服务贸易领域外商投资法律法规汇编

COLLECTION OF RULES AND REGULATIONS ON FOREIGN INVESTMENT IN SERVICE TRADE

对外贸易经济合作部外国投资管理司编

Compiled by Foreign Investment Administration Ministry of Foreign Trade & Economic Cooperation

中国法制出版社 China Legal Publishing House

服务贸易领域 外商投资法律法规汇编

COLLECTION OF RULES AND REGULATIONS ON FOREIGN INVESTMENT IN SERVICE TRADE

对外贸易经济合作部外国投资管理司编

Compiled by Foreign Investment Administration Ministry of Foreign Trade & Economic Cooperation

中国法制出版社 China Legal Publishing House

图书在版编目(CIP)数据

服务贸易领域外商投资法律法规汇编/对外经贸部外资司编.-北京:中国法制出版社,2002.9

ISBN 7 - 80182 - 022 - 3

I.服… II.对… III.服务贸易 - 外国投资 - 涉外经济法 - 法规 - 汇编 - 中国 IV. D922.295.9

中国版本图书馆 CIP 数据核字(2002)第 068164 号

服务贸易领域外商投资法律法规汇编

COLLECTION OF RULES AND REGULATIONS ON FOREIGN INVESTMENT IN SERVICE TRADE

经销/新华书店

印刷/河北省三河市汇鑫印务有限公司

开本/850×1168 毫米 32

版次/2002年9月第1版

印张/31.125 字数/900 千 2002 年 9 月第 1 次印刷

中国法制出版社出版

书号 ISBN 7-80182-022-3/D·988

(北京西单横二条2号 邮政编码100031)

定价:60.00元

(发现印装问题请与本社发行部联系

(发现内容误差请与本社编辑部联系

电话:66062752) 电话:66032924)

目 录

综合

中华人民共和国中外合资经营企业法(1)
(2001年3月15日修正)	
Law of the People's Republic of China on Chinese-	
Foreign Equity Joint Ventures (4)
(Amended at the Third Session of the Seventh	
National People's Congress on April 4, 1990, and	
revised in accordance with the Decision of the Fourth	
Session of the Ninth National People's Congress	
Regarding the Revision of the Law of the People's	
Republic of China on Chinese-Foreign Equity Joint	
Ventures on March 15,2001)	
中华人民共和国中外合资经营企业法实施条例(10)
(2001年7月22日修订)	
Regulations for the Implementation of the Law of the	
People's Republic of China on Chinese-Foreign Equ -	
ity Joint Ventures ····· (23)
(Promulgated by the State Council on September 20,	
1983, amended by the State Council on January 15,	
1986 and on December 21, 1987, amended in	
accordance with the Decision of the State Council on	
Amending the Regulations for the Implementation of	
the Law of the People's Republic of China on	
Chinese-Foreign Equity Joint Ventures on July 22,	
2001)	

中华人民共和国中外合作经营企业法
(2000年10月31日)
Law of the People's Republic of China on Chinese-
Foreign Contractual Joint Ventures (50)
(Adopted at the First Session of the Seventh National
People's Congress on April 13, 1988, amended
according to the Decision on Revision of the Law of
the People's Republic of China on Chinese-Foreign
Contractual Joint Ventures adopted at the 18th
Meeting of the Standing Committee of the Ninth
National People's Congress on October 31, 2000)
中华人民共和国中外合作经营企业法实施细则(57)
(1995年9月4日)
Rules for the Implementation of the Law of the People's
Republic of China on Chinese-Foreign Contractual Joint
Ventures (67)
(Approved by the State Council on August 7, 1995,
promulgated by Decree No. 6 of the Ministry of
Foreign Trade and Economic Cooperation on
September 4, 1995)
中华人民共和国外资企业法
(2000年10月31日)
Law of the People's Republic of China on Foreign-Capi-
tal Enterprises (88)
(Adopted at the Fourth Session of the Sixth National
People's Congress on April 12, 1986, amended
according to the Decision on Revision of the Law of
the People's Republic of China on Foreign-Capital
Enterprises adopted at the 18th Meeting of the
Standing Committee of the Ninth National People's
Congress on October 31, 2000)
中华人民共和国外资企业法实施细则
2

(2001年4月12日修订)

Rules for the Implementation of the Law of the People's		
Republic of China on Foreign-Capital Enterprises	•••	(104)
(Approved by the State Council on October 28,		
1990, promulgated by the Ministry of Foreign		
Economic Relations and Trade on December 12,		
1990, and revised in accordance with the Decision of		
the State Council on Amending the Rules for the		
Implementation of the Law of the People's Republic		
of China on Foreign-Capital Enterprises on April 12,		
2001)		
指导外商投资方向规定 ······	•••	(127)
(2002年2月11日)		
Provisions on Guiding Foreign Investment Direction	•••	(130)
(Approved and promulgated by the State Council on		
Feb.11,2002.)		
外商投资产业指导目录 ······		(136)
(2002年3月11日)		
Catalogue for the Guidance of Foreign Investment		
Industries ····	•••	(153)
创业投资		
关于设立外商投资创业投资企业的暂行规定 ···············	•••	(183)
(2001年8月28日)		
Interim Regulations on Establishing Foreign-Invested		
Venture Investment Enterprises ·····	· • • •	(189)
(Promulgated by the Ministry of Foreign Trade and		
Economic Cooperation, Ministry of Science and		
Technology and State Administration of Industry and		
Commerce on August 28, 2001)		

海 运

中华人民共和国国际海运条例	(200)
(2001年12月11日)	
Regulations of the People's Republic of China on	
International Maritime Transportation	(210)
(Adopted at the 49th Executive Meeting of the State	
Council on December 5, 2001, promulgated by	
Decree No. 335 of the State Council of the People's	
Republic of China on December 11, 2001, and	
effective as of January1, 2002)	
外商独资船务公司审批管理暂行办法	(230)
(2000年1月28日)	
Interim Measures for Administration of Examination	
and Approval of Wholly Foreign-Funded Shipping	
Companies	(232)
(Promulgated by Decree No. 1 of the Ministry of	
Communications and the Ministry of Foreign Trade	
and Economic Cooperation on January 20, 2000)	
交通部、国家工商行政管理局关于加强和完善境	
外航商常驻代表机构和外商独资船务公司办事	
机构监督管理的通知 ·····	(237)
(1999年10月10日)	
Notice on Strengthening and Improving the Supervision	
and Management of the Resident Representative Offices	
of Foreign Shipping Companies and the Agencies of	
Solely Foreign-Invested Shipping Companies ·····	(239)
(Issued by the Ministry of Communications and the	
State Administration of Industry and Commerce on	
October 10,1999 Jiaoshuifa (1999) No.534)	

铁路货物运输

外商投资铁路货物运输业审批与管理暂行办法 ····································	(242)
Interim Measures on Examination, Approval and	
Administration of Railway Freight Transport	
Industry Invested by Foreigners	(246)
(Promulgated by Decree No. 4 of the Ministry of	
Railways and the Ministry of Foreign Trade and	
Economic Cooperation on August 29, 2000)	
道路运输	
外商投资道路运输业管理规定	(253)
(2001年11月20日)	
Provisions on Administration of Foreign Investment	
in Road Transport Sector	(257)
(Promulgated by Decree No. 9 of the Ministry of	
Communications of the People's Republic of China	
and the Ministry of Foreign Trade and Economic	
Corporation of the People's Republic of China on	
November 20, 2001)	
民航	
外商投资民用航空业规定 ······	(264)
(2002年6月21日)	
Provisions on Foreign Investment in Civil Aviation Industry	(267)
(Promulgated by the General Administration of Civil	
Aviation of China, the Ministry of Foreign Trade and	
Economic Cooperation and the State Development	

国际货物运输代理

外商投资国际货物运输代理企业管理规定	(272)
(2001年12月19日)	
Provisions on Administration of International Freight	
Forwarding Agency Enterprises with Foreign	
Investment	(275)
(Promulgated by the Ministry of Foreign Trade and	
Economic Cooperation on December 19, 2001)	
物流	
关于开展试点设立外商投资物流企业工作有关问	
题的通知 ·····	(281)
(2002年6月20日)	
Notice Regarding Questions on Establishment of	
Foreign-Invested Logistics Enterprises in Trial	
Locations · · · · · · · · · · · · · · · · · · ·	(284)
(20 June 2002 Wai Jin Mao Zi Yi Han(2002)No.615)	
银 行	
外资金融机构驻华代表机构管理办法 ····································	(288)
Measures for Administration of Representative Offices	
of Foreign-Capital Financial Institutions in China	(295)
(Promulgated by the People's Bank of China on June	
13, 2002)	
中华人民共和国外资金融机构管理条例	(307)
(2001年12月20日)	

Regulations of the People's Republic of China on	
Administration of Foreign-Funded Financial	
Institutions	(315)
(Adopted at the 50th Executive Meeting of the State	
Council on December 12, 2001, promulgated by	
Decree No. 340 of the State Council of the People's	
Republic of China on December 20, 2001, and	
effective as of February 1, 2002)	
中国人民银行关于外资金融机构市场准入有关问	
题的公告 ······	(330)
(2001年12月9日)	
Proclamation by the People's Bank of China on the	
Related Issues of Foreign-Funded Financial Institutions'	
Market Access	(331)
(December 9th, 2001)	
保 险	
中华人民共和国外资保险公司管理条例	(333)
(2001年12月12日)	
Regulations of the People's Republic of China on	
Administration of Foreign-Funded Insurance	
Companies	(339)
(Adopted at the 49th Executive Meeting of the State	
Council on December 5, 2001, promulgated by the	
Decree No. 336 of the State Council of the People's	
Republic of China on December 12, 2001, and	
effective as of February 1, 2002)	
证券、基金	
外资参股证券公司设立规则	· (350)

(2002年6月1日)
Rules for Establishing Foreign-Invested
Securities Companies
(promulgated by the China Securities Regulatory
Commission on June 1st, 2002)
外资参股基金管理公司设立规则(364)
(2002年6月1日)
Rules for Establishing Foreign-Invested Fund
Management Companies · · · · · (366)
(promulgated by the China Securities Regulatory
Commission on June 1st, 2002)
商业
国家经济贸易委员会、对外贸易经济合作部、国
家工商行政管理局关于立即停止越权审批和变
相设立外商投资商业企业的通知(371)
(2000年12月1日)
Notice on Putting an End to the Approval Beyond the
Authority of the Foreign-Invested Merchandising
Enterprises and the Establishment of Such Enterprises
in Disguised Form
(Issued by the State Economic and Trade
Commission, the Ministry of Foreign Trade and
Economic Cooperation (MOFTEC), and the State
Administration of Industry and Commerce on
December 1, 2000 Guojingmaowaijing [2000] No.
1072)
外商投资商业企业试点办法(376
(1999年6月25日)
Measures on the Trial of Foreign-Invested Merchandising
Enterprises
8

(Promulgated by the State Economic and Trade	
Commission and the Ministry of Foreign Trade and	
Economic Cooperation on June 25th, 1999)	
国务院办公厅关于清理整顿非试点外商投资商业	
企业有关问题的通知 ······	(388)
(1997年8月5日)	
Notice on Issues Concerning the Cleaning-up and	
Rectification of Non-pilot Foreign-Invested	
Merchandizing Enterprises	(389)
(Issued by the General Office of the State Council on	
August 5, 1997 Guobanfa(1997) No. 26)	
对外贸易经济合作部关于转发《国务院办公厅关	
于立即停止地方自行审批外商投资商业企业的	
紧急通知》的通知	(392)
(1997年5月13日)	
Notice on Transmitting the Urgent Notice by the General	
Office of the State Council on Putting an End to the	
Unauthorized Approval of the Establishment of Foreign-	
Unauthorized Approval of the Establishment of Foreign- Invested Merchandizing Enterprises by Local	
	(393)
Invested Merchandizing Enterprises by Local	(393)
Invested Merchandizing Enterprises by Local Authorities	(393)
Invested Merchandizing Enterprises by Local Authorities (Issued by Ministry of Foreign Trade and Economic	(393)
Invested Merchandizing Enterprises by Local Authorities (Issued by Ministry of Foreign Trade and Economic Cooperation on May 13, 1997 [1997] Waijingmaozifa	(393)
Invested Merchandizing Enterprises by Local Authorities (Issued by Ministry of Foreign Trade and Economic Cooperation on May 13, 1997 [1997] Waijingmaozifa No. 290) 财政部、国家税务总局关于中外合资	
Invested Merchandizing Enterprises by Local Authorities (Issued by Ministry of Foreign Trade and Economic Cooperation on May 13, 1997 [1997] Waijingmaozifa No. 290)	
Invested Merchandizing Enterprises by Local Authorities (Issued by Ministry of Foreign Trade and Economic Cooperation on May 13, 1997 [1997] Waijingmaozifa No. 290) 财政部、国家税务总局关于中外合资 商业企业出口货物退税问题的通知 (1998 年 8 月 4 日)	
Invested Merchandizing Enterprises by Local Authorities (Issued by Ministry of Foreign Trade and Economic Cooperation on May 13, 1997 [1997] Waijingmaozifa No. 290) 财政部、国家税务总局关于中外合资 商业企业出口货物退税问题的通知 (1998 年 8 月 4 日) Notice Concerning Issues on Tax Refund for Commodities	
Invested Merchandizing Enterprises by Local Authorities (Issued by Ministry of Foreign Trade and Economic Cooperation on May 13, 1997 [1997] Waijingmaozifa No. 290) 财政部、国家税务总局关于中外合资 商业企业出口货物退税问题的通知 (1998 年 8 月 4 日)	(394)
Invested Merchandizing Enterprises by Local Authorities (Issued by Ministry of Foreign Trade and Economic Cooperation on May 13, 1997 [1997] Waijingmaozifa No. 290) 财政部、国家税务总局关于中外合资 商业企业出口货物退税问题的通知 (1998 年 8 月 4 日) Notice Concerning Issues on Tax Refund for Commodities Exported by the Sino-Foreign Joint Equity Merchandizing Enterprises	(394)
Invested Merchandizing Enterprises by Local Authorities (Issued by Ministry of Foreign Trade and Economic Cooperation on May 13, 1997 [1997] Waijingmaozifa No. 290) 财政部、国家税务总局关于中外合资 商业企业出口货物退税问题的通知 (1998年8月4日) Notice Concerning Issues on Tax Refund for Commodities Exported by the Sino-Foreign Joint Equity Merchandizing	(394)

对外贸易

关于设立中外合资对外贸易公司试点暂行办法	(399)
(1996年9月30日)	
Interim Measures for an Experiment in the Establishment	
of Chinese-Foreign Joint Venture Foreign Trade	
Companies ·····	(402)
(Approved by the State Council on September 2,	
1996, promulgated by Decree No.3 of the Ministry of	
Foreign Trade and Economic Cooperation on	
September 30, 1996)	
医疗卫生机构	
E3/)	
中外合资、合作医疗机构管理暂行办法	(407)
(2000年5月15日)	
Interim Measures for Administration of Chinese-Foreign	
Joint Venture and Cooperative Medical Institutions	(412)
(Promulgated by Decree No. 11 of the Ministry of	
Health and the Ministry of Foreign Trade and	
Economic Cooperation on May 15, 2000.	
卫生部、对外贸易经济合作部关于贯彻实施《中	
外合资、合作医疗机构管理暂行办法》有关问	
题的通知 ·······	(424)
(2000年6月23日)	
Notice on Issues Concerning the Implementation of the	
"Provisional Measures on the Administration of Sino-	
Foreign Joint Equity and Sino-Foreign Cooperative	
Medical Institutions"	(425)
(Issued by the Ministry of Health and the Ministry of	
Foreign Trade and Economic Cooperation (MOFTEC)	
10	

电影院

外商投资电影院暂行规定	(427)
(2000年10月25日)	
Provisional Regulations Governing the Foreign-Invested	
Movie Theater	(429)
(Issued by the State Administration of Radio, Film and	
Television Ministry Of Foreign Trade and Economic	
Cooperation Ministry of Culture on october 25,2000)	
国家广播电影电视总局、对外贸易经济合作部、文化部	
关于严格执行《外商投资电影院暂行规定》的通知	(433)
(2001年2月19日)	
The Notice on Strictly Implementing the provisional	
Regulations Governing the Foreign-Invested Movie	
Theater ·····	(434)
(Issued by the State Administration of Radio, Film and	
Television, Ministry of Foreign Trade and Economic	
Cooperation and Ministry of Culture on February 19,	
2001 [2001] Waijingmaozizi No.4,)	
旅行社	
MK 11 11	
旅行社管理条例	(436)
(1996年10月15日)	
Regulations on Administration of Travel Agencies	(443)
(Promulgated by Decree No. 205 of the State Council of	
the People's Republic of China on October 15, 1996,	
and revised in accordance with the Decision of the State	
Council on Amending the Regulations on Administration	
of Travel Agencies on December 11, 2001)	

广告

关于设立外商投资广告企业的若干规定	(456)
(1994年11月3日)	
Several Provisions on Establishment of Advertising	
Enterprise with Foreign Investment	(459)
(Promulgated by the State Administration for Industry	
and Commerce and the Ministry of Foreign Trade and	
Economic Cooperation on November 3, 1994)	
国家工商行政管理局关于执行《关于设立外商投资广告	
企业的若干规定》有关问题的通知 ·····	(465)
(1995年1月1日)	
Notice on Relevant Issues in Implementing" Regulations	
for Establishing Foreign-Invested Advertising	
Enterprises"	(467)
(Issued by the State Administration of Industry and	
Commerce on January 1, 1995 [1995] Gong Shang	
Guang Zi No.32)	
国家工商行政管理局、对外贸易经济合作部关于外商投资	
广告企业设立分支机构有关问题的通知 ······	(470)
(1995年5月17日)	
Notice on Relevant Issues Concerning the Establishment	
of Branch Office by Foreign-Invested Advertising	
Enterprises ····	(471)
(Issued by the State Administration of Industry and	
Commerce and the Ministry of Foreign Trade and	
Economic Cooperation on May 17, 1995)	
>/m → >= 1.4L	
资产评估	
境外评估机构认可管理办法	(473)
(2000年8月2日)	/
12	

The Administrative Measures for Certifying Overseas	
Asset Appraisal Agencies	(475)
(Promulgated by the State Administration for Entry-Exit	
Inspection and Quarantine on August2,2000 Decree No.	
25,(2000))	
国家国有资产管理局关于印发《对外国资产评估机构来中	
国境内执行资产评估业务的暂行规定》的通知	(478)
([1997]国资办发第30号)	
Interim Provisions on Performance of Asset Assessment	
Businesses by Foreign Asset Assessment Institutions	
Coming to Chinese Territory	(481)
(Promulgated by the State Administration of State-owned	
Assets on May 19, 1997)	
国家国有资产管理局、对外贸易经济合作部关于印发《设	
立外商投资资产评估机构若干暂行规定》的通知	(485)
([1997]国资办发第 26 号)	
Several Interim Provisions on the Establishment of Asset	
Assessment Institutions with Foreign Investment	(489)
(Promulgated by the State Administration of State-owned	
Assets and the Ministry of Foreign Trade and Economic	
Cooperation on April 7, 1997)	
进出口商品检验鉴定	
设立外商投资进出口商品检验鉴定公司的审批规定	(496)
(1995年10月9日)	
Provisions for the Examination and Approval of the	
Establishment of Import and Export Commodity	
Inspection and Approral Corporation with Foreign	
Investment	· (498)
(Promulgated by the State Administration for Import and	
Export Commodity Inspection and the Ministry of Foreign	

认 证

1/k #7 ff; TB 4. 24 \ 44 'Z k++	
监督管理办法》的通知	(503)
(2002年4月2日)	
Circular on Printing and Issuing the Measures for	
Examination, Approval, Supervision and Administration	
of Certification Institutions, Certification Training	
Institutions and Certification Consulting Institutions	(511)
(Promulgated by the State Certification and Accreditation	
Administration, the State General Administration of	
Quality Supervision, Inspection and Quarantine, the	
State General Administration for Industry and Commerce	
and the Ministry of Foreign Trade and Economic	
Cooperation on April 2, 2002)	
· · · · · · · · · · · · · · · · · · ·	
Δ /1	
财政部关于印发《中外合作会计师事务所管理暂行办法》	
财政部关于印发《中外合作会计师事务所管理暂行办法》 的通知 ····································	(527)
	(527)
的通知	(527)
的通知 (1996 年 3 月 28 日)	(527)
的通知 (1996年3月28日) Notice on Issuing the "Tentative Procedures for the	
的通知 (1996年3月28日) Notice on Issuing the "Tentative Procedures for the Administration of Sino-Foreign Cooperative Accounting	
的通知 (1996年3月28日) Notice on Issuing the "Tentative Procedures for the Administration of Sino-Foreign Cooperative Accounting Firm"	
的通知 (1996年3月28日) Notice on Issuing the "Tentative Procedures for the Administration of Sino-Foreign Cooperative Accounting Firm" (Issued by the Ministry of Finance on March 28th, 1996 Cai Kuai Xie Zi[1996]No.24)	
的通知 (1996年3月28日) Notice on Issuing the "Tentative Procedures for the Administration of Sino-Foreign Cooperative Accounting Firm" (Issued by the Ministry of Finance on March 28th, 1996	
的通知 (1996年3月28日) Notice on Issuing the "Tentative Procedures for the Administration of Sino-Foreign Cooperative Accounting Firm" (Issued by the Ministry of Finance on March 28th, 1996 Cai Kuai Xie Zi[1996]No.24)	(532)
的通知 (1996年3月28日) Notice on Issuing the "Tentative Procedures for the Administration of Sino-Foreign Cooperative Accounting Firm" (Issued by the Ministry of Finance on March 28th, 1996 Cai Kuai Xie Zi[1996]No.24)	(532)

比为试读,需要完整PDF请访问: www.ertongbook.com