级，需要采取政策措施予以鼓励和支持的关键技术、装备及产品。按照以下原则确定鼓励类产业指导目录：

Article 14 The encouraged category mainly include the key technologies, equipment and products which are to be encouraged and supported with policies and measures, have important promoting functions to economic and social development, and are conducive to resource saving, environmental protection, and industrial structure optimization and upgrading. We shall, in compliance with the following principles, determine the catalogue for the guidance of encouraged industries:

（一）国内具备研究开发、产业化的技术基础，有利于

1. Having technical base for research, development and

技术创新，形成新的经济增长点；

（二）当前和今后一个时期有较大的市场需求，发展前景广阔，有利于提高短缺商品的供给能力，有利于开拓国内外市场；

（三）有较高技术含量，有利于促进产业技术进步，提高产业竞争力；

（四）符合可持续发展战略要求，有利于安全生产，有利于资源节约和综合利用，有利于新能源和可再生能源开发利用、提高能源效率，有利于保护和改善生态环境；

（五）有利于发挥我国比较优势，特别是中西部地区和东北地区等老工业基地的能源、矿产资源与劳动力资源等优势；

（六）有利于扩大就业，增加就业岗位；

（七）法律、行政法规规定的其他情形。

industrialization in China, and being conducive to technical innovations and to forming a new economic growth point;

2. Having large market demands and a wide development prospect at present and within a period in the future, and being conducive to improving the capacity of supplying commodities in short supply, and conducive to developing domestic and overseas markets;

3. Having high technical content, and being conducive to promoting industrial technical progress and to improving the industrial competitive strength;

4. Meeting the requirements of the sustainable development strategy, being conducive to the work safety, conducive to conservation and comprehensive utilization of resources, conducive to the development and utilization of new energy and renewable energy, conducive to improving energy efficiency, and conducive to protecting and improving ecological environment;

5. Being conducive to giving play to China's comparative advantages, especially the advantages of the old industrial bases in the Middle and Western Regions and the Northeastern Regions, etc. in respect of energy, mineral resources and labor resources, etc.;

6. Being conducive to boosting employment, and increasing job positions; and

7. Other circumstances prescribed in laws and administrative regulations.

第十五条 限制类主要是工艺技术落后，不符合行业准入条件和有关规定，不利于产业结构优化升级，需要督促改造和禁止新建的生产能力、工艺技术、装备及产品。按照以下原则确定限制类产业指导目录：

（一）不符合行业准入条件，工艺技术落后，对产业结构没有改善；

（二）不利于安全生产；

（三）不利于资源和能源节约；

（四）不利于环境保护和生态系统的恢复；

Article 15 The restricted category mainly include the production capacities, techniques, equipment and products which have outdated techniques, do not meet the conditions for industry access or the relevant provisions, are unconducive to industrial structure optimization and upgrading, need to be transformed or prohibited from being newly built. The catalogue for the guidance of the restricted industries shall be determined in compliance with the following principles:

1. Not conforming to the conditions for industry access, with outdated techniques, and of no use to improve the industrial structure;

2. Being unconducive to work safety;

3. Being unconducive to conservation of resources or energy;

4. Being unconducive to environmental protection or resumption of the ecological system;

5. Being under serious low-level redundant construction, and

(五) 低水平重复建设比较严重，生产能力明显过剩；  
(六) 法律、行政法规规定的其他情形。

with obviously surplus production capacities; and  
6. Other circumstances prescribed in laws and administrative regulations.

第十六条 淘汰类主要是不符合有关法律法规规定，严重浪费资源、污染环境、不具备安全生产条件，需要淘汰的落后工艺技术、装备及产品。按照以下原则确定淘汰类产业指导目录：

Article 16 The eliminated category mainly include the outdated techniques, equipment and products which do not conform to the relevant laws and regulations, seriously waste resources, pollute environment, do not meet the work safety conditions, and need to be eliminated. The catalogue for the guidance of eliminated industries shall be determined in compliance with the following principles:

- (一) 危及生产和人身安全，不具备安全生产条件；
- (二) 严重污染环境或严重破坏生态环境；
- (三) 产品质量低于国家规定或行业规定的最低标准；
- (四) 严重浪费资源、能源；
- (五) 法律、行政法规规定的其他情形。

- 1. Endangering production or personal safety, and not meeting the work safety conditions;
- 2. Seriously polluting the environment or seriously destroying the ecological environment;
- 3. The product quality is lower than the minimum standard prescribed by the state or the industry;
- 4. Seriously wasting resources or energy; and
- 5. Other circumstances prescribed in laws and administrative regulations.

第十七条 对鼓励类投资项目，按照国家有关投资管理规定进行审批、核准或备案；各金融机构应按照信贷原则提供信贷支持；在投资总额内进口的自用设备，除财政部发布的《国内投资项目不予免税的进口商品目录（2000年修订）》所列商品外，继续免征关税和进口环节增值税，在国家出台不予免税的投资项目目录等新规定后，按新规定执行。对鼓励类产业项目的其他优惠政策，按照国家有关规定执行。

Article 17 The encouraged investment projects shall be examined, approved, ratified or archived in accordance with the relevant provisions of the state on investment administration. All financial institutions shall provide credit supports in compliance with credit principles. The equipment shall be imported within the total amount of investments for the importer's own use. Except for the commodities listed in the "Catalogue of Non-tax Free Imported Commodities for Domestic Investment Projects (Amended in 2000)" promulgated by the Ministry of Finance, the abovementioned equipment shall still be exempted from customs duties and import value-added tax, and shall, after the new provisions such as the catalogue of investment projects exempted from no tax have been promulgated, be governed by such new provisions. As for other preferential policies on encouraged industry projects, the relevant provisions of the state shall apply.

第十八条 对属于限制类的新建项目，禁止投资。投资管理部门不予审批、核准或备案，各金融机构不得发放

Article 18 Investments are prohibited from being contributed to projects of the restricted category. The investment administrative department shall not examine, approve, ratify or archive the projects of the restricted category. No financial

贷款，土地管理、城市规划和建设、环境保护、质检、消防、海关、工商等部门不得办理有关手续。凡违反规定进行投融资建设的，要追究有关单位和人员的责任。

对属于限制类的现有生产能力，允许企业在一定期限内采取措施改造升级，金融机构按信贷原则继续给予支持。国家有关部门要根据产业结构优化升级的要求，遵循优胜劣汰的原则，实行分类指导。

第十九条 对淘汰类项目，禁止投资。各金融机构应停止各种形式的授信支持，并采取措回收已发放的贷款；各地区、各部门和有关企业要采取有力措施，按规定限期淘汰。在淘汰期限内国家价格主管部门可提高供电价格。对国家明令淘汰的生产工艺技术、装备和产品，一律不得进口、转移、生产、销售、使用和采用。

对不按期淘汰生产工艺技术、装备和产品的企业，地方各级人民政府及有关部门要依据国家有关法律法规责令其停产或予以关闭，并采取妥善措施安置企业人员、保全金融机构信贷资产安全等；其产品属实行生产许可证管理的，有关部门要依法吊销生产许可证；工商行政管理部门要督促其依法办理变更登记或注销登记；环境保护管理部门要吊销其排污许可证；电力供应企业要依法停止供电。对违反规定者

institution shall grant loans for such projects, and no administrative department of land administration, urban planning, construction, environmental protection, quality inspection, fire prevention, customs, or industry and commerce, etc. shall handle the relevant procedures for such projects. In case of any violation of the provisions to carry out construction based on investment or financing, the relevant entities and persons shall be subject to liabilities.

With respect to the existing production capacities in a restricted industry, the enterprises shall be allowed to, within a certain period, take measures to transform or upgrade themselves, and the financial institutions shall, in compliance with the credit principles, continue providing supports. The relevant administrative department of the state shall, when required by industrial structure optimization and upgrading, comply with the principle of survival of the fittest to provide classified guidance.

Article 19 Investments are prohibited from being contributed to projects of the eliminated category. All financial institutions shall stop various forms of credit granting supports to such projects, and take measures to recover the granted loans. All localities and departments as well as the relevant enterprises shall take powerful measures to eliminate such projects within the prescribed time limit. The state price administrative department may, within the time limit for elimination, raise the electricity price. No production technique, equipment or product to be eliminated by the state by explicit order may be imported, transferred, produced, sold, used or adopted.

If any enterprise of the eliminated category refuses to eliminate the production technique, equipment or products, the local people's government at each level and the relevant administrative department shall, in accordance with the relevant laws and regulations of the state, order it to stop production or close it, and shall take appropriate measures to resettle the employees of the enterprise, and guarantee the safety of financial institutions' credit assets, etc. If its products are subject to the administration by permit for production, the relevant administrative department shall lawfully revoke its permit for production; the administrative department for industry and commerce shall urge it to lawfully go through modification registration or nullification registration; the administrative department of environmental protection shall revoke its permit for pollution discharge; and the electric power supply enterprise



，要依法追究直接责任人和有关领导的责任。

shall lawfully stop supplying electricity to it. If any enterprise violates the provisions, its persons directly held liable and the relevant leaders shall be subject to liabilities in accordance with the law.

#### 第四章 附 则

#### Chapter IV Supplementary Provisions

第二十条 本规定自发布之日起施行。原国家计委、国家经贸委发布的《当前国家重点鼓励发展的产业、产品和技术目录（2000年修订）》、原国家经贸委发布的《淘汰落后生产能力、工艺和产品的目录（第一批、第二批、第三批）》和《工商投资领域制止重复建设目录（第一批）》同时废止。

Article 20 The present Provisions shall come into force on the date of promulgation. The "Catalogue of Industries, Products and Technologies Emphatically Encouraged by the State to Be Developed (Amended in 2000)" promulgated by the former State Planning Commission and former State Economic and Trade Commission, as well as the "Catalogue of Outdated Production Capacities, Techniques and Products to Be Eliminated (Batch I, Batch II and Batch III)" and "Catalogue of Projects Stopped from Redundant Construction in the Area of Industrial and Commercial Investment (Batch I)" promulgated by the former State Economic and Trade Commission shall be repealed simultaneously.

第二十一条 对依据《当前国家重点鼓励发展的产业、产品和技术目录（2000年修订）》执行的有关优惠政策，调整为依据《产业结构调整指导目录》鼓励类目录执行。外商投资企业的设立及税收政策等执行国家有关外商投资的法律、行政法规规定。

Article 21 The relevant preferential policies implemented in accordance with the "Catalogue of Industries, Products and Technologies Emphatically Encouraged by the State to Be Developed (Amended in 2000)" shall be adjusted into those implemented in accordance with the Catalogue of Encouraged Industries in the "Catalogue for the Guidance of Industrial Structure Adjustment". The establishment of foreign-funded enterprise and the relevant taxation policies, etc. shall be governed by the relevant laws and administrative regulations of the state on foreign investments.