

Detailed Rules for the Implementation of the Measures for Administration of International Market Developing Funds of Small-and Medium-Sized Enterprises (for provisional implementation)

(July 1, 2001)

Chapter 1 General Provisions

Article 1 In order to strengthen the administration of international market developing funds of small-and medium-sized enterprises (hereinafter referred to as "market developing funds") and to improve the use of the fund, the Detailed Rules for the Implementation of the Measures for Administration of International Market Developing Funds of Small-and Medium-Sized Enterprises (for provisional implementation) (hereinafter referred to as "Detailed Rules for Implementation") are hereby formulated according to the Measures for Administration of International Market Developing Funds of Small-and Medium-Sized Enterprises (for provisional implementation) [No.467 (2000) of the Enterprise Department of the Ministry of Finance, hereinafter referred as "Measures for Administration"]

Article 2 Market developing funds referred to in these Detailed Rules for Implementation include the governmental funds of the central treasury used to help the businesses and small-and medium-sized enterprises open up the international markets, and the special funds independently arranged by the treasuries.

Article 3 The market developing funds are divided into two parts, one for central use and the other for local use, and adopt two-level administration, central administration and local administration. The part for local use is composed of the special funds appropriated by the central financial budget and the special funds independently arranged by the local treasuries.

Article 4 The administration and use of the market developing funds shall abide by the principles of open and transparency, directional use, scientific administration and strengthened supervision.

Chapter 2 Administrative Departments and their Functions and Responsibilities

Article 5 Foreign trade and economic departments and financial departments at all levels are the departments in charge of the market developing funds, and shall jointly administrate the use of the market developing funds and the implementation of the projects.

The foreign trade and economic departments are responsible for the administration of the operation of the market developing funds, including determining the support direction and the scope of use of the market developing funds, proposing the annual project fund plan, and examining and proving the projects using the funds.

The financial departments are responsible for the budgeting and financial administration of the market developing funds, including examining and approving the annual project fund plan;

appropriating the market developing funds, drawing up supervising requirements for the market developing funds, and shall follow and administrate the projects and the use of the fund jointly with the foreign trade and economic departments.

Article 6 Upon the approval of the foreign trade and economic departments and the financial departments at all levels, the undertaking units may be entrusted to be responsible for the specific administration of the operation of the market developing funds.

The part for central use shall be undertaken by the Administrative Office of the International Market Developing Funds of Small-and Medium-Sized Enterprises (hereinafter referred to as the "Small-and Medium-Sized Enterprise Office") that is entrusted by the Ministry of Foreign Trade and Economic Cooperation and the Ministry of Finance; and the part for local use may be undertaken by the local undertaking units entrusted by local foreign trade and economic departments and financial departments, and shall be reported to the Ministry of Foreign Trade and Economic Cooperation and the Ministry of Finance for record.

Relevant work of the Small-and Medium-Sized Enterprise Office and local undertaking departments shall be under the supervision and guidance of the foreign trade and economic departments and financial departments.

Article 7 The Small-and Medium-Sized Enterprise Office and local undertaking departments entrusted by the foreign trade and economic departments and the financial departments shall undertake the following tasks:

1. being responsible for accepting the application for project fund plans, the application of project implementation and the application for project fund appropriation, and making the initial examination;
2. drafting the annual project fund plans according to the applications for project fund plans;
- 3; being responsible for the arrangement, collection, statistics and analysis of the material of applications for project fund plans, applications for project implementation and applications for project fund appropriation;
4. helping the foreign trade and economic departments and the financial departments follow and inspect the use of the market developing funds;
5. drafting reports of the implementation of the annual project fund plan;
6. being responsible for the publicity and training of the relevant administrative provisions on the market developing funds.

Chapter 3 Use of the Funds

Article 8 The market developing funds are used to help the small-and medium-sized enterprises open up the international markets, and help the enterprises, social organizations, institutions serving the small-and medium-sized enterprises (hereinafter referred to as the "project organizing units") organize the small-and medium-sized enterprises.

Article 9 The market developing funds are to support: holding or participating in overseas exhibitions; certification of quality administrative system, environment administrative system, software export enterprises and all kinds of products; publicity and recommendation to international markets; opening up new and emerging markets; organizing trainings and seminars; overseas bidding (bid negotiation) and other aspects (see attachment 1 for the specific support contents and standards).

Article 10 The market developing funds are to priority support the following activities:

1. carrying out the strategy of market diversity, supporting the developing activities facing the new and emerging international markets of Latin America, Africa, Middle East, East Europe and South-East Asia, etc;
2. carrying out the strategy of winning by good quality and developing trade by science and technology, supporting the international market developing activities of the mechanical and electrical products, high-and new-tech products, the products of which more than 70% components are home-made or the products possessing independent intellectual property, etc;
3. supporting the activities of small-and medium-sized enterprises to get quality administrative system certification, environment administrative system certification and product certification; and
4. supporting the international market developing activities of small-and medium-sized enterprises that have already obtained the quality administrative system certification, environment administrative system certification and product certification.

Chapter 4 Targets of the Fund Use

Article 11 Applications of small-and medium sized-enterprises for opening up the international markets independently are enterprise project applications; applications of project organizing units for organizing small-and medium sized-enterprises to open up the international markets are organization project applications.

Article 12 The small-and medium sized-enterprises meeting the following requirements may apply for enterprise projects:

1. possessing the qualification for enterprise as legal person, owning import-export operations right or foreign economic cooperation operation qualification, and the Customs statistics volume

of exports of the last year is 15,000,000 dollars or below ;

2 . Having not committed any offenses in the aspects of foreign business and economic operational control, financial management, tax administration, foreign exchange control, and custom supervision in the last two years;

3 . Possessing professionals who specialize in international market developing ,

having definite work arrangement and market development plans for developing international markets.

Article 13 Project organizing units meeting the following requirements may apply for the organization projects :

1.the organized activities are for the purpose of helping the small-and medium-sized enterprises open up international markets and of improving the international competition capabilities of small and medium-sized enterprises;

2.there are 10 or more enterprises taking part in the activities , and more than 70% of the enterprises meeting the application requirements for small-and medium-sized enterprises provided in Article 12 of these Detailed Rules for Implementation;

3.the funds applied for directly benefit the enterprises taking part in the activities , so as to reduce the expenses and the risks of market development of those enterprises , and to increase the enterprise's efficiency.

Article 14 Enterprises taking part in the organization projects may not apply for the market pioneering funds for the same project separately.

Chapter 5 Administration of and Standards for the Use of Funds

Article 15 The market developing funds arranged by the central treasury are divided into two parts, one for central use and the other for local use. The funds directly used by the central authorities shall occupy 30% of the fund plan of that year, and the funds used by localities shall occupy 70% of the fund plan of that year.

Article 16 In principle, the support proportion of market developing funds shall not exceed 50% of the amount the supported project needs. For small-and medium-sized enterprises of the western regions, and for the market developing activities carried out in accordance with the strategy of market diversity listed in paragraph 1, Article 10 of these Detailed Rules for Implementation, the support proportion of funds may be raised to 70%.

Article 17 Expenses paid in foreign currencies shall be converted into Renminbi (RMB) according to the foreign exchange quotation promulgated by China People's Bank of the day on which the expense voucher is issued.

Chapter 6 Administration of the Project Fund Plan

Article 18 The Ministry of Foreign Trade and Economic Cooperation and the Ministry of Finance shall jointly negotiate with each other and decide about the fund quota of the part for central use and the part for local use of next year according to the arrangements of the annual market developing fund plan.

The Ministry of Foreign Trade and Economic Cooperation and the Ministry of Finance shall make the fund quota for local use known to the local foreign trade and economic departments and financial departments before July 1 of each year.

Article 19 The Ministry of Foreign Trade and Economic Cooperation and the local foreign trade and economic departments are responsible for proposing the annual project fund plan of the part for central use and the part for local use of the next year. The contents of the project fund plan shall include: specific projects, support contents, support proportion and support amount, etc.

Article 20 The project fund plan of the part for local use shall be reported to the Ministry of Foreign Trade and Economic Cooperation before Aug. 15 of each year by the local foreign trade and economic departments after being examined by the financial departments of the same level.

The Ministry of Foreign Trade and Economic Cooperation is responsible for proposing the national project fund plan of the market pioneering funds of the next year, and shall report the plan to the Ministry of Finance before Sep. 10 of each year.

Article 21 The Ministry of Finance shall give a written reply concerning the national project fund plan of market developing funds of the next year to the Ministry of Foreign Trade and Economic Cooperation before Oct. 10 of each year.

The Ministry of Finance and the Ministry of Foreign Trade and Economic Cooperation shall jointly make the project fund plan of the next year known to the local financial departments and foreign trade and economic departments before Nov. 1 of each year according to the annual project fund plan.

Article 22 The projects that may be listed in the project fund plan for central use shall include:

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1. organization projects proposed by the project organizing units which organize the small-and medium-sized enterprises of the whole country or of different regions to open up the international markets;
 2. organization projects proposed by the central enterprises which organize the small-and medium-sized enterprises to pioneer the international markets;
 3. enterprise projects proposed by the central enterprises that comply with the provisions of Article 12 of these Detail Rules of Implementation or by the subsidiary companies of the central enterprises that have made industrial and commercial registration in Beijing.

Article 23 Projects that may be listed in the annual project fund plan for local use shall include:

1. organization projects proposed by project organizing units that organize the local small-and medium-sized enterprises to open up the international markets;
2. enterprise projects proposed by the small-and medium-sized enterprises that have made industrial and commercial registration in that region and that comply with the provisions of Article 12 of these Detailed Rules of Implementation;
3. enterprise projects proposed by the subsidiary companies of central enterprises that have made industrial and commercial registration in that region and that comply with the provisions of Article 12 of these Detailed Rules of Implementation.

Article 24 The Ministry of Finance and the Ministry of Foreign Trade and Economic Cooperation may make appropriate adjustment to the project fund plan of this year that have been made known to the lower levels in the executing year according to the use status and use effect of the market developing funds.

Article 25 The Ministry of Finance shall appropriate the funds according to the annual project fund plan made known to the lower levels. Among which, the funds distributed for local use shall be appropriated to the local financial departments once for all or by time; the market developing funds used by central budget administrative units shall be appropriated directly by the Ministry of Finance; and the other market developing funds for central use shall be appropriated to the Ministry of Foreign Trade and Economic Cooperation every three months according to the annual project fund plan.

Chapter 7 Application Procedures

Article 26 Application for project fund plan. Small-and medium-sized enterprises or project organizing units that meet the requirements for application of Article 12, Article 13 of these Detailed Rules for Implementation may apply to the Small-and Medium-Sized Enterprise Office or the local foreign trade and economic departments for the project fund plan of the next year

according to the support contents provided in these Detailed Rules for Implementation from July 1 to July 31 of each year.

Article 27 Small-and medium-sized enterprises or project organizing units shall submit the basic information of the applying units, application report, the basic information of the project applied for (see attachment 2 for details), and shall attach the relevant material together when applying for the project fund plan.

Article 28 The Ministry of Foreign Trade and Economic Cooperation shall make public announcements of the specific contents of the project fund plan after the Ministry of Finance and the Ministry of Foreign Trade and Economic Cooperation have given a written reply concerning the project fund plan of the next year. Small-and medium-sized enterprises and project organizing units shall make relevant preparations according to the project fund plan replied by the foreign trade and economic departments and the financial departments.

Article 29 Application for project implementation. Small-and medium-sized enterprises or project organizing units shall, according to the annual project fund plan replied, apply to the Small-and Medium-Sized Enterprise Office or to the local foreign trade and economic departments for project implementation 30 days before the implementation of the projects starts.

Article 30 Small-and medium-sized enterprises or project organizing units shall submit the application for project implementation, explanations of project implementation (see attachment 3 for details), and shall attach the relevant material together when applying for project implementation.

Article 31 The Ministry of Foreign Trade and Economic Cooperation or the local foreign trade and economic departments may directly examine and reply to the project implementation applications which are included in the annual project fund plan within 10 days, and send a copy to the financial departments at the same time.

Article 32 The projects that apply for adjusting the contents of the project fund plan shall be reported to the Ministry of Foreign Trade and Economic Cooperation and the Ministry of Finance for examination and approval after the Small-and Medium-Sized Office or the local foreign trade and economic departments (financial departments) have given their initial opinions.

Article 33 For the projects that can't be completed according to the project fund plan within the year, the small-and medium-sized enterprises or project organizing units shall apply to the Small-and Medium-Sized Enterprise Office or the local foreign trade and economic departments for project termination or project application postponement which shall be examined and approved by the foreign trade and economic departments.

Article 34 In case of enterprise project application, the funds given to each project shall not be more than 300,000 RMB at the most, in case of organization project application, the funds given to each project shall not be more than 3,000,000 RMB at the most.

Chapter 8 Appropriation of the Funds

Article 35 The market developing funds adopt the principle of appropriation afterwards, namely the small-and medium-sized enterprises or project organizing units shall apply to the Small-and Medium-Sized Enterprise Office or the local foreign trade and economic departments for project appropriation within 1 month after the project is completed.

Article 36 The following material shall be submitted when applying for the appropriation of project funds:

1. application form of project fund appropriation of international market developing funds of small-and medium-sized enterprises (see attachment 4 for details);
2. project summing-up report of international market developing activities, the contents of which shall include: expenses, achievements obtained and the problems, etc;
3. legal vouchers (the copies) of the expenses actually occurred.

Article 37 The market developing funds shall, through the financial departments at all levels, gradually carry out the treasury central payment according to the requirements of budget reform and treasury central payment.

Article 38 The Small-and Medium-Sized Enterprise Office shall make an initial examination to the applications for the project fund appropriation of the part for central use according to the annual project fund plan, and shall report them to the Ministry of Foreign Trade and Economic Cooperation after gathering and arranging the projects each quarter (three months). Among which, the project funds of central budget administrative units shall be directly appropriated after being examined by the Ministry of Finance, and the project funds of other units shall be appropriated after being examined by the Ministry of Foreign Trade and Economic Cooperation.

Article 39 Local foreign trade and economic departments shall review the applications for project fund appropriation for local use according to the annual project fund plan, and report them to the local financial departments for fund appropriation after gathering and arranging the projects each quarter, and the local financial departments shall appropriate funds to the project organizing units or small-and medium-sized enterprises after examination.

Chapter 9 Evaluation, Supervision and Inspection

Article 40 The Ministry of Finance and the Ministry of Foreign Trade and Economic Cooperation shall jointly supervise and inspect the market developing funds. The contents of inspection shall include: the examination and approval of the projects and the implementation, the use of project funds and the financial management. The forms of inspection may be following the whole process of the projects, giving selective examination to the relevant material or entrusting intermediary

agencies to conduct auditing, etc.

Article 41 The foreign trade and economic departments and financial departments shall establish strict project examination and approval system and fund examination system, strengthen the inspection over projects and the evaluation of fund use effect, so as to guarantee the directional use of the funds and make the best the use of the funds.

Article 42 Local foreign trade and economic departments and financial departments shall summarize and analyze the use of the market developing funds each year, and shall report to the Ministry of Foreign Trade and Economic Cooperation and the Ministry of Finance before the end of March of the next year. Major projects (more than 1,000,000 RMB) shall be specially reported to the Ministries within 45 days after the projects are completed.

Article 43 The small-and medium-sized enterprises or project organizing units that use the market developing funds shall keep the relevant original bills and vouchers in good conditions for future reference according to the relevant financial provisions, and shall cooperate with and provide the relevant material to the foreign trade and economic departments and financial departments when the departments are making a special inspection.

Chapter 10 Rules for Punishment

Article 44 Any of the following acts is in violation of the provisions of the Measures for Administration and these Detailed Rules for Implementation:

- 1.changing the use scope without authorization against the principles of market developing fund use;
- 2.withholding, misappropriating or embezzling the market developing funds;
- 3.using the funds for personal welfare, reward and consumer expenses or using the funds to make up the shortage of administrative funds;
- 4.repeatedly applying for the same project;
- 5.wangling the funds by using false material and vouchers;
- 6.the project organizing units directly use the market developing funds to improve their own profits and economic efficiency; and
7. other acts that violate the Measures for Administration, these Detailed Rules for Implementation and relevant laws and regulations of the state.

Article 45 For the small-and medium-sized enterprises or project organizing units that have committed any of the acts mentioned above, the financial departments shall recover the project

funds that have already been obtained by the enterprises and the units; the foreign trade and economic departments shall cancel their qualification for application, and shall prohibit them from applying for using the market developing funds for 5 years.

Article 46 For those that have seriously violated the Measures for Administration and these Detailed Rules for Implementation, the foreign trade and economic departments and financial departments shall give administrative punishment to the person in charge of that project and to the persons held directly responsible, if a crime is constituted, the departments shall submit it to the judicial departments, and the criminal responsibilities shall be investigated into according to law.

Article 47 If the Small-and Medium-Sized Enterprise Office or any local undertaking unit hasn't earnestly performed its functions and duties according to the provisions, the foreign trade and economic departments and financial departments shall make a notice to criticize them, and shall cancel the undertaking qualification of those whose circumstances are serious.

Chapter 11 Supplementary Provisions

Article 48 Necessary funds may be arranged from the market developing funds for central use and those for local use by the rate of less than 3% according to operation needs to pay the undertaking expenses and operation expenses to the undertaking units, consultation companies, evaluation companies, accounting firms and other intermediary agencies, so as to ensure the implementation of the evaluation, proving and auditing of the projects using the market developing funds, and to strengthen the supervision and administration of the project funds.

Article 49 Local foreign trade and economic departments and financial departments may formulate the specific measures for implementation of the market developing funds of their own according to the requirements of the Measures for Administration and these Detailed Rules for Implementation and taking the actual circumstances into consideration.

Article 50 The power to interpret these Detailed Rules for Implementation shall remain with the Ministry of Foreign Trade and Economic Cooperation jointly with the Ministry of Finance.

Article 51 These Detailed Rules for Implementation shall come into force on the date of promulgation.

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CHINESE TRANSLATION

中小企业国际市场开拓资金管理办法实施细则(暂行)

第一章 总则

第一条 为加强对中小企业国际市场开拓资金(以下简称“市场开拓资金”)的管理,提高资金使用效率,根据《中小企业国际市场开拓资金管理(试行)办法》(财企〔2000〕467号,以下简称“管理办法”),特制定《中小企业国际市场开拓资金管理办法实施细则(暂行)》(以下简称“实施细则”)。

第二条 本实施细则所指的市场开拓资金包括中央财政用于支持中小企业开拓国际市场各项业务与活动的政府性基金和地方财政自行安排的专项资金。

第三条 市场开拓资金分为中央使用和地方使用两部分,实行中央和地方两级管理。地方使用部分由中央财政预算拨付的专项资金和地方财政自行安排的专项资金组成。

第四条 市场开拓资金的管理和使用应遵循公开透明、定向使用、科学管理、加强监督的原则。

第二章 管理部门与职责

第五条 各级外经贸部门和财政部门为市场开拓资金的主管部门,共同对市场开拓资金的使用和项目执行情况进行管理。

外经贸部门负责市场开拓资金的业务管理,包括确定市场开拓资金的支持方向和使用范围,提出年度项目资金计划,审核、论证资金使用项目。

财政部门负责市场开拓资金的预算和财务管理,包括审批年度项目资金计划,拨付市场

开拓资金,提出市场开拓资金的监管要求,并与外经贸部门共同对项目及资金的使用进行跟踪管理。

第六条 各级外经贸部门商财政部门同意后,可委托承办单位负责市场开拓资金的具体业务管理工作。

中央使用部分,由外经贸部商财政部委托中小企业国际市场开拓资金管理办公室(以下简称“中小企业办公室”)承办;地方使用部分,可由地方外经贸部门商财政部门委托地方承办单位承办,并报外经贸部和财政部备案。

中小企业办公室和地方承办单位的相关工作,接受外经贸部门和财政部门的监督和指导。

第七条 中小企业办公室和地方承办单位受外经贸部门和财政部门委托,主要承办下列工作:

1. 负责受理项目资金计划申请、项目实施申请和项目资金拨付申请并进行初审;
2. 根据项目资金计划申请情况草拟年度项目资金计划;
3. 负责对项目资金计划申请、项目实施申请和项目资金拨付申请材料的整理、汇总和统计分析;
4. 协助外经贸部门和财政部门对市场开拓资金使用情况、使用效果进行跟踪、检查;
5. 草拟年度项目资金计划执行情况报告;

6. 负责市场开拓资金有关管理规定的宣传和培训。

第三章 资金用途

第八条 市场开拓资金用于支持中小企业和为中小企业服务的企业、社会团体、事业单位(以下简称“项目组织单位”)组织中小企业开拓国际市场的活动。

第九条 市场开拓资金的主要支持内容是:举办或参加境外展览会;质量管理体系、环境管理体系、软件出口企业和各类产品的认证;国际市场宣传推介;开拓新兴市场;组织培训与研讨会;境外投(议)标等方面(具体支持内容及标准详见附件1)。

第十条 市场开拓资金优先支持下列活动

1. 贯彻市场多元化战略,支持面向拉美、非洲、中东、东欧和东南亚等新兴国际市场的拓展活动;
2. 贯彻以质取胜和科技兴贸战略,支持机电产品、高新技术产品、本国原产成分高于70%或拥有自主知识产权等产品拓展国际市场的活动;
3. 支持中小企业取得质量管理体系认证、环境管理体系认证和产品认证等国际认证;
4. 支持已获得质量管理体系认证、环境管理体系认证和产品认证的中小企业的国际市场拓展活动;

第四章 资金使用对象

第十一条 中小企业独立开拓国际市场活动的申请为企业项目申请;项目组织单位组织中

小企业开拓国际市场活动的申请为团体项目申请。

第十二条 符合下列条件的中小企业可以提出企业项目申请：

1. 具有企业法人资格,拥有进出口经营权或对外经济合作经营资格,上年度海关统计出口额在1500万美元以下;
2. 近两年在外经贸业务管理、财务管理、税收管理、外汇管理、海关管理等方面无违法行为;
3. 具有从事国际市场开拓的专业人员,对开拓国际市场明确的工作安排和市场开拓计划。

第十三条 符合下列条件的项目组织单位可以提出团体项目申请：

1. 组织的活动以支持中小企业开拓国际市场和提高中小企业国际竞争力为目的;
2. 参加活动的企业在10家以上(含10家),其中70%以上企业符合本实施细则第十二条规定的中小企业申请条件;
3. 申请支持的资金直接受益于参加活动的企业,以降低参加活动企业的费用和开拓市场的风险,提高企业效益。

第十四条 参加团体项目的企业,不得针对同一项目另外申请使用市场开拓资金。

第五章 资金管理和使用标准

第十五条 中央财政安排的市场开拓资金分为中央使用和地方使用两部分。直接由中央使

用的资金占当年资金计划安排的30%，地方使用的资金占当年资金计划安排的70%。

第十六条 市场开拓资金支持比例原则上不超过支持项目所需金额的50%。对西部地区的中小企业，以及符合本实施细则第十条第一款所列贯彻市场多元化战略所开展的市场开拓活动，支持比例可提高到70%。

第十七条 以外币为计算单位发生的费用支出，按费用支出凭证发出日中国人民银行公布的外汇牌价，折算为人民币。

第六章 项目资金管理

第十八条 外经贸部和财政部根据年度市场开拓资金计划安排，共同商定下一年度中央使用部分和分配各地方使用部分的资金额度。

分配地方的资金额度由外经贸部和财政部于每年7月1日前下达到地方外经贸部门和财政部门。

第十九条 外经贸部和地方外经贸部门根据年度市场开拓资金额度，负责提出下一年度的中央使用部分和地方使用部分的年度项目资金计划。项目资金计划内容包括：具体项目、支持内容、支持比例、支持金额等。

第二十条 地方使用部分的下一年度项目资金计划由地方外经贸部门经同级财政部门审核后，于每年8月15日前报送外经贸部。

外经贸部汇总提出下一年度全国市场开拓资金项目资金计划，于每年9月10日前报财政部。

第二十一条 财政部审核后,于每年10月10日前向外经贸部批复下一年度全国市场开拓资金项目资金计划。

财政部和外经贸部根据年度项目资金计划,于每年11月1日前共同向地方财政部门和外经贸部门下达下一年度项目资金计划。

第二十二条 可列入中央使用部分年度项目资金计划的项目包括:

1. 项目组织单位组织全国或跨地区的中小企业开拓国际市场活动提出的团体项目;
2. 中央企业组织中小企业开拓国际市场活动提出的团体项目;
3. 符合本实施细则第十二条规定的中央企业或中央企业在京办理工商登记的子公司通过中央企业提出的企业项目。

第二十三条 可列入地方使用部分年度项目资金计划的项目包括:

1. 项目组织单位组织地方中小企业开拓国际市场活动提出的团体项目;
2. 在本地区办理工商登记并符合本实施细则第十二条规定的中小企业提出的企业项目;
3. 在本地区办理工商登记并符合本实施细则第十二条规定的中央企业的子公司提出的企业项目。

第二十四条 财政部和外经贸部可以根据市场开拓资金的使用情况和效果,在执行年度中对下达的本年度项目资金计划做适当调整。

第二十五条 财政部根据下达的年度项目资金计划拨付资金。其中,分配地方使用部分的资金,根据年度项目资金计划一次或分次拨付到地方财政部门;中央预算管理机构使用的市场开拓资金由财政部直接拨付;中央使用部分的其它市场开拓资金,根据年度项目资金计划按季度拨付到外经贸部。

第七章 申请程序

第二十六条 项目资金计划申请。符合本实施细则第十二、十三条申请条件的中小企业或项目组织单位,可于每年7月1日至7月31日,按照本实施细则所称的支持内容,向中小企业办公室或地方外经贸部门提出下一年度项目资金计划申请。

第二十七条 中小企业或项目组织单位在提出项目资金计划申请时,应提交申请单位基本情况、申请报告、申请项目基本情况(详见附件2),并附相关资料。

第二十八条 财政部和外经贸部批复下一年度项目资金计划后,外经贸部门对项目资金计划的具体内容进行公示。中小企业和项目组织单位根据外经贸部门和财政部门批复的项目资金计划着手准备有关活动。

第二十九条 项目实施申请。中小企业或项目组织单位根据批复的年度项目资金计划,在项目实施30日前向中小企业办公室或地方外经贸部门提出项目实施申请。

第三十条 中小企业或项目组织单位在提出项目实施申请时,应提交项目实施申请、项目实施说明(详见附件3),并附相关资料。

第三十一条 外经贸部或地方外经贸部门对年度项目资金计划内的项目实施申请,可于1

0 日内直接审核批复，同时抄送财政部门。

第三十二条 对申请调整项目资金计划内容的项目，经中小企业办公室或地方外经贸部门（商财政部门）提出初步意见，报外经贸部和财政部审批。

第三十三条 无法在年度内按项目资金计划完成的项目，中小企业或项目组织单位应及时向中小企业办公室或地方外经贸部门提出项目终止或顺延申请，由外经贸部门审批。

第三十四条 对企业项目申请，每个项目给予支持的资金最高不超过 30 万元人民币；对团体项目申请，每个项目给予支持的资金最高不超过 300 万元人民币。

第八章 资金拨付

第三十五条 市场开拓资金采取事后拨付的原则，即在项目完成后一个月内，中小企业或项目组织单位向中小企业办公室或地方外经贸部门提出项目资金拨付申请。

第三十六条 申请拨付项目资金时，应提交以下材料：

1. 中小企业国际市场开拓资金项目资金拨付申请表（详见附件 4）；
2. 国际市场开拓活动的项目总结报告，主要内容包括：费用支出情况、取得的主要成绩及存在的问题等；
3. 实际发生费用的合法凭证（复印件）。

第三十七条 按照预算改革和国库集中支付的要求，市场开拓资金应通过各级财政部门逐步实行国库集中支付。

第三十八条 中小企业办公室根据年度项目资金计划,对中央使用部分的项目资金拨付申请进行初审,按季度汇总整理后报外经贸部。其中,中央预算管理单位的项目资金由财政部审核后直接拨付,其它单位的项目资金由外经贸部审核后拨付。

第三十九条 地方外经贸部门根据年度项目资金计划对地方使用部分的项目资金拨付申请进行复核,每季度按项目汇总整理后报地方财政部门申请拨付资金,地方财政部门审核后向项目组织单位或中小企业拨付资金。

第九章 评估、监督和检查

第四十条 财政部和外经贸部对市场开拓资金共同实施监督检查。检查内容包括:项目的审批和执行情况,项目资金的使用和财务管理情况。检查方式可以采用跟踪项目全过程、抽查有关资料或委托中介机构审计等。

第四十一条 外经贸部门和财政部门应建立严格的项目审批和资金审核制度,加强对项目的检查和资金使用效益的评估,确保资金的定向使用,发挥资金的最佳效益。

第四十二条 地方外经贸部门与财政部门每年要对市场开拓资金的使用情况进行总结和分析,并于次年3月底前上报外经贸部和财政部。重大项目(100万元人民币以上)在项目完成后45日内专题上报。

第四十三条 使用市场开拓资金的中小企业或项目组织单位应按有关财务规定妥善保管有关原始票据及凭证备查,对外经贸部门和财政部门的专项检查,应积极配合并提供有关资料。

第十章 处罚原则

第四十四条 凡有下列行为，均属违反管理办法和本实施细则规定的行为：

1. 违反市场开拓资金使用原则，擅自改变使用范围的；
2. 截留、挪用、侵占市场开拓资金的；
3. 用于个人福利、奖励及消费性开支或用于补充行政经费不足的；
4. 同一项目重复申请的；
5. 利用虚假材料和凭证骗取资金的；
6. 项目组织单位利用市场开拓资金，直接用于提高自身盈利水平和经济效益的；
7. 违反管理办法、本实施细则及国家有关法律法规的其它行为。

第四十五条 对发生上述行为的中小企业或项目组织单位，财政部门将追回已经取得的项目资金；外经贸部门将取消其申请资格，并在五年内不允许其申请使用市场开拓资金。

第四十六条 严重违法违反管理办法和本实施细则的，将由外经贸部门和财政部门对该项目的主管人员和直接责任人给予行政处分，构成犯罪的提交司法部门依法追究刑事责任。

第四十七条 中小企业办公室或地方承办单位未能按规定认真履行工作职责的，外经贸部门商财政部门将对其提出通报批评，严重者取消承办资格。

第十一章 附则

第四十八条 中央使用部分和地方使用部分的市场开拓资金,根据业务需要,可按不超过3%的比例安排必要的经费,支付聘请承办单位、咨询公司、评估公司、会计师事务所等中介机构的承办费用和业务费用支出,保证市场开拓资金项目评估、论证和审计工作的实施,强化项目资金的监督管理。

第四十九条 各地外经贸部门与财政部门可根据管理办法及本实施细则要求,结合工作实际,制定本地区市场开拓资金的具体实施办法,报外经贸部和财政部备案。

第五十条 本实施细则由外经贸部会同财政部解释。

第五十一条 本实施细则自发布之日起实施。