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Decree of the State Council of the People's Republic of China

No. 487

Regulations on the National Natural Science Fund, adopted at the 169<sup>th</sup> Executive Meeting of the State Council on February 14, 2007, are hereby promulgated and shall be effective as of April 1, 2007.

Premier, Wen Jiabao

February 24, 2007

## **Regulations on the National Natural Science Fund**

(Adopted at the 169<sup>th</sup> Executive Meeting of the State Council on February 14, 2007, promulgated by Decree No. 487 of the State Council of the People's Republic of China on February 24, 2007, and effective as of April 1, 2007)

### **Chapter I General Provisions**

**Article 1** These Regulations are formulated in accordance with the Law of the People's Republic of China on Progress of Science and Technology for the purpose of standardizing the use and management of the National Natural Science Fund, increasing the efficiency of its use, promoting basic research, training talent in science and technology and enhancing the capability for indigenous innovation.

**Article 2** The State establishes the National Natural Science Fund to finance basic research prescribed in the Law of the People's Republic of China on Progress of Science and Technology.

**Article 3** The fiscal appropriation of the Central Government constitutes the main source of the National Natural Science Fund. The State encourages natural persons, legal persons and other organizations to contribute financially to the National Natural Science Fund.

The funds to be appropriated to the National Natural Science Fund shall be incorporated into the budget of the Central Government.

**Article 4** In the funding activities, the National Natural Science Fund shall adhere to the principles of openness, fairness and impartiality, and shall implement the guidelines of respecting science, promoting democracy, advocating competition, boosting cooperation, stimulating innovation and leading the way towards the future.

**Article 5** When the projects to be financed by the National Natural Science Fund (hereinafter referred to as the Fund-financed projects) are decided on, the role of specialists shall be brought into full play and the mechanism of macro-guidance, independent application, fair competition, peer evaluation and supporting the best shall be adopted.

**Article 6** The institution under the State Council for management of the National Natural Science Fund (hereinafter referred to as the Fund management institution) is responsible for managing the National Natural Science Fund and supervising the implementation of the Fund-financed projects.

The competent science and technology department of the State Council shall, in accordance with law, carry out macro-administration, overall planning and coordination of the work related to the National Natural Science Fund. The finance department of the State Council shall, in accordance with law, manage and supervise the budgeting and financial matters of the National Natural Science Fund. The audit organ shall, in accordance with law, supervise the use and management of the National Natural Science Fund.

## **Chapter II Organization and Planning**

**Article 7** The Fund management institution shall formulate the Fund development plan and the annual Guide to Programs in accordance with the national economic and social development plan, the science and technology development plan and the developments in science and technology. In the Fund development plan shall be specified the realms to which priority shall be given in development, and in the annual Guide to Programs shall be defined the scope of the projects to which priority shall be given in financing. A sum of special funds shall be reserved in the National Natural Science Fund for training young talent in science and technology.

When formulating the Fund development plan and the annual Guide to Programs, the Fund management institution shall solicit extensively comments from institutions of higher education, scientific research organizations, academic bodies and the relevant State organs and enterprises, and arrange for the specialists concerned to do scientific demonstration. The annual Guide to Programs shall be published 30 days before the date of acceptance of applications for funding of projects.

**Article 8** Institutions of higher education, scientific research organizations, and other welfare organizations engaged in basic research with the status of an

independent legal person, all of which are within the territory of the People's Republic of China, may register with the Fund management institution as home institutions of the applicants.

Where an entity serving as a home institution before these Regulations become effective requests to be registered as such, the Fund management institution shall register it.

The Fund management institution shall publish the names of home institutions registered by it.

**Article 9** A home institution shall perform the following functions and duties in funding management:

(1) to arrange for applicants to apply for funding from the National Natural Science Fund;

(2) to examine and verify the authenticity of the documents submitted by applicants or project leaders;

(3) to facilitate the implementation of Fund-financed projects and ensure that project leaders and participants have sufficient time for implementing the projects;

(4) to track the implementation of Fund-financed projects and supervise the use of the funds; and

(5) to cooperate with the Fund management institution in supervising and inspecting the implementation of Fund-financed projects.

The Fund management institution shall provide guidance to and exercise supervision over home institutions in funding management.

### **Chapter III Application and Evaluation**

**Article 10** Scientists and technicians of a home institution who meet the following requirements may apply for funding from the National Natural Science Fund:

(1) having experience in undertaking basic research projects or in engaging in other basic research activities; and

(2) holding a senior professional or technical post (title) or doctoral degree, or being recommended by two scientists or technicians with senior professional or technical posts (titles) who are specialized in the same field of research.

Where a scientist or technician who is engaged in basic research meets the requirements provided for in the preceding paragraph but does not belong to any work unit or the work unit to which he belongs is not a home institution, he may apply for funding from the National Natural Science Fund in accordance with the provisions of these Regulations after consulting with, and obtaining consent of, a home institution registered with the Fund management institution. The home institution shall deem him to be its own scientist or technician and exercise effective administration in accordance with the provisions of these Regulations.

The applicant shall be the project leader of the project for which he applies for funding.

**Article 11** When applying for funding from the National Natural Science Fund, an applicant shall, on the basis of the annual Guide to Programs, determine his research project and shall, via his home institution, submit a written application to the Fund management institution within the specified time limit.

When applying for funding from the National Natural Science Fund, an applicant shall submit the documents certifying his compliance with the requirements provided for in Article 10 of these Regulations. Where in the annual Guide to Programs, special requirements are specified with respect to an applicant, the applicant shall also submit the documents certifying his compliance with such requirements.

Where an applicant has already received funding from other sources for the research project for which he is applying for funding, he shall, in the application documents, specify the funding received.

An applicant shall be responsible for the authenticity of the application documents submitted.

**Article 12** The Fund management institution shall finish the preliminary examination of the application documents within 45 days from the closing date of application for funding of projects. If the documents comply with the provisions of

these Regulations, the Fund management institution shall accept the application and publish the basic background of the applicant, the name of his home institution and the title of the project for which funding is applied for. The Fund management institution shall not accept the application under one of the following circumstances and shall, via the home institution, notify the applicant of its refusal in writing and explain the reasons therefor:

(1) The applicant does not meet the requirements provided for in these Regulations;

(2) The application documents do not comply with the requirements specified in the annual Guide to Programs; or

(3) The number of projects for which the applicant applies for funding exceeds the number prescribed by the Fund management institution.

**Article 13** The Fund management institution shall invite specialists who are in the same field of research at a comparatively high academic level and with professional ethics to evaluate the projects for which funding is applied for. The specific measures for inviting such specialists shall be formulated by the Fund management institution.

**Article 14** With respect to an application for funding for a project already accepted, the Fund management institution shall first randomly select three or more specialists from its database of specialists engaged in the same field of research to conduct correspondence evaluation, and then arrange for specialists to conduct panel evaluation. For an ad hoc application submitted for funding of a project that is specially needed for national economic and social development or submitted under other special circumstances, it is allowed to conduct either correspondence evaluation or panel evaluation only.

Where an evaluation specialist considers it difficult to make an academic judgment, or is deficient in energy to conduct the evaluation, on an application for funding for a project assigned to him by the Fund management institution, he shall notify the Fund management institution of the same in time. The Fund management institution shall, in accordance with the provisions of these Regulations, select other

specialists for the evaluation.

**Article 15** An evaluation specialist shall make independent judgment and evaluation on an application for funding for a project and put forward his opinions from the perspectives of scientific value, innovation, social impact, feasibility of the research plan, and so on.

To put forward his evaluation opinions on an application for funding for a project, an evaluation specialist shall also take into consideration the research experience of the applicant and participants, rationality of the plan for use of the funds, funding from other sources for the research subject, implementation of Fund-financed projects by the applicant and necessity for continued funding.

The evaluation opinions put forward after panel evaluation shall be put to the vote.

**Article 16** With respect to an application for funding for a project to which the majority of the specialists participating in correspondence evaluation deem that funding should not be granted but which is highly innovative, panel evaluation of the application may be conducted upon recommendation signed by two specialists participating in panel evaluation, with the exception of the ad hoc applications submitted for funding of the projects which are specially needed or submitted under special circumstances as provided for in Article 14 of these Regulations.

The Fund management institution shall publish the recommendations of the evaluation specialists.

**Article 17** The Fund management institution shall, in accordance with the provisions of these Regulations and on the basis of the evaluation opinions put forward by specialists, determine the research projects to be funded. The Fund management institution shall not repudiate the evaluation opinions of specialists on the grounds that it differs from the evaluation specialists in academic views.

Where the Fund management institution decides to grant funding, it shall, in a timely manner, notify the applicant and his home institution in writing and shall publish the basic background of the applicant, the name of his home institution, the title of the project for which funding is applied for, the amount of funds to be granted,



and so on. Where the Fund management institution decides not to grant funding, it shall, in a timely manner, notify the applicant and his home institution in writing and explain the reasons therefor.

The Fund management institution shall compile the evaluation opinions of the specialists and pass them on to the applicant.

**Article 18** Where an applicant disagrees with the Fund management institution's decision on rejecting his application or refusing to grant funding, he may submit a request for review to the Fund management institution in writing within 15 days from the date of receipt of the notification. However, the applicant shall not base his request on the grounds that he disagrees with the academic judgment made by the evaluation specialists.

The Fund management institution shall complete the review within 60 days from the date of receipt of the request made by the applicant for review. Where it considers that the former decision complies with the provisions of these Regulations, it shall sustain the decision and notify the applicant of the same in writing; otherwise, it shall revoke its former decision, arrange for evaluation specialists to evaluate anew the application for funding for the project, make a decision, and notify the applicant and his home institution of the decision in writing.

**Article 19** When evaluating an application for funding for a project, a staff member of the Fund management institution or an evaluation specialist shall apply for recusal under one of the following circumstances:

(1) The staff member of the Fund management institution or the evaluation specialist is a close relative of the applicant or participant, or is otherwise related to the applicant or participant, which is likely to affect the impartiality of evaluation;

(2) The project for which the evaluation specialist himself applies for funding is the same as or similar to the project for which the applicant applies for funding; or

(3) The evaluation specialist is affiliated to the same legal entity as the applicant or participant.

The Fund management institution shall, on the basis of an application and upon examination, make a decision on whether the recusal is necessary. It may also make

such a decision directly in the absence of an application.

An applicant for funding for a project may provide the Fund management institution with a list of at most three evaluation specialists whom he deems to be unsuitable for evaluating his application, and when selecting evaluation specialists, the Fund management institution shall, in light of actual conditions, take such list into consideration.

**Article 20** Staff members of the Fund management institution shall not apply or participate in applying for funding from the National Natural Science Fund or interfere with the evaluation by specialists.

Staff members of the Fund management institution and evaluation specialists shall not disclose any information about the evaluation that has not yet been made public, such as the basic backgrounds of the evaluation specialists, evaluation opinions and results.

#### **Chapter IV Funding and Implementation**

**Article 21** A home institution and a project leader shall, within 20 days from the date of receipt of the notification of funding from the Fund management institution, fill out a letter of project plan in accordance with the evaluation opinions put forward by evaluation specialists and the amount of funds determined by the Fund management institution, and submit the letter of project plan to the Fund management institution for verification and approval.

When filling out the letter of project plan, the home institution and the project leader shall not make any alteration in the application submitted, except for the adjustments to be made in accordance with the evaluation opinions put forward by evaluation specialists and the amount of funds determined by the Fund management institution.

**Article 22** For a research project to be funded in the current year, the Fund management institution shall, in accordance with the provisions of the Budget Law of the People's Republic of China and other relevant provisions of the State and in a

timely manner, apply to the finance department of the State Council for appropriation of the funds for the Fund-financed project from the budget. However, the projects for which ad hoc applications are submitted for funding because of special need or under special circumstances, as provided for in Article 14 of these Regulations, are excepted.

A home institution shall notify the Fund management institution and the project leader within seven days from the date of receipt of the funds granted.

A project leader shall use the funds in accordance with the requirements of the letter of project plan, and his home institution shall supervise the use of the funds by the project leader. Neither the project leader nor his home institution shall embezzle or misappropriate the funds by any means. The specific measures for use and management of the funds shall be jointly formulated by the finance department of the State Council and the Fund management institution.

**Article 23** A project leader shall organize and carry on research in accordance with the letter of project plan, keep an original record of the implementation of the Fund-financed project and submit, via his home institution, an annual project progress report to the Fund management institution.

A home institution shall examine and verify the annual project progress report, check the original record of the implementation of the Fund-financed project and submit an annual management report of the Fund-financed project to the Fund management institution.

The Fund management institution shall examine the annual project progress report and the annual management report of the Fund-financed project.

**Article 24** In the implementation of a Fund-financed project, a home institution shall not replace the project leader without approval.

Where a project leader is found under one of the following circumstances, his home institution shall, without delay, submit an application for approval to the Fund management institution for replacement of the project leader or termination of the implementation of the Fund-financed project; on the other hand, the Fund management institution may directly make a decision to terminate the implementation

of a Fund-financed project:

- (1) He is no longer a scientist or technician of the home institution;
- (2) He is unable to carry on research; or
- (3) He commits such acts as plagiarizing another person's scientific research findings or practicing fraud in scientific research.

Where a project leader is transferred to another home institution, the home institution for which he is now working shall, through consultation with his former home institution, request the latter to submit an application for alteration of his home institution to the Fund management institution for approval. If consultation fails, the Fund management institution shall make a decision to terminate the implementation of the Fund-financed project which the project leader is responsible for.

**Article 25** Where there is a need to make significant adjustments to the research subject or the research plan in the implementation of a Fund-financed project, the project leader shall make a timely application, which shall, upon examination and verification by his home institution, be submitted to the Fund management institution for approval.

**Article 26** A project leader shall, within 60 days from the date of expiration of the period of funding for the Fund-financed project, submit a final report to the Fund management institution via his home institution. If any research findings are made in the Fund-financed project, a report on these findings shall be submitted simultaneously.

The home institution shall examine and verify the final report and open a file on the Fund-financed project. When examining and verifying the final report, the home institution shall check the original record of the implementation of the project.

**Article 27** The Fund management institution shall examine the final report in a timely manner and, if the report does not comply with relevant requirements, it shall put forward its opinions for rectification and notify the home institution and the project leader in writing.

The Fund management institution shall publish the abstracts of the final report, the research findings report and the application for funding for the Fund-financed

project to solicit comments and recommendations from the general public.

**Article 28** When the research findings of a Fund-financed project are published, the fact that the project is financed by the National Natural Science Fund shall be clearly stated.

## **Chapter V Supervision and Administration**

**Article 29** The Fund management institution shall inspect, on a selective basis, the implementation of Fund-financed projects and the performance by home institutions of their functions and duties, and in its inspection, it shall check the original records of the implementation of projects. The results of such inspection shall be recorded and published for the general public to consult.

The Fund management institution shall keep files on the credibility of project leaders and home institutions.

**Article 30** The Fund management institution shall conduct regular assessment of the performance by evaluation specialists of their evaluation functions and duties, and keep files on the credibility of such specialists based on the results of its assessment. It shall cease inviting those evaluation specialists who commit such acts as plagiarizing another person's scientific research findings or practicing fraud in scientific research.

**Article 31** The Fund management institution shall, at the end of each fiscal year, publish the titles of the projects funded in that year, and information on appropriation of the funds and punishment for violations of these Regulations.

The Fund management institution shall conduct regular assessment of the funding, publish the assessment reports, and take such reports as the basis for formulating the Fund development plan and the annual Guide to Programs.

**Article 32** After the evaluation specialists have put forward their opinions on an application for funding for a project, the applicant may submit his opinions to the Fund management institution regarding the evaluation by the specialists. The Fund management institution shall take the applicant's opinions into consideration when

assessing the performance by the evaluation specialists of their evaluation functions and duties.

Any entity or individual may make an exposure or accusation upon finding any violation of these Regulations committed by the Fund management institution, its staff members, evaluation specialists, home institutions, their staff members responsible for managing Fund-financed projects, applicants, project leaders, or participants.

The Fund management institution shall publish its phone number, mailing address and e-mail address for contact.

**Article 33** When releasing relevant information to the general public in accordance with these Regulations, the Fund management institution shall comply with the provisions of the State on guarding secrets.

## **Chapter VI Legal Liability**

**Article 34** Where an applicant or participant fabricates or forges application documents, the Fund management institution shall give him a warning; if a decision has already been made to grant funding to the project, the Fund management institution shall revoke the decision and withdraw the funds already appropriated; if the circumstances are serious, the said applicant or participant shall not apply or participate in applying for funding from the National Natural Science Fund and shall not be promoted in his professional or technical post (title) for three to five years.

**Article 35** Where a project leader or participant, in violation of the provisions of these Regulations, commits one of the following acts, the Fund management institution shall give him a warning, suspend the appropriation of funds, and order him to make corrections within a specified time limit; if no correction is made upon the expiration of the time limit, the Fund management institution shall revoke its decision on funding and withdraw the funds already appropriated; if the circumstances are serious, the said project leader or participant shall not apply or participate in applying for funding from the National Natural Science Fund for five to

seven years:

- (1) failing to carry on research in accordance with the letter of project plan;
- (2) altering the research subject or research plan without approval;
- (3) failing to submit the annual project progress report, the final report or the research findings report in accordance with the provisions of these Regulations;
- (4) submitting reports, original records or relevant documents which are falsified;

or

- (5) embezzling or misappropriating the funds.

Where a project leader or participant commits an act provided for in subparagraph (4) or (5) of the preceding paragraph and the circumstances are serious, he shall not be promoted in his professional or technical post (title) for five to seven years.

**Article 36** Where a home institution is found under one of the following circumstances, the Fund management institution shall give it a warning, order it to make corrections within a specified time limit and, if the circumstances are serious, circulate a notice of criticism, and disqualify it as a home institution for three to five years:

- (1) failing to perform its duty of guaranteeing the necessary conditions for research of a Fund-financed project;

- (2) failing to examine the authenticity of the documents or reports submitted by an applicant or project leader;

- (3) failing to submit the annual project progress report, the annual management report of the Fund-financed project, the final report or the research findings report in accordance with the provisions of these Regulations;

- (4) conniving at or covering up falsification by an applicant or project leader;

- (5) replacing a project leader without approval;

- (6) refusing to cooperate with the Fund management institution in supervision and inspection of the implementation of a Fund-financed project; or

- (7) withholding or misappropriating the funds.

**Article 37** Where an evaluation specialist commits one of the following acts,

the Fund management institution shall give him a warning, order him to make corrections within a specified time limit and, if the circumstances are serious, circulate a notice of criticism and cease inviting him to serve as an evaluation specialist:

(1) failing to perform his evaluation functions and duties as required by the Fund management institution;

(2) failing to apply for recusal in accordance with the provisions of these Regulations;

(3) disclosing evaluation-related information not yet made public;

(4) failing to impartially evaluate an application for funding for a project; or

(5) seeking illegitimate interests by taking advantage of his work.

**Article 38** Where a staff member of the Fund management institution commits one of the following acts, he shall be given a sanction in accordance with law:

(1) failing to apply for recusal in accordance with the provisions of these Regulations;

(2) disclosing evaluation-related information not yet made public;

(3) interfering with the evaluation by specialists; or

(4) seeking illegitimate interests by taking advantage of his work.

**Article 39** Where one of the following acts is committed in violation of the provisions of these Regulations, which constitutes a crime, criminal liability shall be investigated for in accordance with law:

(1) embezzling or misappropriating the funds;

(2) in the case of a staff member of the Fund management institution or an evaluation specialist, demanding or illegally accepting money or a thing of value from another person, or seeking other illegitimate interests, when performing his functions and duties provided for in these Regulations;

(3) in the case of an applicant, project leader or participant, fabricating or forging documents or certificates of State organs, or fabricating or forging seals;

(4) in the case of an applicant, project leader, participant, home institution or one of its staff members responsible for managing Fund-financed projects, giving money



or a thing of value to a staff member of the Fund management institution or an evaluation specialist for the purpose of seeking illegitimate interests; or

(5) divulging State secrets.

An applicant, project leader or participant who has received criminal punishment for one of the acts provided for in the preceding paragraph shall not apply or participate in applying for funding from the National Natural Science Fund for life.

**Article 40** Where the provisions of laws or administrative regulations on financial affairs are violated, a punishment or sanction shall be imposed in accordance with the provisions of relevant laws or administrative regulations.

## **Chapter VII Supplementary Provisions**

**Article 41** For a research project for which a decision has been made to grant funding prior to the date these Regulations become effective, the relevant provisions of the State in effect at the time when such decision was made shall apply.

**Article 42** In the funding activities of the Fund management institution, the relevant provisions of the finance department of the State Council shall apply to the use and management of the funds for project organization and implementation and the funds for academic exchange and environmental development related to basic research.

**Article 43** These Regulations shall be effective as of April 1, 2007.

本译本仅供参考，若有歧义，请以中文版本为准。

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