

## 鼓励外商投资产业目录（2022年版）解读

### Interpretation on Catalogue of Industries for Encouraging Foreign Investment (2022 Edition)

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两个月前，国家发展改革委、商务部等部门联合印发《关于以制造业为重点促进外资扩增量稳存量提质量的若干政策措施》（“《若干政策措施》”），聚焦制造业引资，提出了“高标准落实外资准入后国民待遇”“支持制造业外资企业进出口”“引导制造业外商投资企业国内梯度转移”等 15 项具体措施，着力提高利用外资质量。我们也对上述政策措施做了解读，详情请查看我们公众号于 2022 年 11 月 11 日发布的双语版《六部门印发新政策：以制造业为重点 推动外商投资企业高质量发展》（上下篇）。

Two months ago, the National Development and Reform Commission, the Ministry of Commerce and other departments jointly issued *Several Policies and Measures on Promoting Foreign Investment to Expand the Increment, Stabilize the Stock and Improve the Quality by focusing on the Manufacturing Industry* (“*Several Policies and Measures*”), focusing on attracting foreign investment in the manufacturing industry, and proposing 15 specific measures such as “To implement the national treatment after the admission of foreign investment with a high standard”, “To support the import and export of foreign-invested manufacturing enterprises”, and “To guide the domestic gradient transfer of foreign-invested manufacturing enterprises”, etc., striving to improve the quality of foreign investment utilization. We have also interpreted the above policies and measures. For details, please check the bilingual version of “*A New Policy Issued by Six Departments: Focusing on the Manufacturing Industry to Promote High-Quality Development of Foreign-Invested Enterprises*” (Part I and Part II) released on our official account on November 11, 2022.

2022 年 10 月 28 日，国家发展改革委、商务部紧随其后，联合发布《鼓励外商投资产业目录（2022 年版）》（包括全国目录和中西部地区目录）（“鼓励目录”），将于 2023 年 1 月 1 日施行，2020 年版鼓励目录同时废止。

On October 28, 2022, the National Development and Reform Commission and the Ministry of Commerce then jointly released the *Catalogue of Industries for Encouraging Foreign Investment (2022 Edition)* (including the National Catalogue and the Central and Western Regions Catalogue) (“Encouragement Catalogue”), which will come into force on January 1, 2023, and the 2020 edition of the Encouragement Catalogue will be abolished at the same time.

全国目录在增加条目数量、优化目录结构的基础上，聚焦制造业高质量发展，加快促进技术迭代升级；中西部目录在因地制宜、统筹考虑各地方资源禀赋和产业条件的基础上，新增或扩展了有关条目，进一步优化外资区域布局。不仅如此，“以制造业为重点提高引资质量”也是其中的修订重点，在保持已有鼓励政策基本稳定的基础上，按照“总量增加、结构优化”原则，进一步扩大鼓励外商投资范围。今天，我们就着重为大家解读鼓励目录。

On the basis of increasing the number of items and optimizing the catalogue structure, the National Catalogue focuses on the high-quality development of the manufacturing industry and accelerating the promotion of technology iteration and upgrading; further, on the basis of suiting measures to local conditions and taking overall consideration of local resource endowments and industrial conditions, the Central and Western Regions Catalogue has added or expanded relevant items to further optimize the regional layout of foreign investment. Moreover, “focusing on manufacturing industry to improve the quality of investment attraction” is also the key point of the revision, that is to further expand the scope of foreign investment on the basis of maintaining the stability of the existing incentive policies and also in accordance with the principle of "increasing the total amount and optimizing the structure". Today, we will focus on interpreting the Encouragement Catalogue for you.

## 一、新增、修改数据 Adding and Modifying Data

鼓励目录总条目 1474 条，与 2020 年版相比净增加 239 条（增幅近 20%）增加了多条高技术制造业条目、修改 167 条。其中，全国目录共 519 条，与 2020 年版相比增加 39 条、修改 85 条；中西部目录共 955 条，与 2020 年版相比增加 200 条、修改 82 条，中西部地区目录，因地制宜增加了部分制造业相关产业条目，如山西、辽宁、安徽、宁夏等省区新增智能手机、平板电脑等智能终端产品及关键零部件的生产等条目，进一步强化中西部和东北地区制造业引资优势。

There are 1474 items in the Encouraged Catalogue, 239 items (an increase of nearly 20%) were added and 167 items were modified compared with the 2020 edition. The National Catalogue contains 519 items, 39 of which were added and 85 were revised compared with the 2020 edition; The Central and Western Regions Catalogue contains 955 items, 200 of which were added and 82 were revised compared with the 2020 version. In the Central and Western Regions Catalogue, some manufacturing related industry items were added in line with local conditions, such as items of production of smart phones, tablets and other key parts and intelligent terminal products were added in Shanxi, Liaoning, Anhui, Ningxia and other provinces and regions, so that to further strengthen the investment attraction advantages of manufacturing industry in the Central and Western Regions as well as the Northeast Regions.

## 二、主要变化 Major Modifications

1. 持续鼓励外资投向制造业。全国目录继续将制造业作为鼓励外商投资的重点方向，新增或扩展元器件、零部件、装备制造等有关条目。

Continuously encourage foreign investment in manufacturing. The National Catalogue continues taking manufacturing industry as the key direction of encouraging foreign investment, and also adding or expanding relevant items such as components, parts and equipment, etc., manufacturing.

2. 持续引导外资投向生产性服务业。全国目录将促进服务业和制造业融合发展作为修订重点，新增或扩展专业设计、技术服务与开发等条目。

Continuously guide foreign investment in productive services. The National Catalogue focuses on promoting the integrated development of service industry and manufacturing industry, and also adding or expanding items such as professional design, technical service and development, etc.

3. 持续优化利用外资区域布局。结合各地劳动力、特色资源等比较优势扩大中西部目录鼓励范围。

Continuously optimize the regional layout of foreign investment utilization. Expanding the scope of the Central and Western Regions Catalogue in combination with the advantages of local labor force and characteristic resources.

### 三、 重要意义 Significance

外资企业特别是外资制造业的蓬勃发展，是助力我国经济高质量发展的重要力量。党的十八大以来，我国推进高水平对外开放，营造市场化、法治化、国际化一流营商环境，利用外资规模稳定增长，引资结构持续优化。2021年，我国实际使用外资规模达1.15万亿元，比2012年增长了62.9%，连续四年居世界第二。因此，修订鼓励目录是当前形势下进一步稳外资的重要举措，不仅有利于推进高水平对外开放、加快构建新发展格局，也有利于进一步稳住外商投资、优化投资结构、提振外资预期和信心。鼓励外商投资产业目录是我国重要的外商投资促进政策，也是重要的外资产业和区域政策。

The vigorous development of foreign-invested enterprises, especially foreign-invested manufacturing industry, is an important force of strengthening China's high-quality economic development. Since the 18<sup>th</sup> National Congress of the Communist Party of China, China has promoted high-level opening-up, fostered a market-based legalized and international first-class business environment, steadily increased the scale of foreign investment utilization, and continuously optimized the structure of investment attraction. In 2021, China's actual use of foreign investment reached RMB1.15 trillion, with an increase of 62.9% over 2012, ranking second worldwide for four consecutive years. Therefore, the modification of the Encouragement Catalogue is an important measure for further stabilizing foreign investment under the current situation. It is not only conducive to promoting high-level opening-up and accelerating the construction of a new development pattern, but also conducive to further stabilizing foreign investment, optimizing the investment structure, and boosting foreign investment expectations and confidence. The Encouragement Catalogue is an important foreign

investment promotion policy in China, as well as an important industrial and regional policy for foreign investment.

近年来，新一轮科技革命和产业变革在全球范围内向纵深演进，正深刻改变着全球产业格局。同时，在百年变局和世纪疫情交织影响下，全球产业链供应链呈现区域化、本土化、短链化趋势，这对我国更好吸引外资提出了更高要求。在这样的背景下，《若干政策措施》和新版鼓励目录的发布可谓恰逢其时，为引导外资企业参与国内产业结构升级营造了良好氛围。为实现高质量发展，我国正在加快推动制造业高端化、智能化、绿色化发展。做好制造业引进外资工作，对于促进我国制造业转型升级、更好融入全球产业分工和合作具有十分重要的意义。

In recent years, a new round of scientific and technological revolution and industrial transformation has evolved in depth worldwide and is profoundly changing the global industrial pattern. At the same time, under the intertwined influence of changes and epidemic in the century, the global industrial chain and supply chain have shown a trend of regionalization, localization and short chain, which puts forward higher requirements for China to better attract foreign investment. Under such background, the release of *Several Policies and Measures* and the new edition of Encouragement Catalogue is just in time, which has fostered a good atmosphere for guiding foreign enterprises to participate in the upgrading of domestic industrial structure. To achieve high-quality development, China is accelerating the promotion of the high-end, intelligent and green development of manufacturing industry. It is of great significance to attract foreign investment into the manufacturing industry to promote the transformation and upgrading of China's manufacturing industry and better integrate into the global industrial division and cooperation.

综上所述，通过我们上文解读，精准实施各项政策，鼓励跨国公司在华投资制造业，定能进一步夯实制造业吸引外资优势，推动利用外资高质量发展，为推动构建新发展格局做出更大贡献。在此，再给个小贴士哦，符合 2022 年版鼓励目录的外商投资在建项目，可以享受新版鼓励目录有关优惠政策。

To sum up, through our interpretation above, by precisely implementing various policies and encouraging multinational companies to invest in manufacturing industry, China will further consolidate the advantages of manufacturing industry in attracting foreign investment, promoting the high-quality development of foreign investment utilization and making greater contributions to the construction of a new development pattern. Here is another tip: foreign invested projects under construction that conform to the 2022 edition of Encouragement Catalogue can enjoy relevant preferential policies.

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