

海南自由贸易港三亚崖州湾  
科技城条例

**Regulations of Hainan Free Trade Port on Sanya  
Yazhou Bay Science and Technology City**

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# 海南自由贸易港三亚崖州湾科技城条例

(2020年12月2日海南省第六届人民代表大会常务委员会第二十四次会议通过)

## 第一章 总 则

**第一条** 为了促进海南自由贸易港三亚崖州湾科技城(以下简称科技城)建设和发展,根据有关法律、行政法规,结合海南自由贸易港实际,制定本条例。

**第二条** 科技城包括《三亚崖州湾科技城总体规划》确定的南山港、深海科技城、南繁科技城、科教城、全球动植物种质资源引进中转基地等区域以及省人民政府确定的其他区域。

**第三条** 科技城应当按照海南自由贸易港建设的有关要求,对标国际先进标准,创新体制机制,在科技城开放合作、开发建设、产业发展、投资促进、科技创新、知识产权保护和运用等方面先行先试,高水平推进深海科技、南繁科技、动植物种质资源引进中转研发、科教研发、遥感等产业发展。

**第四条** 科技城应当鼓励和保护公民、法人和其他组织开展创新活动,建立与海南自由贸易港相适应的制度集成创新体系。

# **Regulations of Hainan Free Trade Port on Sanya Yazhou Bay Science and Technology City**

(Adopted at the 24th Session of the Standing Committee of the 6th Hainan  
Provincial People's Congress on December 2, 2020)

## **Chapter I General Provisions**

**Article 1** These Regulations are enacted pursuant to applicable laws and regulations and the Free Trade Port's actual circumstances to improve the construction and development of the Sanya Yazhou Bay Science and Technology City (hereinafter referred to as the "Sci-Tech City") in the Hainan Free Trade Port.

**Article 2** The Sci-Tech City includes Nanshan Port, Deep-Sea Sci-Tech Town, Nanfan Breeding Sci-Tech Town, Scientific Research and Education Town, and the Global Introduction and Transfer Base for Animal & Plant Germplasm Resources in accordance with the Overall Plan for the Sanya Yazhou Bay Science and Technology City, and other areas determined by the Provincial People's Government.

**Article 3** Pursuant to the applicable Hainan Free Trade Port development requirements, the Sci-Tech City shall benchmark international advanced standards, innovate systems and mechanisms, conduct trials in the fields of open collaboration, development and construction, industrial development, attracting investments, scientific and technological innovation, and the protection and registration of intellectual property rights, and urge the high-quality development of industries such as deep-sea science and technology, and breeding technologies in Nanfan, research on the introduction and transfer of animal and plant germplasm resources, scientific and educational research and development, and remote sensing.

**Article 4** The Sci-Tech City shall encourage and protect citizens, juristic persons, and other organizations to conduct innovative activities, and shall implement an institutional integration innovation system appropriate for the Hainan Free Trade Port.

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## 第二章 治理结构

**第五条** 省和三亚市人民政府应当加强对科技城的领导，协调解决建设发展中的重大问题，决定科技城建设中的重大事项和重大项目，建立考核和评估机制。

省和三亚市人民政府有关部门应当按照职责分工做好科技城建设发展相关工作。

三亚市崖州区人民政府及其有关部门负责行使科技城的社会管理职能，具体范围由三亚市人民政府规定。

**第六条** 三亚市人民政府在科技城依法设立管理机构。管理机构是在科技城履行相应行政管理和公共服务职责的法定机构，具体负责科技城的综合协调、开发建设、运营管理、招商引资、产业发展、制度创新、投资促进、企业服务等工作，依照授权或者委托行使相应的行政审批权和行政处罚权。

**第七条** 科技城管理机构按照精简高效的原则，在依照有关规定确定的薪酬总额范围内，实行企业化、市场化的用人机制和薪酬体系，自主决定机构设置、岗位设置、人员聘用、薪酬标准等，依照有关规定任命的人员除外。

科技城管理机构的负责人、高级管理人员及其他工作人员可以从境外选聘。

**第八条** 科技城管理机构可以依法设立或者引进开发运营企业，委托企业负责科技城内的土地开发、基础设施、产业投资、招商引资和公共服务设施的建设及运营，参与科技城管理服务的组织与实施。

## Chapter II Governance Structure

**Article 5** The Provincial and Sanya Municipal People's Government shall improve their administration over the Sci-Tech City, coordinate and solve major construction and development issues, make decisions on major issues and projects during the development of the Sci-Tech City, and implement an assessment and evaluation system.

The appropriate Provincial and Sanya Municipal People's Government agencies shall play major roles in the construction and development of the Sci-Tech City based on the division of responsibilities.

The District People's Government of Sanya Yazhou and its appropriate agencies shall be responsible for Sci-Tech City administration, to the extent mandated by the Sanya Municipal People's Government.

**Article 6** The Sanya Municipal People's Government shall set up administrative agencies in the Sci-Tech City pursuant to law. The administrative agencies shall be the statutory agencies responsible for performing the corresponding administrative and public service duties in the Sci-Tech City. They shall be specifically responsible for the comprehensive coordination, development and construction, operation and management, investment attraction, industrial development, institutional innovation, investment promotion, business services, and other Sci-Tech City work and exercise corresponding administrative review, approval, and penalty authorities as authorized or delegated.

**Article 7** The Sci-Tech City administrative agencies shall implement enterprise and market-oriented employment and salary systems based on the principles of simplicity and high efficiency and within the salary cap determined pursuant to applicable law, and shall independently determine the organizational and position configurations, employee recruitment, and salary standards, with the exception of employees appointed pursuant to law.

The Sci-Tech City administrative agency persons in charge, executives, and employees may be selected and employed from overseas.

**Article 8** The Sci-Tech City administrative agencies may include or introduce development and operation enterprises pursuant to law, hire them to be responsible for the construction and operation of Sci-Tech City land development, infrastructure, industrial investment, investment attraction, and public service facilities, and participate in the organization and implementation of Sci-Tech City administrative services.

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科技城管理机构根据三亚市人民政府授权对所出资企业履行出资人职责，依法享有资产收益、参与重大决策和选择管理者等出资人权利。

**第九条** 省和三亚市人民政府及其有关部门应当依法将有关管理权限下放或者委托科技城管理机构行使。

不宜下放或者委托行使的管理权限，省和三亚市人民政府及其有关部门可以按照规定在科技城设立驻城机构。

省和三亚市人民政府有关部门、科技城管理机构、驻城机构应当明确在科技城的管理权限，依法编制权力清单、责任清单，经批准后向社会公布。

**第十条** 科技城管理机构建立科技城业界共治机制，建设科技城业界共治、社会参与和协商讨论的公共平台。

**第十一条** 三亚市在科技城建立廉政监督机制，依法对科技城开发、建设、运营和管理活动进行廉政监督。

### **第三章 开发建设**

**第十二条** 三亚市人民政府可以在省人民政府规划主管部门的指导下，依照法定程序对科技城总体规划进行部分调整，并报省人民政府备案。

科技城管理机构负责根据科技城总体规划组织编制科技城控制性详细规划以及产业发展规划等，经批准后实施。

科技城周边地区相关规划应当与科技城控制性详细规划以及产业发展规划等相衔接。

The Sci-Tech City administrative agencies shall perform investor duties for investor enterprises in compliance with authorization from the Sanya Municipal People's Government and entitles investor rights such as asset income, participation in major decisions, and selection of executives pursuant to law.

**Article 9** The Provincial and the Sanya Municipal People's Government and appropriate agencies shall delegate administrative authority to lower-level entities or delegate such to the Sci-Tech City administrative agencies pursuant to law.

The Provincial and the Sanya Municipal People's Government and the appropriate agencies may set up resident administrative agencies within the Sci-Tech City pursuant to law should they be unable to delegate or authorize certain administrative authorities.

Provincial and the Sanya Municipal People's Government agencies, Sci-Tech City administrative agencies, and resident administrative agencies shall specify their administrative authorities within the Sci-Tech City, prepare a list of authorities and a list of responsibilities pursuant to law, and publicly announce such following approval.

**Article 10** The Sci-Tech City administrative agencies shall establish a Sci-Tech City industry co-governance system, and develop a public platform for industry co-governance, social participation, and consultation and discussion.

**Article 11** The Sanya Municipal People's Government shall implement an anti-corruption government oversight system within the Sci-Tech City and conduct anti-corruption government oversight on Sci-Tech City development, construction, operation, and administration pursuant to law.

## **Chapter III Development and Construction**

**Article 12** The Sanya Municipal People's Government may, under the guidance of the Provincial People's Government planning agency, adjust part of the Sci-Tech City's master plan pursuant to statutory procedures, and report such to the Provincial People's Government for filing.

The Sci-Tech City administrative agencies are responsible for organizing the preparation of detailed regulatory and industrial development planning for the Sci-Tech City subject to the Sci-Tech City master plan, which shall be implemented after approval.

Planning for the areas surrounding the Sci-Tech City shall conform to the Sci-Tech City detailed regulatory and industrial development planning.

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**第十三条** 科技城开发建设应当严守资源利用上限、环境质量底线和生态保护红线，严格落实生态环境保护制度，加强生态修复与环境整治，严格进出境环境安全准入管理，坚持绿色发展。

科技城开发建设应当保护自然山水格局和历史文化资源，体现自然、传统和现代融合的城市特色风貌。

**第十四条** 科技城应当加强路网、电网、光网、气网、水网、生产和生活配套服务等基础设施的整体规划和同步建设，推动产城融合、港城融合、城乡融合与农旅融合发展。

三亚市人民政府应当统筹科技城与周边地区基础设施、公共服务设施和其他配套设施的建设与管理，推动区域一体化布局和联动发展。

**第十五条** 三亚市人民政府可以授权科技城管理机构负责科技城范围内土地的监督、管理和开发，但土地征收事项除外。

科技城管理机构可以根据授权开展土地储备，可以通过出租、临时使用等方式对科技城范围内未供应的政府储备土地加以利用，但不得影响土地正常供应。

**第十六条** 省人民政府应当统筹安排科技城年度新增建设用地计划指标，优先保障重点产业、重点项目年度新增建设用地计划指标。

在科技城可以采取收购、置换、入股、合作开发等方式整合土地资源，综合运用规划、地价、容积率、贡献率、奖励等手段，创新土地储备机制。

在科技城可以采取划拨、出让、租赁、作价出资或者入股等灵活多样的供地方式。允许以出让、租赁、作价出资或者入股等方式利用农村集体建设用地进行产业项目建设。

在科技城可以按照规定采用划拨或者协议出让方式供应科研用地和教育用地。



**Article 13** The development and construction of the Sci-Tech City shall strictly follow the resource utilization upper limit, minimum environmental quality standards, and categorical ecological protection rules, strictly implement an ecological environmental protection system, improve ecological restoration and environmental remediation, implement a strict environmental safety management system at the border entry and exit, and abide by green development.

The development and construction of the Sci-Tech City shall protect the natural landscape pattern and historical and cultural resources, and encompass urban characteristics that integrate nature, tradition, and modernity.

**Article 14** The Sci-Tech City shall improve comprehensive planning and concurrent construction of infrastructure such as road networks, power grids, optical networks, gas networks, water networks, production and living support services, and encourage the development of industry-city integration, port-city integration, urban-rural integration, and agriculture-tourism integration.

The Sanya Municipal People's Government shall coordinate construction and management of infrastructure, public service facilities and other supporting facilities in the Sci-Tech City and the surrounding areas, and promote the integrated layout and linked development of the region.

**Article 15** The Sanya Municipal People's Government may authorize the administrative agencies of the Sci-Tech City to be responsible for the supervision, management and development of land within the Sci-Tech City, with the exception of land acquisition matters.

The Sci-Tech City administrative agencies may conduct land banking to the extent authorized, and use land banked by the government within the Sci-Tech City but not yet provided to others either through a lease or a temporary occupancy, but shall not affect the regular supply of land.

**Article 16** The Provincial People's Government shall coordinate arrangements for annual Sci-Tech City newly added development land targets and prioritize the achievement of annual newly added development land targets for main industries and projects.

Land resources within the Sci-Tech City may be integrated through acquisition, replacement, shareholding and cooperative development, and the land banking system may be implemented via planning, land price, floor area ratio, contribution rate, and rewards.

Flexible and diverse ways of land supply may be adopted within the Sci-Tech City, such as allocation, grants, lease, fixed-price investment, or shareholding. Rural collective development land may be used for industrial project development through grants, lease, fixed-price investment, or shareholding.

Land for scientific research and education within the Sci-Tech City may be supplied through allocation or assignment agreements pursuant to law.

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在科技城依法保障教学、科研、水产育种等项目的海域使用需求。

**第十七条** 在科技城有偿供应的土地上配建的属于科技城管理机构资产的，或者由科技城管理机构统筹建设的产业用房、办公、商业、住宅、停车位等物业，可用于科技城的产业扶持、社区配套和公共服务、人才住房等。科技城管理机构统筹上述资产的规划、配置和管理。

**第十八条** 科技城管理机构应当创新科技城开发建设的体制机制，探索多层次、多渠道的投融资新模式。

科技城管理机构探索创新建设项目工程咨询、造价、保险、审批、监管、评价等机制，支持境外工程建设领域相关专业机构以及人员依照海南自由贸易港的有关规定参与科技城开发建设。

## 第四章 产业促进

**第十九条** 科技城管理机构应当根据科技城发展定位，编制产业发展规划和指导目录，经三亚市人民政府批准后实施，并向社会公布。

鼓励在科技城开展符合科技城发展定位、有利于促进产业结构优化升级、加快经济发展方式转变的创新业务。企业可以自行确定创新业务范围，但国家另有规定的除外。

**第二十条** 科技城应当推动信息技术在港口管理和物流系统建设中的应用，增强港口在科考服务、船舶维修以及基地保障方面的功能，先行先试深海、南繁科研等设备的保税研发、保税维修等业务。

Sea area within the Sci-Tech City for teaching, scientific research, aquatic breeding, and other projects shall be guaranteed pursuant to law.

**Article 17** Properties built on the land leased by the Sci-Tech City belonging to the Sci-Tech City administrative agencies, or properties built by the Sci-Tech City administrative agencies, such as industrial buildings, administrative agency offices, businesses, residences, and parking spaces may be used for Sci-Tech City industry support, community facilities and public services, and employee housing. The Sci-Tech City administrative agencies shall coordinate the planning, allocation, and management of the above assets.

**Article 18** The Sci-Tech City administrative agencies shall pioneer the Sci-Tech City development and construction system and mechanism and explore new multi-level and multi-channel investment and financing models.

The Sci-Tech City administrative agencies shall explore construction project systems for engineering consultation, cost, insurance, approval, supervision, and assessment, and support the overseas engineering construction professional agencies and employees to participate in the development and construction of the Sci-Tech City in compliance with Hainan Free Trade Port regulations.

## **Chapter IV Industry Development**

**Article 19** Sci-Tech City administrative agencies shall, based on the Sci-Tech City developmental positioning, prepare the Sci-Tech City industrial development planning and guidance manual, which shall be implemented after being approved by the Sanya Municipal People's Government and publicly announced.

The development of innovative businesses consistent with the Sci-Tech City's developmental positioning, conducive to improving industrial structure optimization and upgrading, and expediting the transformation of the economic development model shall be encouraged. Enterprises may determine their own innovative business scope except as otherwise provided by the state.

**Article 20** The Sci-Tech City shall encourage the implementation of information technology in port management and logistics system development, enhance the functions of ports in scientific research services, ship maintenance and base support, and pilot activities such as the exemption of R&D items from import duty and duty-free equipment maintenance for the deep-sea and Nanfan scientific research.

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**第二十一条** 科技城围绕深海科研、资源开发利用和现代服务等领域，重点发展深海科技和海洋产业，聚焦全球深海科技创新资源，建设具有国际水准的国家深海科技创新中心。

**第二十二条** 科技城围绕国家南繁科研育种基地建设，重点发展南繁科研、种业科技及热带农科产业，加强南繁科研育种用地保护，建设集科研、生产、销售、科技交流、成果转化为一体的现代种业示范区和国际种业贸易中心。支持科技城试行种业开放相关政策，在外资市场准入、生物育种审批、知识产权保护、技术出境服务等领域开展创新。

支持科技城建设国家热带农业科学中心，推动热带农业科技创新、生物育种科技创新，探索实施热带农业对外开放和国际合作新模式，推进全球热带农业中心建设。

**第二十三条** 支持科技城建设全球动植物种质资源引进中转基地，鼓励在种质资源引进、检验检疫、鉴定评价、保存繁育、研发创新、生物安全防控、品种交易及具有较高科技含量、符合绿色农业发展要求的农业投入品的引进、研发、生产等方面建立更加灵活、高效的管理体制和监管模式。

**第二十四条** 支持科技城发展科研教育、公共科技研发及创新创业孵化，探索高校科研体制机制改革，开放共享科技资源，促进科技成果转化，推动教育、科研、产业协同发展。

科技城应加大科教城内的公共教学楼、公共活动区等设施建设，推行办学机构聚集、学科交叉融合、办学资源共享的科教发展模式。

**Article 21** The Sci-Tech City shall prioritize the development of the deep-sea technology and marine industries in the fields of deep-sea scientific research, resource development and utilization and modern services, focusing on global deep-sea technology innovation resources, and building a national deep-sea technology innovation center that conforms to international standards.

**Article 22** Focusing on the construction of the National Nanfan Scientific and Research Breeding Base, the Sci-Tech City shall prioritize the development of Nanfan scientific research, seed science and technology, and tropical agricultural industry, improve the protection of land for Nanfan research and breeding, and develop a modern seed industry demonstration zone and international seed industry trade center integrating scientific research, production, sales, scientific and technological exchanges, and achievements. The Sci-Tech City shall receive support for trial policies related to the seed industry opening up and developing innovations in fields such as foreign market access, plant breeding approval, intellectual property protection, and technology export services.

The Sci-Tech City is supported to build a national tropical agricultural science center, encourage tropical agriculture and plant breeding technological innovation, explore and implement new models to open up and collaborate internationally on tropical agriculture, and encourage the construction of a global tropical agricultural center.

**Article 23** The Sci-Tech City is supported to build a global introduction and transfer base for animal and plant germplasm resources and encourage the implementation of a more flexible and efficient management system and oversight model for germplasm resource introduction, inspection and quarantine, appraisal and evaluation, preservation and breeding, research and innovation, biosafety prevention and control, variety trading, as well as the introduction, research and development, and production of high-tech agricultural materials in line with green agriculture development requirements.

**Article 24** The Sci-Tech City is supported to the development of scientific research and education, public scientific research and development, and innovation and entrepreneurship development within the Sci-Tech City, explore systemic scientific research reform in colleges and universities, release and share technological resources, encourage the transformation of technological achievements, and improve coordinated development in education, scientific research, and industry.

The Sci-Tech City shall focus on the construction of public educational buildings, public activity areas, and other facilities within the Sci-Tech City and implement the science and education development model of consolidating education institutions, interdisciplinary integration, and the sharing of educational resources.

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**第二十五条** 科技城应当按照海南自由贸易港国际教育岛全省布局，支持国内重点高校在科技城设立分支机构或者与国外知名院校合作办学，支持境外理工农医类高水平大学、职业院校在科技城独立办学，设立国际学校。

支持境内外高等院校、职业院校、科研院所和企业按照市场化机制在科技城建立新型研发机构、创新创业基地和职业培训基地；鼓励境外科研组织、科技服务机构在科技城内设立分支机构，参与国家和地方科技计划。

新型研发机构在承担政府项目、职称评审、引进和培养人才、申请建设用地、投资融资服务等方面可以参照适用科研事业单位相关优惠政策。

支持在科技城探索科技项目立项和组织方式、科研经费使用、人才评价等方面的改革。

**第二十六条** 支持科技城发展卫星导航、测绘和相关产业及服务，建设卫星遥感信息产业园区。

**第二十七条** 支持科技城设立跨境电子商务展示展销中心、服务中心和区域总部基地。鼓励跨境电子商务相关专业配套服务发展，形成集孵化、研发、运营、客服、设计于一体的综合服务载体。

**第二十八条** 科技城应当引导主导产业资产数字化，建立数字资产确权、流动以及交易的技术标准和模式，推动人工智能、大数据、云计算、区块链、物联网等新一代的信息技术应用。

支持与科技城主导产业相配套的金融服务业发展，建设多层次的产业金融服务体系。

**Article 25** Based on the provincial planning of the Hainan Free Trade Port International Education Island, the Sci-Tech City shall support top domestic universities to set up satellite campuses within the Sci-Tech City or collaborate with well-known foreign universities to run schools and support renowned high-quality foreign science, technology, agriculture and medical universities, as well as vocational colleges to independently run schools within the Sci-Tech City and set up international schools.

Domestic and foreign higher learning institutions, vocational colleges, research institutes, and enterprises are supported to establish new research and development institutions, innovation and entrepreneurship bases, and vocational training bases within the Sci-Tech City following a market-oriented system, encourage foreign scientific research organizations and technology service providers to set up branches within the Sci-Tech City and participate in national and local science and technology plans.

New research and development institutions may refer to the appropriate preferential policies for scientific research institutes when conducting government projects, assessing professional titles, hiring and developing skilled employees, requesting development land, and investment and finance services.

Researches on reforming the science and technology project implementation and organization model, the use of scientific research funds, and skilled employee assessment are supported within the Sci-Tech City.

**Article 26** The Sci-Tech City is supported to develop satellite navigation, surveying and mapping, and related industries and services and build a satellite remote sensing information industrial park.

**Article 27** The Sci-Tech City is supported to set up the cross-border e-commerce exhibition and sales center, service center, and regional headquarters, encourage the development of professional services supporting cross-border e-commerce to create an integrated service carrier integrating development, research and development, operations, customer service, and design.

**Article 28** The Sci-Tech City shall guide the digitalization of assets for leading industries, develop technical standards and models for the confirmation, flow, and trading of digital assets, and improve the implementation of new-generation information technology such as artificial intelligence, big data, cloud computing, blockchain, and the Internet of Things.

The Sci-Tech City is supported to the development of the financial service industry to support the leading industries in the Sci-Tech City, and develop a multi-level industrial financial service system.

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**第二十九条** 科技城应当探索建立与国际通行规则相衔接的国际化知识产权制度体系，建设海南自由贸易港知识产权保护与运用先行区。

科技城应当围绕推进海洋科技、南繁种业发展及科技创新关键领域、核心技术知识产权保护和运用，建立知识产权快速审查、快速授权、快速维权机制。鼓励科技城推动知识产权证券化，完善知识产权交易体系与交易机制。支持科技城高新技术企业利用股权、知识产权开展质押融资。

鼓励科技城引进高端国际化知识产权服务机构，加强国际知识产权人才培养和引进。

**第三十条** 支持科技城探索建立国际离岸创新创业试验区，引进境外科研机构、科技企业、科技人员开展国际离岸创新创业。

**第三十一条** 对于利用财政性资金形成的归单位所有的职务科技成果，高等院校、科研机构可以赋予科技成果完成人共同所有权或者长期使用权，但是可能影响国家安全、公共利益、社会稳定的除外。

依据前款规定，赋予科技成果完成人共同所有权的，科技成果完成人与单位可以约定共同共有或者按份共有。按份共有的，科技成果完成人的份额应当不低于百分之七十。赋予科技成果完成人长期使用权的，科技成果许可使用期限不得少于十年。

对于同一职务科技成果，科研人员获得职务科技成果共同所有权或者长期使用权的，其单位可以不再给予成果转化收益和奖励。



**Article 29** The Sci-Tech City shall explore and establish an international intellectual property system in line with international rules, and create an intellectual property protection and implementation pilot zone within the Hainan Free Trade Port.

The Sci-Tech City shall establish a system for the rapid review, authorization, and protection of intellectual property rights by focusing on improving marine science and technology, Nanfan seed industry development and technological innovation, and the protection and implementation of intellectual property rights in key technological innovation areas and core technologies. The Sci-Tech City is encouraged to improve intellectual property securitization and the intellectual property trading system and mechanism, and high-tech enterprises within the Sci-Tech City shall receive support to use equity and intellectual property rights to provide financing secured by asset pledges.

The Sci-Tech City is encouraged to introduce high-end international intellectual property service providers and improve the training and recruitment of international intellectual property skilled employees.

**Article 30** The Sci-Tech City shall receive support to explore and set up an international offshore innovation and entrepreneurship pilot zone, and introduce overseas research institutes, technology enterprises and scientific and technological employees to conduct international offshore innovation and entrepreneurship.

**Article 31** Higher learning institutions and research institutes may grant joint ownership or long-term use rights to individuals accomplishing work-related technological achievements using public funds, except for those that may affect national security, the public interest, and social stability.

Pursuant to the above paragraph, where technological achievements are granted joint ownership, those who have accomplished such achievements may negotiate joint ownership or co-ownership by shares with their institutes. Where the achievements are co-owned by shares, those accomplishing the achievements shall hold at least 70% of the shares. Where long-term use rights are granted to those accomplishing the achievement, the technological achievement use right term shall be at least 10 years.

Institutes whose scientific researchers obtain joint ownership or long-term use rights for work-related scientific and technological achievements may no longer give proceeds and rewards from the commercialization of the same achievements.

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**第三十二条** 科技城应当引进境内外高层次人才和急需紧缺人才，自主认定科技城高层次人才，可以对急需紧缺人才结合实际适当放宽文凭、年龄、职称等条件限制。

对在科技城工作的高层次人才、紧缺人才以及其他人才，科技城在科研、住房、医疗、配偶就业、子女教育等方面提供便利。

鼓励科技城各类单位在境外建立前端孵化基地、离岸研发中心，聘请使用高层次创新人才。

支持国有企业、事业单位的专业技术和管理人才按规定在科技城兼职兼薪、按劳取酬。

**第三十三条** 符合条件的港澳台地区人才以及经认定取得我国永久居留权资格的国外人才可以用其境内合法收入在科技城内直接设立科技型企业。

**第三十四条** 省和三亚市人民政府及科技城管理机构应当综合运用财政后补助、间接投入等方式，通过资助、贷款贴息、奖励、基金等多种形式支持科技城的高等院校、科研机构、企业以及科技人员开展科技创新活动。

科技城的企业或个人依照国家和本省有关规定享受关税、企业所得税、个人所得税等方面的税收优惠政策。

## **第五章 服务管理**

**第三十五条** 在科技城实施和深化极简审批改革，探索在具有强制性标准领域建立“标准制+承诺制”的投资制度，简化审批条件和程序，提高审批服务效能，加强事中事后监管。

**Article 32** The Sci-Tech City shall introduce domestic and foreign workers with exceptional ability and critical needs skilled workers, independently identify workers with exceptional ability within the Sci-Tech City, and appropriately relax qualification requirements, such as educational background, age, and professional titles for critical needs skilled employees.

The Sci-Tech City shall facilitate scientific research, housing, medical care, spouse employment, children's education, and more for workers with exceptional ability, critically-lacking skilled employees, and other skilled employees working within the Sci-Tech City.

All types of entities in the Sci-Tech City are encouraged to set up front-end development bases and offshore research and development centers and employ workers with exceptional ability.

Professional, technical, and managerial skilled employees of state-owned enterprises and public institutes are supported to work part-time and be paid based on their work in the Sci-Tech City.

**Article 33** Qualified skilled employees from the Hong Kong, Macao, and Taiwan areas and foreign skilled employees eligible for permanent residency in China may use their legal domestic income to directly set up scientific and technological enterprises within the Sci-Tech City.

**Article 34** The Provincial and Sanya Municipal People's Government and the Sci-Tech City administrative agencies shall comprehensively use the post-financial subsidies and indirect investment to support higher education, research institutes, enterprises, and scientific and technological employees within the Sci-Tech City to conduct scientific and technological innovation activities through various forms such as subsidies, loan interest subsidies, awards, and public funding.

Enterprises or individuals in the Sci-Tech City enjoy preferential tax policies on tariffs, enterprise income tax, and personal income tax pursuant to national and provincial law.

## **Chapter V Service Management**

**Article 35** The Sci-Tech City shall establish and improve the minimal review and approval reform within the Sci-Tech City, explore the implementation of a Standard System Plus Commitment System investment system in areas with mandatory standards, simplify review and approval conditions and procedures, improve the efficiency of review and approval services, and improve post-implementation oversight.

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省人民政府有关部门在科技城对种质资源引进中转和出口实行“多审合一、多检合一”的审批制度。省人民政府有关部门及海关主管部门建立跨部门间信息互通、监管联动、执法互助、考核互认等工作机制，提高全球动植物种质资源引进便利化水平。

**第三十六条** 科技城管理机构应当建立和完善招商项目和引进人才全程跟踪服务责任制，为科技城的企业、组织和个人提供优质、高效、便捷的服务。

**第三十七条** 科技城建立健全以信用监管为基础、与负面清单管理方式相适应的过程监管体系，明确加强过程监管的规则和标准，依法对投资经营活动实施有效监管。

科技城管理机构按照国家有关规定建立科技城内市场主体及其从业人员信用记录，依法及时公布、公示和共享其信用信息，实行守信联合激励和失信联合惩戒。

科技城管理机构应当建立不良市场主体退出机制，保障科技城产业健康发展。

**第三十八条** 科技城应当完善科技伦理审查制度，对相关科研活动加强审查和监管。

**第三十九条** 省和三亚市人民政府及科技城管理机构应当加强生物安全风险防控和治理体系建设，建立外来动物、农作物病虫害、外来物种生态安全监测评估预警体系，加强进口农业转基因生物安全监管，确保动植物疫病防控安全。

科技城应当配合国家和省人民政府监管部门建立健全种业信息监测、种业安全预警和种业安全应急处理等种业安全管理机制。

The appropriate Provincial People's Government agencies shall introduce the Multi-review and Multi-inspection Review and Approval Integrated System for the addition, transportation, and export of germplasm resources within the Sci-Tech City. The appropriate Provincial People's Government and customs agencies shall establish working systems such as inter-departmental information exchange, oversight and interaction, mutual assistance in law enforcement, and mutual assessment recognition to improve the level of facilitation when introducing overseas animal and plant germplasm resources.

**Article 36** The Sci-Tech City administrative agencies shall establish and optimize a full-process accountability system for investment projects and skilled employee recruitment and provide high-quality, efficient, and convenient services for enterprises, organizations, and individuals in the Sci-Tech City.

**Article 37** The Sci-Tech City shall establish and optimize a credit oversight-based process oversight system compatible with negative list management, specify the rules and standards for improving process oversight, and effectively oversee investment and business activities pursuant to law.

The Sci-Tech City administrative agencies shall establish a credit record system for market entities and their employees in the Sci-Tech City pursuant to national regulations, promptly publish, publicize, and share their credit information pursuant to law, and implement joint good credit incentives and joint penalties for bad credit.

The Sci-Tech City administrative agencies shall establish an exit system for bad credit market entities to ensure the healthy development of Sci-Tech City industries.

**Article 38** The Sci-Tech City shall improve the science and technology ethics review system and improve the review and oversight of such scientific research activities.

**Article 39** The Provincial and Sanya Municipal People's Government and the Sci-Tech City administrative agencies shall improve the development of the biosafety risk prevention and management system, create an ecological safety monitoring, assessment, and early warning system for non-native animals, crop pests and diseases, and non-native species, improve the safety oversight of imported agricultural genetically modified organisms, and ensure the safety in the prevention and management of animal and plant diseases.

The Sci-Tech City shall cooperate with national and the Provincial People's Government regulatory authorities to establish and optimize seed industry safety management systems, such as seed industry information monitoring, seed industry safety early warning, and seed industry emergency management.

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## 第六章 法律责任

**第四十条** 科技城管理机构、省和三亚市人民政府有关部门及其工作人员在科技城服务管理工作中有滥用职权、玩忽职守、徇私舞弊等行为的，对直接负责的主管人员和其他责任人员依法给予处分；构成犯罪的，依法追究刑事责任。

**第四十一条** 科技城建立创新容错机制，对有下列情形之一的可以按照国家和本省有关规定从轻、减轻处理或者免除责任：

- （一）在推进改革创新中因缺乏经验先行先试出现的失误；
- （二）尚无明确限制的探索性试验中的失误；
- （三）为推动改革发展的无意过失；
- （四）法律法规规定的其他从轻、减轻或者免除责任的情形。

## 第七章 附 则

**第四十二条** 本条例自 2021 年 1 月 1 日起施行。

## Chapter VI Legal Liability

**Article 40** Where the Sci-Tech City administrative agencies, Provincial and the Sanya Municipal People's Government agencies, and their employees abuse the position, commit dereliction of duty, or play favoritism and commit irregularities, and other similar acts while managing Sci-Tech City services, and the persons directly in charge and other liable employees shall be penalized pursuant to law. Those committing crimes shall be held criminally liable pursuant to law.

**Article 41** The Sci-Tech City shall create an innovative fault-tolerant system, and liability may be reduced, mitigated, or exempted pursuant to national or provincial law under any of the following circumstances:

- (a) mistakes caused by lack of experience in encouraging reform and innovation;
- (b) mistakes in exploratory experiments without explicit restrictions;
- (c) unintentional negligence to encourage reform and development; or
- (d) other circumstances that may reduce, mitigate, or exempt liability as provided by laws and regulations.

## Chapter VII Supplementary Provision

**Article 42** The Regulations shall come into force as of January 1, 2021.

