

**中国（海南）自由贸易试验区
重点园区极简审批条例**

**Regulations of China (Hainan) Pilot Free Trade
Zone on Expedited Review for Key Parks**

中国（海南）自由贸易试验区重点园区 极简审批条例

（2019年3月26日海南省第六届人民代表大会常务委员会
第十次会议通过）

第一章 总 则

第一条 为了推广和深化“多规合一”下的极简审批改革，营造法治化、国际化、便利化的营商环境，加快中国（海南）自由贸易试验区和中国特色自由贸易港建设，推动重点园区建设项目尽快落地，遵循国家法律、行政法规原则，依据全国人民代表大会对海南省人民代表大会常务委员会的立法授权，结合本自由贸易试验区实际，制定本条例。

第二条 省和市、县、自治县人民政府应当按照简政放权、放管结合、优化服务的要求，遵循宽进、严管、快办、便民、诚信、公开的原则，最大限度精简审批事项、评估事项和下放审批权限，探索实施单一部门集中审批管理模式；优化审批流程，提高审批效率；推进行政审批和政务服务标准化，主动为行政管理相对人提供高效优质服务。

第三条 在重点园区逐步推行规划代立项审批、区域评估代单个项目评估，实行准入清单和告知承诺管理，组织联合验收，强化事中事后监管，以及实施其他极简审批做法。

重点园区名录由省人民政府公布。

Regulations of China (Hainan) Pilot Free Trade Zone on Expedited Review for Key Parks

(Adopted at the 10th Session of the Standing Committee of the 6th Hainan
Provincial People’s Congress on March 26, 2019)

Chapter I General Provisions

Article 1 These Regulations are enacted under national laws and administrative regulations pursuant to the legislative authority from the National People’s Congress to the Standing Committee of Hainan Provincial People’s Congress and based on the actual circumstances of the China (Hainan) Pilot Free Trade Zone (hereinafter referred to as the “PFTZ”) for the purposes of promoting and deepening the expedited review reform under the “regulations in one”, creating a law-based, internationalized and convenient business environment, speeding up the development of PFTZ and the free trade port with Chinese characteristics, and facilitating the implementation of key park projects as soon as possible.

Article 2 The people’s governments of provinces, cities, counties and autonomous counties shall, pursuant to the devolution, integration of streamlining administration and delegating power, and upgrade service requirements, streamline examination, approval, and evaluation, devolve review authority to the maximum extent and explore the implementation of centralized review by a single-agency based on the principles of wide entry, strict management, quick processing, convenience, honesty, and openness; the governments shall also optimize the approval process and improve the approval efficiency, promote the standardization of administrative review and administrative services, and actively provide efficient and high-quality services for administrative counterparts.

Article 3 In key parks, planning shall gradually replace approval, regional evaluation for individual evaluation. The access list and notification-commitment system shall be launched, and joint acceptance, improve post-event oversight shall be organized, and other expedited review procedures shall be adopted.

The list of key parks shall be published by the provincial people’s government.

第四条 博鳌乐城国际医疗旅游先行区、海口国家高新技术产业开发区、海南老城经济开发区三个产业园区（以下简称“三园”）范围内的建设项目，依照本条例第二章、第三章的规定实施特别极简审批（以下简称“三园”特别极简审批）。

在前款规定以外的其他重点园区推广适用或者部分推广适用“三园”特别极简审批的，由省人民政府评估论证后，报省人民代表大会常务委员会决定，或者另行制定经济特区法规规定。

第五条 在其他重点园区推广适用或者部分推广适用“三园”特别极简审批前，省和市、县、自治县人民政府应当依据省和市、县、自治县总体规划，做好下列基础工作：

（一）组织编制和调整完善重点园区的总体规划、控制性详细规划以及产业发展规划等规划；

（二）组织开展相关区域评估，并结合相关评估普查区域内的文物保护单位、历史建筑、古树名木等现状；

（三）编制并公布产业项目准入清单。

第六条 授权符合法定条件的“三园”管理机构行使本产业园区管理事项的行政审批权和相应的行政处罚权。

省和市、县、自治县人民政府及其有关部门应当根据推行极简审批的需要，充分委托前款规定以外的其他重点园区管理机构实施行政审批和行政处罚，或者在前款规定以外的其他重点园区内设点办理行政审批事项。需要授权符合法定条件的其他重点园区管理机构行使本园区管理事项的行政审批权和相应的行政处罚权的，由省人民政府报省人民代表大会常务委员会决定，或者另行制定法规规定。

Article 4 The special expedited review (hereinafter referred to as the “Special Expedited Review for the Three Parks”), subject to Chapters I and III of these Regulations, shall be implemented for construction projects within the Bo’ao Hope International Medical Tourism Pioneer Zone, Haikou National High-tech Industrial Development Zone, and Hainan Old Town Economic Development Zone (hereinafter referred to as the “Three Parks”).

If, in other key parks beyond the preceding paragraph, the Special Expedited Review for the Three Parks is popularized (or partially popularized), it shall, after evaluation by the provincial people’s government, be submitted to the Standing Committee of the Provincial People’s Congress for approval; or the special economic zone regulations shall be enacted separately.

Article 5 Before the Special Expedited Review for the Three Parks is popularized (or partially) in other key parks, the people’s governments of provinces, cities, counties, and autonomous counties shall conduct the following pursuant to the comprehensive plan of provinces, cities, counties, and autonomous counties:

(a) to organize the preparation, adjustment, and improvement of the comprehensive plan, regulatory detailed planning, and industrial development planning of key parks;

(b) to organize an appropriate regional assessment, and combine the appropriate assessment to survey the current conditions for heritage preservation, historical buildings, ancient and famous trees in the region; and

(c) to prepare and publish the industrial project access list.

Article 6 The administrative agencies of the Three Parks, pursuant to statutory conditions, are authorized to exercise the administrative review power and the corresponding administrative penalty power for the administration of this industrial park.

The people’s governments of provinces, cities, counties, and autonomous counties and their appropriate agencies shall, based on the demands of implementing expedited review, fully entrust other key park administrative agencies other than those specified in the preceding paragraph to conduct an administrative review and issue administrative penalties or set up offices in other key parks other than those specified in the preceding paragraph to manage the administrative review. If it is necessary to authorize other key park administrative agencies, pursuant to statutory conditions, to exercise the power of administrative review and the corresponding power of administrative penalty on the park administration, it shall be decided by the Standing Committee of the Provincial People’s Congress after submission by the provincial people’s government; or regulations shall be enacted separately.

第七条 鼓励重点园区结合实际需要，探索改革做法，创新管理模式，深化本区域的极简审批改革。

第八条 在本自由贸易试验区重点园区内进行的督查、检查、巡查、考核等工作，应当适用本条例。

第九条 由国务院及其部门行使审批权的事项，依照有关法律、行政法规和国家有关规定办理，不适用本条例。

第二章 审批事项和评估事项精简

第十条 “三园”范围内的建设项目，符合省和市、县、自治县总体规划以及本园区的总体规划、控制性详细规划等规划的，下列事项不再审批：

- （一）建设项目选址意见书核发；
- （二）建设项目用地预审。

第十一条 “三园”范围内的建设项目，符合省和市、县、自治县总体规划以及本园区的总体规划、控制性详细规划等规划的，下列事项不再审批，改为备案管理：

- （一）河道管理范围内建设项目工程建设方案审查；
- （二）工程建设项目招标事项核准；
- （三）省级、市县级文物保护单位建设控制地带内建设工程设计方案审批；
- （四）防空地下室设计方案审核；
- （五）防空地下室易地建设许可；

Article 7 Key parks are recommended to explore reform practices, innovate management patterns and deepen the reform of expedited review in this area.

Article 8 These Regulations shall apply to the oversight, inspection, patrol, and assessment carried out in the key parks of the PFTZ.

Article 9 For matters in which the State Council and its component agencies exercise the power of review, the applicable laws, administrative regulations, and state rules shall prevail, and these Regulations shall not apply.

Chapter II Simplification of Review and Approval

Article 10 For construction projects within the Three Parks, pursuant to the comprehensive plan of the province and city, county, autonomous county and the park's comprehensive plan, regulatory detailed planning, and other planning, the following no longer need to be approved:

- (a) the issue of submission for construction project site; or
- (b) the pre-approval of land for construction projects.

Article 11 For construction projects within the Three Parks, pursuant to the comprehensive plan of the province and city, county, autonomous county and the park's comprehensive plan, regulatory detailed planning, and other planning, the following no longer need to be approved and can be changed to a record system:

- (a) the examination of the construction plan for construction projects within the scope of river management;
- (b) the approval of the construction project bidding;
- (c) the review of the construction project design plan within the construction regulatory zone of the organizations with cultural relics under protection at the province, city, and county levels;
- (d) the audit of the air defense basement design;
- (e) air-raid shelter construction permit;

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- (六) 防雷装置设计审核；
 - (七) 城市道路挖掘许可；
 - (八) 城镇污水排入排水管网许可。

第十二条 在“三园”范围内，对建筑面积在一千平方米以下（含）的结构简单和功能单一的厂房、仓库、设备用房等建筑物，不再进行施工图设计文件审查。具体实施办法由省人民政府制定。

第十三条 “三园”范围内的建设项目，符合省和市、县、自治县总体规划以及本园区的总体规划、控制性详细规划等规划的，下列事项以区域审核审批替代单个项目审核审批：

- (一) 建设项目使用林地审核审批；
- (二) 建设项目压覆重要矿床审批；
- (三) 固定资产投资项目节能评估审查（需备案）。

第十四条 本自由贸易试验区重点园区范围内的建设项目，符合省和市、县、自治县总体规划以及本园区的总体规划、控制性详细规划等规划，对地质灾害危险性已统一组织区域评估的，不再进行单个项目评估，但具体建设项目用地位于评估划定的危险性大、中等区段的除外。

第三章 审批程序和流程优化

第十五条 “三园”范围内的建设项目，符合省和市、县、自治县总体规划以及本园区的总体规划、控制性详细规划等规划的，下列事项实行告知承诺制：

- (f) the lightning protection device design review;
- (g) the urban road excavation permit; or
- (h) the permit for urban sewage discharged into the sewer network.

Article 12 Within the Three Parks, document review of the construction drawings and design documents for simple structure and single function, such as factories, warehouses, and equipment rooms with a building area of less than 1,000 square meters shall no longer take place. The detailed measures shall be enacted by the provincial people's government.

Article 13 For construction projects within the Three Parks, pursuant to the comprehensive plan of the province, city, county, and autonomous county, as well as the comprehensive plan and regulatory detailed planning of the park, the following shall be subject to regional review instead of individual review:

- (a) the review of the use of forest land in construction projects;
- (b) the approval of construction projects covering important deposits; and
- (c) the energy-saving assessment and review of fixed assets investment projects (required for recordation).

Article 14 For construction projects within key parks of the PFTZ, pursuant to the comprehensive plan of provinces, cities, counties, and autonomous counties, as well as the comprehensive plan and regulatory detailed plans of this park and the regional assessment of geological hazards already uniformly organized, no individual assessment shall be conducted, except when the land for specific construction projects is located in the high-risk and medium-risk sections specified in the assessment.

Chapter III Approval Procedures and Process Optimization

Article 15 For development projects within the Three Parks, pursuant to the comprehensive plan of the province and city, county, autonomous county and the park's comprehensive plan, regulatory detailed planning, and other planning, the followings are subject to the notification-commitment system:

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- (一) 建设用地规划许可；
 - (二) 建设工程规划许可；
 - (三) 建筑工程施工许可。

第十六条 尚未授权重点园区管理机构行使行政审批权的，省和县、自治县人民政府应当确定重点园区建设项目立项用地规划许可、工程建设许可、施工许可、竣工验收四个审批阶段的牵头部门，并由各牵头部门组织协调相关部门严格按照限定时间，完成本阶段的审批。

同一部门实施的管理内容相近或者属于同一办理阶段的多个审批事项，应当整合为一个审批事项。能够用征求相关部门意见方式替代的审批事项，可以调整为政府内部协作事项。

各审批阶段由牵头部门制定统一的办事指南和申报表格，每一个审批阶段申请人只需提交一套申报材料。不同审批阶段的审批部门应当共享申报材料，不得要求申请人重复提交。

第十七条 对基本条件具备、主要申请材料齐全且符合法定形式，但次要条件或者申请材料欠缺的审批事项，经过申请人作出相应承诺后，审批部门或者重点园区管理机构可容缺后补，先予受理，经审查后颁发相关许可证件。

按照前款规定办理审批的，审批部门或者重点园区管理机构应当当场一次性告知需要补正的材料、时限和超期补正处理办法，并要求申请人承诺在一定期限内补正全部材料。

第十八条 建设项目环境影响评价、地震安全性评价等评价事项不作为项目审批或者核准条件。地震安全性评价由建设单位在工程设计前办理完成，其他评价事项由建设单位在工程开工前办理完成。

- (a) the permit of development land planning;
- (b) the permit of development project planning; and
- (c) the development permit.

Article 16 If the administrative agencies of key parks have not been authorized to exercise the power of administrative review, the people's governments of provinces, cities, counties, and autonomous counties shall determine the leading agencies in the four stages of review: land planning permit, engineering construction permit, construction permit, and completion acceptance. Each leading agency shall organize and coordinate the appropriate agencies to complete the review at the respective stages in strict compliance with the limited time.

The multiple review items with similar administrative contents charged by the same agency or belonging to the same stage shall be integrated into one. The review items that can be replaced by seeking the opinions of the appropriate agencies shall be changed to internal collaboration items within the government.

In each review stage, the leading agency shall draft the standardized guidelines and application forms, and the applicant shall only submit a set of application materials for each review stage. The approving agencies at different stages shall share the application materials and shall not require the applicants to repeatedly submit such.

Article 17 For review items meeting basic conditions with their main application materials and meeting the statutory format but lacking in secondary conditions or application materials, after the applicant issues the corresponding commitments, the approving agency or the administrative agency of the key parks may allow correction after application, preliminarily accept, and issue the appropriate licenses after review.

The approving agencies or the administrative agencies of the key parks shall, under the preceding paragraph for review, inform the applicant of materials in need of correction, the time limit and methods for overdue correction in one instance, and require the applicant to promise to correct all the materials within of the specified time.

Article 18 The environmental impact assessment, seismic safety evaluation, and other evaluations of the construction project shall not be used as the approval or granting requirements. The seismic safety evaluation shall be completed by the developer before the project design, and other evaluations shall be completed by the developer before the project starts.

“三园”以外的重点园区建设项目用地预审意见可以作为使用土地证明文件申请办理建设工程规划许可证，用地批准手续由建设单位在施工许可前办理完成。

第十九条 专业技术要求较高的审批事项，其技术审查可以通过政府购买服务的方式，委托具有相关资质的专业机构统一审查，并出具审查意见。具体实施办法由省人民政府制定。

委托专业机构进行技术审查的，审批部门对技术审查结果作法定要件的符合性审查。经审查符合法定要件的，审批部门依申请核发行政许可证件。

第二十条 房屋建筑工程、市政基础设施工程以及国家和本省规定的其他建设项目实行施工图联合审查，将消防设计审核、防雷装置设计、人防设计审查等技术审查并入施工图设计文件审查，分别作出审查意见。

建设项目依照本条例第十二条规定不再进行施工图设计文件审查的，其消防设计审核的技术审查依照本条例第十九条的规定办理。

第二十一条 依法应当由行政机关验收的事项，建设单位可以向省和市、县、自治县人民政府确定的牵头部门或者重点园区管理机构提出联合验收申请，由牵头部门或者重点园区管理机构统筹组织规划、消防等主管部门在规定时限内完成验收工作，统一出具验收意见。

省和市、县、自治县人民政府应当统一制定联合验收标准和验收图纸，明确验收时限，推动实现相关部门的信息互换、监管互认、执法互助。

The pre-examination opinions on land use for construction projects of key parks other than the Three Parks can be used as land use certification to apply for the construction project planning permit, and land use approval procedures shall be completed by the developer before the construction permit is granted.

Article 19 For professional and technical requirements of the review, the technical review can be processed via government service procurement, i.e., hiring professional agencies with appropriate qualifications to review and issue the opinion. The specific rules shall be enacted by the provincial people's government.

For professional agencies hired to conduct the technical review, the approving agencies shall conduct the statutory requirements compliance review for the technical review results. After review, if it meets the statutory requirements, the approving agencies shall issue the administrative license based on the application.

Article 20 Housing construction projects, municipal infrastructure projects, and other construction projects specified by the state and the province shall be subject to a joint review of construction drawings, and technical reviews, such as fire protection design review, lightning protection device design, and civil air defense design review, shall be included in the review of construction drawings and design documents, and review opinions shall be made respectively.

If the construction drawing design documents of a construction project are not reviewed pursuant to Article 12, the technical review of the fire design audit shall be managed pursuant to Article 19.

Article 21 For matters requiring approval by administrative agencies pursuant to law, the developer may apply for joint acceptance to the leading agency determined by the people's governments of provinces, cities, counties, and autonomous counties or the administrative agency of the key park, and such agency shall organize the planning, fire protection, and other competent agencies to complete the approval within the specified time limit and issue the unified approval opinions.

The people's governments of provinces, cities, counties, and autonomous counties shall uniformly draft joint approval standards and approval drawings, specify the time limit for approval, and promote the realization of information exchange, mutual recognition of oversight, and mutual law enforcement cooperation among appropriate agencies.

第二十二条 竣工验收事项和产权登记涉及的规划验收测量、人防工程测量和房产测绘，应当合并为单个综合性联合测绘项目。对于验收涉及的测绘工作，实行统一测绘、出具多套测绘成果，成果共享。

省人民政府规划主管部门会同有关部门制定联合测绘的综合技术标准，统一工程建设项目行政审批监管中建筑面积计算规则，明确联合测绘的内容、精度、成果形式等要求。

第二十三条 省和市、县、自治县总体规划和相关规划以及相关评估已明确能满足审批依据要求的指标、要素、参数等数据的建设项目，申请人在申请材料中无需再提供相关材料，即可办理相关审批手续。

第二十四条 审批部门或者重点园区管理机构对能够通过公共数据平台提取的材料，不再要求申请人提供，但可以要求申请人予以确认；申请人认为通过公共数据平台提取的材料与实际不符的，以申请人提供的材料作为申请材料。

第四章 监管和服务

第二十五条 省和市、县、自治县人民政府及其部门以及重点园区管理机构，应当建立以信用监管为核心，完善以记录、抽查和惩戒为手段的事中事后监管体系和诚信档案，建立责任追究制度，提高监管效能，保障极简审批顺利实施。

第二十六条 省和市、县、自治县人民政府有关部门和重点园区管理机构实施极简审批，应当严格履行下列重要职责：

- （一）强化对项目后续建设中违法违规行为的查处；

Article 22 The planning acceptance survey, civil air defense engineering survey and real estate surveying and mapping completion approval, and property registration shall be merged into a single comprehensive joint surveying and mapping project. For the surveying and mapping involved in the approval, unified surveying and mapping shall be conducted, multiple sets of surveying and mapping results shall be issued, and the results shall be shared.

The competent planning agencies of the provincial people's government shall, together with the appropriate agencies, draft comprehensive technical standards for joint surveying and mapping, unify the calculation rules of the construction area in the administrative review oversight for engineering construction projects, and specify the content, precision, and results format requirements for joint surveying and mapping.

Article 23 If the comprehensive plan and related planning of provinces, cities, counties, and autonomous counties and related evaluations have clearly met the indexes, elements, and parameters required by the review, the applicant can go through the appropriate review without providing the necessary materials in the application materials.

Article 24 The approving agencies or administrative agencies of key parks no longer require the applicant to provide materials that can be obtained through the public data platform, but may require the applicant to confirm such; if the applicant believes that the materials obtained through the public data platform are inconsistent with the truth, the materials provided by the applicant shall be used as the application materials.

Chapter IV Oversight and Services

Article 25 The people's governments of provinces, cities, counties, and autonomous counties and their agencies, as well as the administrative agencies of key parks, shall prioritize the credit oversight, improve the post-event oversight system and credit archives by records, inspection, and penalties, establish an accountability system, improve oversight efficiency, and ensure the smooth implementation of expedited review.

Article 26 When conducting the expedited review, the provincial and municipal, county, autonomous county people's government agencies and the administrative agencies of key parks shall strictly perform the following important duties:

(a) to improve the investigation and penalties of the violations of law in the follow-up construction of the project;

(二) 对承诺人履行承诺情况及时跟踪检查和处理;

(三) 采取有效措施确保管理范围内生态环境质量不下降。

第二十七条 实行告知承诺制的审批事项, 审批部门或者重点园区管理机构在受理时发现存在明显虚假承诺的, 可拒绝接受承诺, 不予办理有关审批事项。

审批部门或者重点园区管理机构对实行告知承诺制的审批事项, 应当在作出批准后的二个月内, 对申请人履行承诺情况进行检查, 并加强后续监管。

第二十八条 省和重点园区所在地的市、县、自治县人民政府应当根据职责, 对重点园区管理机构行使行政审批权和行政处罚权的情况加强监督。

行政审批的委托机关应当加强对受委托的相关管理机构的监管, 指导受委托的相关管理机构实施审批。受委托的相关管理机构应当严格依法依约办理委托事项, 并及时向委托机关报告实施情况。

第二十九条 对实施极简审批的审批部门、重点园区管理机构以及相关主管部门, 省和市、县、自治县人民政府应当加强监管和考评。

第三十条 省和市、县、自治县人民政府及其部门和重点园区管理机构应当加强风险防控, 建立和实施有关风险评估制度, 制定有关风险防控预案, 及时处置和化解实施极简审批过程中出现的风险和问题。

第三十一条 省和市、县、自治县人民政府相关部门应当最大限度实行网上受理、网上办理、网上反馈, 逐步实现一网通办、一口办理, 将重点园区政务服务事项全部纳入全省统一的在线政务服务平台办理。

(b) to track, inspect, and manage the performance of the commitment in a timely manner; and

(c) to take effective measures to ensure that the quality of the ecological environment within the scope of management does not decline.

Article 27 When implementing the review notification-commitment system, if the approving agencies or the administrative agencies of key parks finds clear false promises upon approval, they may refuse to accept the promise, and shall not process the review.

The approving agencies or the administrative agencies of key parks shall, within two months after the approval, inspect the applicant's performance of the commitment and improve the follow-up oversight.

Article 28 The people's governments of cities, counties and autonomous counties where the seat of a province and key parks are located shall, pursuant to their duties, improve oversight over the exercise of the power of administrative review and administrative penalties by administrative agencies of key parks.

The entrusting administrative review agency shall improve the oversight of the entrusted administrative agencies and guide such agencies to process the review. The entrusted administrative agencies shall process the entrusted matters in strict compliance with the law, and promptly report to the entrusting agencies.

Article 29 For the agencies conducting expedited review, administrative agencies of key parks and appropriate agencies, provincial and municipal, county, autonomous county people's government shall improve oversight and evaluation.

Article 30 The people's governments of provinces, cities, counties, and autonomous counties and their agencies and administrative agencies of key parks shall improve risk prevention and control, establish and implement appropriate risk assessment systems, draft appropriate risk prevention and control plans, and promptly process and resolve risks and problems arising from the implementation of expedited review.

Article 31 The agencies of the people's governments of provinces, cities, counties, and autonomous counties concerned shall conduct online acceptance, online processing, and online feedback to the maximum extent, and gradually achieve one website and one agency processing and integrate all the key park government affairs onto the province's unified online administrative service platform.

在线政务服务平台应当开设极简审批专项通道，允许申报材料容缺后补。

在线政务服务平台应当集中提供建设项目涉及的法律法规、办事指南、标准规范、问题解答等信息。

第三十二条 省和市、县、自治县人民政府政务服务机构、相关审批部门以及重点园区管理机构，应当在政务服务大厅为企业和个人提供综合咨询、专业咨询服务，并提供帮办服务。

支持专业咨询机构开展咨询市场化服务。

第三十三条 省和市、县、自治县人民政府应当建立不履行极简审批行为的举报投诉制度，公开举报投诉电话、邮箱，及时调查举报、投诉问题并依法依规处理。

第五章 法律责任

第三十四条 重点园区的项目建设单位有下列情形之一的，依法依规追究单位及其相关人员的责任；情节严重的，依法撤销行政许可，直至作出强制退出园区处理：

- （一）未按照承诺开展投资运营等相关工作的；
- （二）违反相关规划或者擅自改变土地用途的；
- （三）违反施工安全或者工程质量规定的；
- （四）违反生态环境保护规定的；
- （五）其他违法违约行为。

The online administrative service platform shall set up a special channel for expedited review and allow for correction after application.

The online administrative service platform shall prioritize the provision of information such as applicable law, guidelines, standards and specifications, and questions-and-answers for construction projects.

Article 32 The administrative service agencies of the people’s governments of provinces, cities, counties, and autonomous counties, appropriate approving agencies, and administrative agencies of key parks shall provide comprehensive consulting and professional consulting services for business entities and individuals in the administrative service hall, and provide hiring services.

Professional consulting agencies are supported to carry out market-oriented consulting services.

Article 33 The people’s governments of provinces, cities, counties, and autonomous counties shall create a reporting and complaint system for the failure to perform the expedited review, publish telephone numbers and email addresses for reporting, promptly investigate reports and complaints, and resolve such pursuant to law.

Chapter V Legal Liability

Article 34 Any developer of key parks and their employees under any of the following circumstances shall be investigated for liability pursuant to law. If the circumstances are serious, the administrative license shall be revoked pursuant to law and the developer shall ultimately be forced to withdraw from the park:

- (a) failure to carry out investment operations and other related work as promised;
- (b) in violation of the appropriate planning or unauthorized change of land use;
- (c) in violation of construction safety or engineering quality rules;
- (d) in violation of the ecological environmental protection rules; or
- (e) other violations and defaults.

第三十五条 申请人违反本条例有关告知承诺制规定的，审批部门或者重点园区管理机构应当责令限期改正，可以给予警告，并可处一万元以上五万元以下的罚款；情节严重的，可处五万元以上三十万元以下的罚款。逾期不改正或者整改后仍不符合规定的，依法撤销相应的行政许可。造成危害后果的，依照有关法律法规的规定处理。

第三十六条 申请人违反第十七条第二款规定，未在承诺期限内补正全部材料或者提交的材料不符合要求的，审批部门依法撤销相应的行政许可。

第三十七条 行政管理相对人存在不履行承诺或者弄虚作假等行为的，将其违法违规信息记入企业和个人诚信档案，并禁止其在二年内选择适用告知承诺制和容缺后补等规定；情节严重的，列入严重失信企业名单，实行联合惩戒。对失信企业及其法定代表人、控股股东、实际控制人、董事、监事、高级管理人员等，在土地出让、政府采购、国有产权交易、财政资金补助补贴、工程招投标、从业资格等方面，依法予以限制或者禁止。

第三十八条 审批部门或者重点园区管理机构以及相关主管部门、政务服务机构及其工作人员违反本条例的规定，有下列情形之一的，有关机关、单位应当严肃处理，对直接负责的主管人员和其他直接责任人员依法予以问责、处分：

- （一）对依法不再审批的事项实施审批或者变相审批的；
- （二）对依法不再评估的事项要求实施评估或者变相评估的；
- （三）对依法应当办理的审批事项或者服务事项不予办理、推诿办理或者拖延办理的；

Article 35 If the applicant violates the notification-commitment system of these Regulations, the approving agencies or the administrative agencies of the key park shall require correction within a specified time limit, issue a warning, and impose a fine of not less than 10,000 Yuan and not more than 50,000 Yuan. If the circumstances are serious, a fine of not less than 50,000 Yuan and not more than 300,000 Yuan may be imposed. If overdue or correction still does not comply with the rules, the corresponding administrative license shall be revoked pursuant to law. Applicants causing any harmful consequences shall be managed pursuant to law.

Article 36 Where the applicant, in violation of Paragraph 2 of Article 17, fails to correct all materials within the promised time limit or the submitted materials do not meet the requirements, the approving agencies shall revoke the corresponding administrative license pursuant to law.

Article 37 If a counterpart of administrative management fails to fulfill their promise or commits fraud, the violation shall be recorded in the credit files of business entities and individuals, and such counterpart shall be prohibited from applying to the system of notification-commitment and correction for two years following their application. If the circumstances are serious, they shall be put on the list of seriously discredited business entities, and joint penalties shall be imposed. The discredited business entities and their statutory representative, controlling shareholders, actual controllers, directors, supervisors, and senior management employees shall be restricted or prohibited pursuant to law in terms of land transfer, government procurement, state-owned property rights transactions, financial subsidies, project bidding, and employment qualifications.

Article 38 If the approving agencies, the administrative agencies of key parks, the competent agencies, administrative service agencies, and their employees violate any of these Regulations or engage in any of the following circumstances, the appropriate agencies and organizations shall manage them sternly, and the person directly in charge and other employees directly liable shall be held accountable and penalized pursuant to law, if he:

- (a) conducts a review or indirect review no longer required pursuant to law;
- (b) conducts a direct or indirect assessment no longer required pursuant to law;
- (c) refuses to process, avoids, or delays the processing of a review pursuant to law;

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- (四) 不依法履行监管职责的；
 - (五) 不依法履行有关公开职责或者告知职责的；
 - (六) 不依法提供或者主动提供相关服务的；
 - (七) 其他违反本条例规定的行为。

第三十九条 相关单位和个人为了推进和实施极简审批，出现一般性失误、轻微违纪违法且未造成实际损失或者恶劣影响的，酌情从轻、减轻或者免于追究相关责任。

第六章 附 则

第四十条 省和重点园区所在地的市、县、自治县人民代表大会常务委员会应当加强对同级人民政府极简审批实施情况的监督检查。

第四十一条 本条例所称告知承诺制，是指对能够通过事中事后监管纠正不符合审批条件的行为的审批事项，由公民、法人和其他组织提出行政审批申请，相关部门一次性告知其审批条件和需要提交的材料，申请人按照要求作出书面承诺，且符合基本条件的，审批部门可以直接作出审批决定的方式。

第四十二条 本条例自 2019 年 4 月 1 日起施行。

- (d) does not to perform supervisory duties pursuant to law;
- (e) does not perform the appropriate duties of disclosure or notification pursuant to law;
- (f) does not provide appropriate services or initiatives to provide appropriate services pursuant to law; or
- (g) other violations of these Regulations.

Article 39 In order to promote and implement the expedited review, liability for any organizations and individuals concerned that make common mistakes or are in slight violation of discipline and law but do not cause actual losses or adverse effects shall be mitigated, extenuated, or exempted as appropriate.

Chapter VI Supplementary Provisions

Article 40 The standing committee of the people’s congresses of cities, counties, and autonomous counties where the seat of a province and key parks are located shall improve the oversight and inspection of the implementation of expedited review by the people’s governments at the same level.

Article 41 “Notification and commitment system”, for the purpose of these Regulations, refers to the method that citizens, juristic persons, and other organizations apply for administrative review that can be corrected by post-event oversight, and the appropriate agencies inform them of the review requirements and materials to be submitted in one instance. If the applicant issues the written commitment pursuant to the rules and meets the basic conditions, the approving agency can directly issue the review decision.

Article 42 These Regulations shall come into force as of April 1, 2019.

