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# МИТНЕ ТА ПОДАТКОВЕ ПРАВО

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## **SPECIAL ECONOMIC ZONES IN THE PEOPLE'S REPUBLIC OF CHINA: THE INITIAL STAGES**

### **ОСОБЛИВІ (СПЕЦІАЛЬНІ) ЕКОНОМІЧНІ ЗОНИ КНР: ПОЧАТКОВІ ЕТАПИ**

#### **ABSTRACT**

The article is focused on initial stages of the formation of special economic zones in the People's Republic of China in the 1980s – 1990s. The author makes emphasis on the fact that the creation of such zones was originally a temporary experiment of the government of the country, which turned out to be successful and later became a model of modern special economic zones with a specific tax regime and customs regime throughout the world. The creation of such zones necessitated the inclusion of China into the system of international economic relations. The main goal of creating special economic zones was attracting foreign investment, mastering modern technologies and management systems, increasing foreign exchange earnings, creating new jobs, working out individual mechanisms for introducing economic reforms, etc. The classification is given and the peculiarities of special economic zones created in the PRC are revealed. It was highlighted that the effectiveness of the functioning of special economic zones in the PRC is a consequence of giving local authorities

the opportunity to choose the status of a zone and set up its governing bodies. In addition, the peculiarities of bonded areas as a specific type of special economic zones of the PRC, as well as respective customs rules have been considered in detail. The author summarizes that the practice of creating and successful operating special economic zones in China became an example for many states of the modern world. At the same time, giving high marks to this economic miracle, it is also necessary to take into account the powerful potential of each person involved in the work of such entities, the consistent political will of the country's leadership, which, combined, made it possible to bring modern China into the leaders of the modern world and created all the prerequisites for building a prosperous future for its citizens.

**The key words:** special economic zones, PRC, customs and tax regulations, customs and tax preferences, bonded areas of the PRC.

### **Introduction**

The People's Republic of China had started the economic reforms in 1979. For the first period, which occurred in 1979 – 1991, the reforms utilized the target model dealing with certain combination of the plan and the market (in 1979 – 1983 it was the principle of “the plan – the main thing, the market – auxiliary”, in 1984 – 1991 – “organic combination of plan and market” within the framework of a socialist planned commodity economy). Since 1992 economic processes in China were characterized by a marked increase in foreign economic openness (a leap-like level of trade), the radicalization of economic reform, the ultimate goal of which in 1993 was proclaimed the creation of a “system of socialist market economy” (Shuibao, 2000 (a), p. 7). That period was characterized by launching special economic zones (hereinafter – SEZ, which also refer to the world-wide term “free trade zones”) which became the focus of the liberalization regime of trade and customs regulation. SEZ played one of the leading roles in the process of reforming the economic system and became a sort of “economic miracle” of the present-day PRC, which opted for a policy of openness to the outside world and subsequently did not regret it in any way.

Various aspects of the functioning of special economic zones in China are discussed in a large number of researches (Yu Yeung, J. Lee, G. Kee, S. Yusu, L. Mack, etc.), which proves that this successful economic, political and state-management mechanism can not be ignored in law science, since such entities receive a special tax and customs regime, and these aspects of public life are subjects of research of the most dynamic branches of law science – customs and tax law. At the same time, the early stages of SEZ operation in PRC is usually briefly described in the modern

research literature, which has led to the choice of the purpose of this paper to define the conditions and initial experience of the SEZ operation in the PRC for a better understanding of their legal and organizational nature, with emphasis on the customs and tax component of respective legal regime.

### **1. The first steps**

In the late 1970-th the Chinese government developed a strong believe that in order to build a national economy, it was necessary to make a move towards a market economy, since the socialist economy did not correspond to the rapid development of the country and was not associated with the world economy. Then the Chinese government faced a serious question, which way to go, how to develop, how to transform its people's economy and its policies. That led to a crucial decision to adopt an open foreign policy, which become a frameworks for introduction a special policy in areas designated as SEZs in order to stimulate the foreign trade, to develop foreign economic cooperation and technical exchange, to attract foreign investment and to borrow technologies.

Basically, the provinces of Guangdong and Fujian were among the first ones to be given the status of special economic zones in order to form relevant experience and transition to the market relations of the future of China, in addition, these provinces are located next to Hong Kong, Macao and Taiwan, which also had the opportunity to open economic zones. The SEZs were deliberately located far from the center of political power in Beijing, minimizing potential risks should any problems or political effects be generated during their functioning. More specifically, the original four zones were sited in coastal areas of Guangdong and Fujian that had a long history of contact with the outside world through out-migration, and at the same time were near Hong Kong, Macao, and Taiwan (Yeung, Lee, Kee, 2009, p. 223).

Strictly speaking, the Chinese SEZ (except for Hong Kong and Macao) was very different from the world free trade zones. That is the explanation why in the practice of Chinese economic life, the name of the "free economic zone" is not used. China utilizes a wide range of different economic zones (special economic zones, zones of techno-economic development, industrial zones of new high technologies, zones of border economic cooperation) where special forms of economic and administrative policies are applied, which are not exempt that territories from the general economic regime, but merely facilitate it. Therefore, the

Chinese SEZ should be understood as “zones of special economic status”. Over the years since its inception and throughout its successful operation, the SEZ in China have achieved significant success and made a significant contribution to China’s economic reform (Jujsju, 2000).

Regulations on Special Economic Zones in Guangdong Province of 26 August 1980 (art. 1) provides that: “In order to develop economic cooperation and technical exchanges with foreign countries and to promote the socialist modernization program, certain areas shall be delineated respectively in the three cities of Shenzhen, Zhuhai and Shantou in Guangdong Province for the establishment of special economic zones (hereinafter referred to as “special zones”), The special zones shall encourage foreign citizens, overseas Chinese, compatriots from Hong Kong and Macao and their companies and enterprises (hereinafter referred to as “investors”) to open factories and set up enterprises and other establishments with their own investment or in joint ventures with our side, and shall protect their assets, the profits due them and their other lawful rights and interests in accordance with the law”.

The SEZ was initially viewed as a temporary government project due to existed leak of experience of management economic relations in conditions of a market economy. The creation of such zones necessitated the inclusion of China into the system of international economic relations. At the same time, China’s political stability, the presence of reform strategies, as well as strong social support became the decisive factor that led to the creation of a favorable investment climate. The main goal of creating SEZ was to attract foreign investment, to master modern technologies and management systems, to increase foreign exchange earnings, to create new jobs, to develop individual mechanisms for the introduction of economic reforms, etc. At the time of its conception, Special Economic Zones were considered so “special” because the national centralized government generally controlled China’s trade. Therefore, the opportunity for foreign investors to do business in China with relatively no government intervention and with the freedom to implement market-driven economics was an exciting new venture. Policies regarding Special Economic Zones were meant to incentivize foreign investors by providing low-cost labor, specifically planning Special Economic Zones with ports and airports so that goods and materials could be easily exported, reducing corporate income tax, and even offering tax exemption (Mack, 2019).

Encouraged by the zones' success, the Chinese government in 1984 opened 14 larger and older cities along the coast to foreign trade and investment. These "open" cities offered foreign investors much the same incentives as in the special economic zones, but their corporate income taxes were higher. In 1988 Hainan Island was made a separate province and a special economic zone, and in 1990 the Pudong area within the Shanghai municipality became a special economic zone with policies even more flexible than those already in force in the original four SEZs. In 1992 the Chinese government decided to adopt some of the same policies in some two dozen major cities in inland China, including many provincial capitals, as a means of encouraging foreign investment in them (Special economic zone. Encyclopaedia Britannica).

## 2. The Start of Success Story

It is important to draw attention to the fact that when in the 90s a new stage of implementation of "open" economic policy began in China, a multi-stage and diverse structure emerged in the country: 6 functioning special economic zones, 14 cities with "open" status, 13 duty-free zones, 32 zones of economic and technological development, 52 zones of development of new and high technologies (Shuibao (b), 2000, p. 102).

The initial stages of SEZ development were widely discussed for the recent decades, thus in our view the most productive approach might be to stick to the connection between SEZ development and expansion of major container port infrastructure. Thus from the initial launch of SEZ project "accessibility to port infrastructures and foreign markets remained the dominant factor in the dynamism of SEZs and comparatively, limited development took place in interior provinces until the 2000s" (China's Special Economic Zones (adapted from World Bank (2009)). On those grounds it is used to distinguish five basic stages of Chinese SEZ development:

- 1980 – establishing first four SEZ (the focus was made on proximity to Hong Kong, which was the only modern port of that time);
- 1984 – extending SEZ regime to 14 coastal port cities from the Dalian to Beihai (which was aimed on modernization of port infrastructures);
- 1985 – the status of SEZ was expanded to the Yangtze River Delta, the Pearl River Delta, and the Xiamen-Zhangzhou-Quanzhou Triangle in Min River delta (support of specific economic clusters and development of river ports terminals);

– 1988 – the status of SEZ was expanded to Hainan Province which mostly developed the touristic and agribusiness sectors, which became the fifth SEZ;

– late 1980s – six Yangtze River ports and 11 border cities were granted the SEZ status, in addition to all the capital cities of interior provinces and autonomous regions (attempt to deal with development disbalance between coastal and interior provinces).

The “New Pudong Area” in the eastern part of Shanghai became a national priority in the 1990s and the main implementation factor for the strategic objective to build a “new Hong Kong”. As part of the economic complex of Shanghai, this zone specializes in the production of light industry products, mechanical engineering, electronics industry, and the processing of agricultural products. The particular importance comprises the creation of a modern infrastructure in the city, the development of a telecommunications network, environmental protection and attraction of investments. The new Pudong district is the SEZ consisting of 3 urban areas and suburban areas (total area – 522 sq. km, population – 2 million people). A specific feature of the management of the area is that the territory of the zone is part of the administrative territory of the city of Shanghai and has four specialized zones. The governing body is the district development steering group, the executive body is the area management committee.

In accordance with the development plan, the following FEZs were created in the Pudong region: Lujiazui Finance and Commerce Zone (213 banks and financial institutions were registered to appeal investors and enterprises of the zone, the Shanghai Stock Exchange is located in the zone); Jinqiao export production zone (320 enterprises with a total investment of 7.2 billion dollars; total area – 20 sq. km; the main sectors are the automotive industry, microelectronics and telecommunications, household appliances, electronic industry, bio pharmaceuticals); The Vainiaoqiao free trade zone (6.4 billion Yuan was mastered, the total area is 10 sq. km., the zone’s feature is the establishment of import / export of goods in duty-free mode (raw materials and components for the production of finished products prevail); categories of goods when they are exported to countries whose imports are restricted. The territory of the zone has the regime access of goods through 4 existing checkpoints); the park of new and high technologies “Zhangjiang” (investment volume – 11.1 billion, dollars, area – 17 sq. km; the main industries are

microelectronics, automotive industry, bio pharmaceuticals and optical mechanical industry”) (Zagrodnij, 1999).

### 3. Main advantages

In our opinion, the effectiveness of the functioning of special economic zones in the PRC is based on a approach that local authorities are entitled to choose the legal regime of particular SEZ, as well as the design of its administrative institutions. Besides, the managerial systems, policies and measures in the special economic zones are quite different from those in the rest of China. These are some of them:

- Enterprises run exclusively by foreign or overseas Chinese capital have the right to manage themselves, provided they observe Chinese laws and regulations.

- Joint ventures and co-operative enterprises, which are managed by their own boards of directors. In general, the governments of the special zones do not interfere in the administration of the enterprises.

- Enterprises operate under the labor-contract system, according to which they can recruit qualified workers through exams. Both enterprise and worker sign a contract.

- Enterprises are allowed to pay floating wages and salaries or to pay by the piece (Xiang, 1984).

The important part of Chinese SEZ legislation is a variety of benefits and preferences provided, which are determined in accordance with the terms of the contract between the investor and the zone management committee. So, all components necessary for any production are eligible for importation into SEZs with relief from customs duties. Profit tax is 15% (for enterprises operating over 10 years, exemption from tax is provided in the first two years and payment of 50% of the tax rate over the next three years; for enterprises exporting over 50% of high-tech products, the tax rate is 10%). Local income tax – 0%, tax on the repatriation of profits – 0%. In the case of re-investing profits for a period of 5 years or more, the investor may be exempt from payment. Article 16 of the Regulations on Special Economic Zones in Guangdong Province stipulates that “An investor that reinvests its share of the profit in the special zones for a period of five years or longer may apply for a reduction of or an exemption from income tax on the reinvested portion”.

Besides, the same variety is provided for procedures of performing customs and other border formalities concerning importation and

exportation of goods onto or out of territories of SEZ. Article 101 of Customs Law of the People's Republic of China 1987 rules that "The State Council will draw up rules governing the control over the means of transport, goods and articles of other parts of the territory entering and leaving the Special Economic Zone and other specially designated areas". Thus it makes possible to set up a pretty different regimes for each particular SEZ.

It is also important to note that modern SEZs operate not only with simplifications of customs and tax legislation, but may provide for simplification of administrative procedures, and some features of the implementation of public administration of the zone itself. Therefore, the legal regimes of modern free economic zones are complex, including the norms of not only tax and customs legislation, but also administrative, economic, transport, etc. (Kivalov, 2016, p. 6-7).

#### **4. Chinese SEZ typology**

As it has been mentioned above, there are different types of special economic zones in China. First of all, the difference is in the purpose of their creation. It can be said that these zones were to some extent an economic experiment of the Chinese government, in the course of which the most effective methods of economic management were determined. The implementation of the policy on the creation of a special economic zone proceeded gradually; each zone created was unique and was aimed at solving its problem.

The first type of SEZ is a zone of technical and economic development; in total there are 54 zones of this type in China. Within these zones, the relevant conditions and all the necessary infrastructure were created to attract advanced foreign technologies and management practices from leading global companies, as well as to create a favorable investment environment. Such special economic zones were the basis for the further development of national high-tech industries. The zones of technical and economic development were one of the main centers of cluster development of national producers. At the same time, it is important to note the existence of restrictions on the creation of enterprises – one of such restrictions was the cost of the project, which should not exceed \$ 30 million.

The second type is the zone of cross-border economic cooperation. Currently, there are 15 zones of cross-border economic cooperation operating.



The third type of special economic zones is bonded areas operating on the principle of free trade zones. In total, China has 15 zones of this type. Residents of bonded zones have the greatest number of benefits, comparing with other special economic zones. In such economic zones, there are other customs and currency control mechanisms characterized by greater flexibility than in remaining territories of China, and there are no restrictions on foreign currency turnover.

The fourth type is represented by high-tech production zones, which the main task comes down to attracting high-tech foreign companies and creating joint ventures to take over experience and scientific and technological achievements. The Ministry of Science and Technology of China subsidize the benefits that foreign enterprises operating in zones of this type receive. Currently, there are 53 high-tech production zones in China.

The fifth type of SEZ – export processing zones established in 2000. In the territories of these zones, export-processing enterprises are opened, as well as facilities necessary for servicing enterprises of this industry.

The sixth type of SEZ is open cities. In 1984, 14 zones of this type were created, and by 1992 this status was acquired by all provincial capitals and cities in the border areas. A distinctive feature of all other special zones is the presence of extended powers for local governments – so local authorities have the right to conduct their own independent economic policies, to enact the necessary laws and amendments to them at the local level, to independently pursue policies to attract foreign investment – to provide additional preferences.

The last type of SEZ is a free trade zone. The first free trade zone was the Pudong New Area in Shanghai, and by 1990, such free trade zones were established in Guangzhou, Shenzhen and Shantou. Exported goods were subject to lower taxes compared with goods for sale in the domestic market of China, imported from the territories of free trade zones (Tuzhilin, 2016).

## **5. Bonded areas in the PRS**

Taking into account the aims of this article and the focus area of the journal, it is necessary to higling the issue of bonded areas (hereinafter – BA) and the specifics of the respective customs regulations. Article 3 of The Procedures On Customs Control Over Bonded Areas 1998 provides, that “Bonded areas are special areas put under the control of the Customs with all goods, means of transport and articles carried by individuals

having to be put under the control of the Customs in accordance with this set of procedures upon their entry into or exit from the bonded areas”. There are a variety of bonded areas throughout China: free trade zones (FTZs), export-processing zones (EPZs), bonded logistics parks (BLPs), bonded ports (BPs), and comprehensive bonded zones (CBZs). All these areas are under the special supervision of the Chinese customs authorities and are called customs specially supervised areas (CSSAs) (Pfaar, Wang, 2011).

However, there are certain common peculiarities of BA, which include:

- any BA is established with an approval from the State Council of the PRC;
- to facilitate control by Customs BA are isolated from other areas in the territory of the PRC (the later are determined as “non-bonded areas”) with proper facilities
- only administrative organs and enterprises are eligible to be established in bonded areas, no person whosoever except security guards and personnel are allowed to reside in such areas;
- enterprises established in bonded areas are to handle registration formalities with the Customs;
- a Customs checking system is introduced in BA including the demand for computers of enterprises to be wired up with that of the Customs for exchange of electronic data;
- Customs is entitled to perform checks and inspection of any goods, articles, means of transport, and personnel during their entry into or exit from the BA.

The main features of the BR are as follows: 1) it is under the customs supervision of the state, and no other state authority, including the Chinese Commercial and Industrial Administration, has the right to intervene in the activities of the enterprise; 2) the company’s’ business activities are carried out without collecting customs duties in addition to those fees that are determined by the legislation for certain types of goods; 3) goods from the BA for the other territories of PRC are considered to be imported goods with the need to pay customs duties and other taxes; 4) convenient, fast and efficient control is exercised by the customs of the movement of goods between the BA and the other territories; 5) relations between the BA and the other state’s territory are regulated by customs legislation; 6) the microeconomic and macroeconomic policy of the state does not interfere in the business activities of enterprises in the area; 7) such a

region is recognized as “a country in a country”, but business activities here must comply with the laws of the state and commercial morality, and enterprises must operate under a contract and in accordance with international rules.

Briefly speaking there are four types of customs formalities, which are to be performed over the goods in BA:

- Customs controls over goods interflowing between BA and areas outside the Chinese territory;
- Customs controls of goods interflowing between BA and non-bonded areas of PRC;
- Customs controls and surveillance of goods in BA;
- Customs controls of goods for processing in BA;
- Customs controls and surveillance of transport means and articles brought in or out of bonded areas by individuals.

The most important part of customs controls of goods importing into territories of BA from outside the PRC is the tax exemptions. The relief from import customs duties and other taxes imposed upon importation is based upon standard rules, unless the legislation provides any other specific treatment for particular BA. Such rules include the following provisions:

(1) Machinery, equipment and other capital goods needed for in-area construction projects of infrastructure for production shall be exempted from taxation;

(2) Production and management equipment and rational quantity of office items for their own use by in-area enterprises as well as their required parts and components for maintenance, fuels for production, materials and equipment required for the construction of workshops for production and warehouse facilities shall be exempted from taxation;

(3) Rational quantity of management equipment and office items as well as the required parts and components for maintenance for their own use by the administrative organs of the bonded areas shall be exempted from taxation; and

(4) Raw materials, parts, components and packaging materials required for the processing of export products by in-area enterprises shall be bonded.

Goods or articles other than those prescribed in subparagraphs(1) to(4) in the preceding paragraph entering the bonded areas shall be taxed in accordance with law. Goods for transshipment and goods stored in the bonded areas shall be put under control as bonded goods (Measures of Customs for Supervision and Control of the Bonded Areas, Art. 12).

Besides, for exportation of goods from BA outside the territory of the PRC the export VAT refund mechanism is applicable. Such mechanism may be based on the methods of:

- “exempt” means there is no output VAT on export sales;
- “credit” means the input VAT will first be reduced by any “nonrecoverable VAT,” and any surplus will be used to offset the output VAT liability (if any) on the taxpayer’s other domestic sales; and
- “refund” means any further surplus input VAT after the above credit is refunded, based on five VAT refund rates: 17 percent, 15 percent, 13 percent, 9 percent, and 5 percent (Pfaar, Wang, 2011).

For cases of interflow of goods between BA and non-bonded areas the general rules of customs legislation is applied. Goods shall be handled as import ones during their entry into non-bonded areas from bonded areas. Goods shall be handled as export ones during their entry into bonded areas from non-bonded areas.

The goods stored in BA may be treated in three specific ways. Such goods may be transferred or transited among enterprises in the area, which demands specific Customs registration. The goods in BA may be placed under transit procedure, which also permits such goods to undergo simple processing such as grading, selecting, pasting trademark, and changing the packing in warehouses or other sites in the area. Finally, overseas commodities and commodities of non-bonded areas may be introduced in the bonded areas for exhibition purposes, subject to be put under the supervision of the Customs.

The rules for processing of goods in BA demands that enterprises shall register with the Customs for the entry into and exit from the areas of materials and parts needed to be processed. The goods fully processed from imported materials and parts in BA are subject to import duties while imported in non-bonded-areas of PRC.

The basic purpose of customs controls and surveillance of transport means and articles brought in or out of bonded areas by individuals is to prevent duty-free and bonded goods from being moved out of BA without permission and taxation. Besides the movement of persons and vehicles is permitted only with approval of BA authorities.

### **Conclusion**

Chinese experience with SEZs has indicated a number of factors that contribute to their success and effective operation. (i) SEZs need to be

linked to economic opening and capitalize on innovation. (ii) A bottom-up, problem solving approach has to be combined with top-down governmental support. (iii) SEZs can promote industrial expansion by cultivating market leaders, supporting research and development, and building brands. (iv) They can incubate local ideas by integrating learning, innovation and production. (v) They can bring together resources and expertise from government, industry, and research institutions to move into more advanced value chains (China's Special Economic Zones).

The legal regimes of SEZ in China are still undergoing transformation. China's introduction of a new SEZ reflects its continued interest in attracting investment through incentives, however the ultimate role of foreign enterprises in promoting the new SEZ, and preexisting SEZs, for that matter, is still vague. Meanwhile, the unique, business-friendly conditions that set SEZs apart from other cities in China in the previous decades of reform and opening-up have since spread throughout China's urban centers. However, SEZs still offer streamlined administrative processes and special tax programs to bolster new entrants, and for that reason, the Special Economic Zones are still a boon to foreign investors (Klooster, 2018).

The practice of creating and successfully operating the SEZ in China became an example for many states of the modern world. At the same time, giving high marks to this economic miracle, it is also necessary to take into account the powerful potential of each person involved in the work of such entities, the consistent political will of the country's leadership, which, combined, made it possible to bring modern China into the leaders of the modern world and created all the prerequisites for building a prosperous future for its citizens.

## REFERENCES

China's Special Economic Zones (adapted from World Bank (2009) World Development Report 2009: Reshaping Economic Geography). *The Geography of Transport Systems*. Retrieved from: [https://transportgeography.org/?page\\_id=4103](https://transportgeography.org/?page_id=4103)

China's Special Economic Zones. *Web-site of The World Bank*. Retrieved from: <https://www.worldbank.org/content/dam/Worldbank/Event/Africa/Investing%20in%20Africa%20Forum/2015/investing-in-africa-forum-chinas-special-economic-zone.pdf>

Customs, Import/Export and Trading. Trade Policy. *Lehman, Lee&Xu. A PRC Law Firm*. Retrieved from: <http://www.lehmanlaw.com/resource-centre/laws-and-regulations/customs-importexport-and-trading.html>

*Customs Law of the People's Republic of China, 1987* (19th Meeting of the Standing Committee of the Sixth National People's Congress). *Official website of the General Administration of Customs of the People's Republic of China*. Retrieved from: <http://english.customs.gov.cn/Statics/644dcaee-ca91-483a-86f4-bdc23695e3c3.html>

*Decree on Measures of Customs for Supervision and Control of the Bonded Areas, 1997* (General Administration of Customs of the People's Republic of China). Retrieved from: [http://www.fdi.gov.cn/1800000121\\_39\\_2891\\_0\\_7.html](http://www.fdi.gov.cn/1800000121_39_2891_0_7.html)

Jujsju, S. (2000). *Svobodnye jekonomicheskie zony i ih vlijanie na nacional'nuju jekonomiku i vneshnejekonomicheskie svyazi* [Free economic zones and their impact on the national economy and foreign economic relations]. Synopsis of the thesis. Moscow. Retrieved from: <https://www.dissercat.com/content/svobodnye-ekonomicheskie-zony-i-ikh-vliyanie-na-natsionalnyu-ekonomiku-i-vneshneekonomiches> [in Russian].

Kivalov, S.V. (2016). *Svobodnye jekonomicheskie zony v Odesskom regione: tradicii i novacii* [Free Economic Zones in the Odessa Region: Tradition and Innovation]. *Lex Portus, no. 1*, 5-23. [in Russian].

Klooster, M. (2018). Chinese Special Economic Zones: How do they benefit your company? *1421 Consulting Group*. Retrieved from: <https://www.1421.consulting/2018/03/chinese-special-economic-zones/>

Mack, L. (2019). Special Economic Zones in China. The Reforms That Made China's Economy What It Is Today. *ThoughtCo*. Retrieved from: <https://www.thoughtco.com/chinas-special-economic-zones-sez-687417>

Pfaar, M., Wang, X. (2011). Chinese Bonded Areas: Choosing the Right Location. *Tax Notes International*. Retrieved from: <https://taxinsights.ey.com/archive/archive-pdfs/News11-CM2249-G-Chinese-Bonded-Areas.pdf>

*Regulations on Special Economic Zones in Guangdong Province, 1980* (15th Meeting of the Standing Committee of the Fifth National People's Congress). *Official website of World Trade Organization*. Retrieved from: [https://www.wto.org/english/thewto\\_e/acc\\_e/chn\\_e/WTACCCHN46\\_LEG\\_8.pdf](https://www.wto.org/english/thewto_e/acc_e/chn_e/WTACCCHN46_LEG_8.pdf)

Shuibao, Ch. (2000) (a). *Orhanizatsiino-pravovi osnovy pidpriemnytskoi diialnosti v Kytajskii Narodnii Respublitsi ta v Ukraini (porivnialno-pravovyi analiz)* [Organizational Legal Principles of Business Activity in People's Republic of China and Ukraine (Comparative-Legal Analysis)]. Thesis of PhD dissertation. Odesa. [in Ukrainian].

Shuibao, Ch. (2000) (b). *Organizacionno-pravovye osnovy predprinimatel'skoj dejatel'nosti v Kitajskoj Narodnoj Respublike i v Ukraine (sravnitel'no-pravovoj analiz)* [Organizational Legal Principles of Business Activity in People's Republic of China and Ukraine (Comparative-Legal Analysis)]. Odessa: Jurid. lit. [in Russian].

Special economic zone. *Encyclopaedia Britannica*. Retrieved from: <https://www.britannica.com/topic/special-economic-zone>

Tuzhilin, A.D. (2016). Razvitie osobyh jekonomicheskikh zon v Kitae [The development of special economic zones in China]. *Sovremennye nauchnye issledovanija i innovacii*. [Modern scientific research and innovation], 1. Retrieved from: <http://web.snauka.ru/issues/2016/01/62513> [in Russian].

Xiang, L. (1984). China's Special Economic Zones. *Beijing Review*, no. 4. Retrieved from: [http://www.bjreview.com/Special\\_Reports/2018/40th\\_Anniversary\\_of\\_Reform\\_and\\_Opening\\_up/Now\\_and\\_Then/Shenzhen/201806/t20180622\\_800133463.html](http://www.bjreview.com/Special_Reports/2018/40th_Anniversary_of_Reform_and_Opening_up/Now_and_Then/Shenzhen/201806/t20180622_800133463.html)

Yeung, Yu., Lee, J., Kee, G. (2009). China's Special Economic Zones at 30. *Eurasian Geography and Economics*, 50(2), 222-240. DOI: 10.2747/1539-7216.50.2.222. Retrieved from: [https://www.researchgate.net/publication/250171932\\_China%27s\\_Special\\_Economic\\_Zones](https://www.researchgate.net/publication/250171932_China%27s_Special_Economic_Zones)

Zagorodnij, V. (1999). Special'nye jeknonomicheskie zony: kitajskij opyt [Special Economic Zones: Chinese Experience]. *Sudohodstvo*. [Shipping], no. 11, 12-13. [in Russian].

## АНОТАЦІЯ

**Шуйбао Ч. Особливі (спеціальні) економічні зони КНР: початкові етапи. – Стаття.**

Стаття присвячена розгляду початкового етапу формування особливих економічних зон в Китайській Народній Республіці наприкінці ХХ століття. Автор акцентує увагу на тому, що створення таких зон спочатку було тимчасовим експериментом уряду країни, який завершився перемогою і згодом став зразком сучасних спеціальних економічних зон зі специфічним податковим та митним режимом у всьому світі. Створення таких зон зумовило необхідність входження Китаю до системи міжнародних господарських зв'язків. Головною метою створення особливих економічних зон було залучення іноземних інвестицій, освоєння сучасних технологій і систем управління, збільшення валютних надходжень, створення нових робочих місць, відпрацювання окремих механізмів впровадження економічних реформ тощо. Наведено класифікації та виявлено ознаки особливих економічних зон, створених у КНР. Відзначено, що ефективність функціонування особливих економічних зон у КНР є наслідком надання місцевим органам влади можливості вибору статусу зони і визначення органів її управління. Крім того, розглянуто специфіку бондових районів як специфічного виду особливих економічних зон КНР і детально розглянуті митні правила для цих районів. Автор резюмує, що практика створення та успішного функціонування особливих економічних зон в Китаї стали прикладом для багатьох держав сучасного світу. При цьому, даючи високі оцінки цього економічного дива, необхідно враховувати також потужний потенціал кожної людини, залученої до роботи таких утворень, послідовну політичну волю керівництва країни, що, об'єднавшись, дозволило вивести сучасний Китай у лідери новітнього світу і створило всі передумови для будівництва кращого і процвітаючого майбутнього для його громадян.

**Ключові слова:** особливі економічні зони, КНР, митне та податкове регулювання, митні і податкові пільги, бондові райони КНР.

## АННОТАЦИЯ

*Шуйбао Ч. Особые (специальные) экономические зоны КНР: начальные этапы. – Статья.*

Статья посвящена рассмотрению начального этапа формирования особых экономических зон в Китайской Народной Республике в конце XX столетия. Автор акцентирует внимание на том, что создание таких зон первоначально было временным экспериментом правительства страны, который оказался удачным и впоследствии стал образцом современных специальных экономических зон со специфическим налоговым и таможенным режимом во всем мире. Создание таких зон обусловило необходимость включения Китая в систему международных хозяйственных связей. Главной целью создания особых экономических зон было привлечение иностранных инвестиций, освоение современных технологий и систем управления, увеличение валютных поступлений, создание новых рабочих мест, отработка отдельных механизмов внедрения экономических реформ и т.д. Приведена классификация и выявлены признаки особых экономических зон, созданных в КНР. Отмечено, что эффективность функционирования особых экономических зон в КНР является следствием предоставления местным органам власти возможности выбора статуса зоны и определения органов ее управления. Кроме того, рассмотрена специфика бондовых районов как специфического вида особых экономических зон КНР и подробно рассмотрены таможенные правила для этих районов. Автор резюмирует, что практика создания и успешного функционирования особых экономических зон в Китае стали примером для многих государств современного мира. При этом, давая высокие оценки этому экономическому чуду, необходимо учитывать также мощный потенциал каждого человека, вовлеченного в работу таких образований, последовательную политическую волю руководства страны, что, объединившись, позволило вывести современный Китай в лидеры современного мира и создало все предпосылки для строительства лучшего и процветающего будущего для его граждан.

**Ключевые слова:** особые экономические зоны, КНР, таможенное и налоговое регулирование, таможенные и налоговые льготы, бондовые районы КНР.

