

财政转移支付立法国际研讨会

(2005年9月21日至23日 山东龙口)

举办单位

全国人大常委会预算工作委员会

德国技术合作公司

地 点

山东龙口南山国际会议中心

Agenda of International Symposium on the Legislation of Fiscal Transfer Payment(September 21-23, 2005, Longkou, Shandong)

Sept. 21, 2005 (Wednesday), Morning session:

Opening ceremony

Chair:	Director-General of the Research Department of the Budget Affairs Commission of the Standing Committee of the National People's Congress Leader of the Working Group for Draft of the Fiscal Transfer Payment Law	Mr. Feng Jian
08:30	The chair introduces major leaders and delegates from home and abroad	
08:35	Member of the Standing Committee of the National People's Congress Vice-Chairman of the Financial and Economic Committee of the National People's Congress Chairman of the Budget Affairs Commission of the Standing Committee of the National People's Congress	Opening Remarks by Mr. Liu Jibin
08:55	Leader of the Leading Group for the Draft of Fiscal Transfer Payment Law in China Vice-Chairman of the Standing Committee of Shandong Provincial People's Congress Chairman of the Financial and Economic Committee of Shandong Provincial People's Congress	Welcoming Remarks by Mr. Huang Kehua
09:05	Legal Advisor of GTZ	Address by Mr. Andreas Obst

Topics for discussion: the guiding thought and applicability of the fiscal transfer payment legislation

	(1) The guiding thought of the legislation and the main problems to solve	
09:20	Director-General of the Research Department of the Budget Affairs Commission of the Standing Committee of the National People's Congress Leader of the Working Group for Draft of the Fiscal Transfer Payment Law	Mr. Feng Jian
09:35	Vice President of the Public Administration Collage, Tsinghua University	Mr. Wang Youqiang
09:50	Director-general of Ministry of Finance, Bavaria, Germany	Mr. Otto Beierl
10:05	Tea break	
	(2) The name of the draft law (fiscal transfer payment law or intergovernmental transfer payment law) and applicability	
10:20	Director-general of Fiscal Transfer Payment Department, Ministry of Finance of the Republic of Austria	Mr. Anton Matzinger
10:35	Delegate to the Tenth National People's Congress Vice-Chairman of the Standing Committee of the People's Congress of Bozhou City, AnHui	Mr. Xu Jinglong

	Province	
10:50	Professor of the Law School of Renmin University of China	Mr. Xu Mengzhou
11:05	Questions and Discussions	
11:30	Summary	
12:00	Lunch	

Sept. 21, 2005 (Wednesday), Afternoon session:

Topics for discussion: provisions on the concept, principle, categorization and scale of fiscal transfer payment

Chair: Legal Advisor of GTZ **Mr. Andreas Obst**

	(1) Concept and principle	
14:30	Delegate to the Tenth National People's Congress Vice-Chairman of the Standing Committee of the People's Congress of BoZhou City, AnHui Province	Mr. Xu Jinglong
14:45	Deputy Head of the Macro-development Department of the Development Research Center of the State Council, PRC	Mr. Meng Chun
15:00	Associate Professor of the School of Economics & Management, Tsinghua University	Ms. Liu Lingling
15:15	Professor of Speyer University of Administrative Law, Germany	Ms. Gisela Färber
15:30	Questions and Discussions	
15:45	Tea break	
	(2) Categorization and scale	
16:00	Economic Professor of KEIO University, Tokyo	Mr. Naoyuki Yoshino
16:15	President of Finance and Tax Institute of Dongbei University of Finance and Economics	Mr. Kou Tiejun
16:30	Vice President of the Public Administration Collage, Tsinghua University	Mr. Wang Youqiang
16:45	Deputy Director-General of the Financial, Economic and Budget Affairs Commission of the Standing Committee of Anhui Provincial People's Congress	Mr. Zhuang Liquan
17:00	Questions and Discussions	
17:15	Summary	
18:00	Dinner	

Sept. 22, 2005 (Thursday), Morning session:

Topics for discussion: provisions on transfer payment with general purpose

Chair: Deputy Director-General of the Budget Department, the Ministry of Finance, PRC **Mr. Xu Hongcai**
Deputy Leader of the Working Group for Draft of the Fiscal Transfer Payment Law

	(1) Concept, applicability and calculating methods	
08:30	Deputy Director-General of the Budget Department, the Ministry of Finance, PRC	Mr. Xu Hongcai
	Deputy Leader of the Working Group for Draft of	

	the Fiscal Transfer Payment Law	
08:45	Deputy Head of the Macro-development Department of the Development Research Center of the State Council, PRC	Mr. Meng Chun
09:00	President of Finance and Tax Institute of Dongbei University of Finance and Economics	Mr. Kou Tiejun
09:15	Director-general of Ministry of Finance, Bavaria, Germany	Mr. Otto Beierl
09:30	Questions and Discussions	
09:45	Tea break	
	(2) The preparation, approval and appropriation processes of budget for transfer payment with general purpose	
10:00	Director-general of Ministry of Finance, Bavaria, Germany	Mr. Otto Beierl
10:15	Deputy Director-General of the Budget Department, the Ministry of Finance, PRC	Mr. Xu Hongcai
	Deputy Leader of the Working Group for Draft of the Fiscal Transfer Payment Law	
10:30	President of the Research Institute of Financial and Economic Law of South China University of Technology	Mr. Zhang Fuqiang
	Vice President of the Law School of South China University of Technology	
10:45	Division Director of the Budget Examination and Supervision Department, Financial and Economic Committee of Fujian Provincial People's Congress	Mr. Wang Yongli
11:00	Chief Economist of the World Bank Resident Mission in China	Mr. Bert Hofman
11:15	Questions and Discussions	
11:30	Summary	
12:00	Lunch	

Sept. 22, 2005 (Thursday), Afternoon session:

Topics for discussion: provisions on supervision and legal liabilities

Chair:	Legal Advisor of GTZ	Mr. Andreas Obst
14:30	Director-general of Fiscal Transfer Payment Department, Ministry of Finance of the Republic of Austria	Mr. Anton Matzinger
14:45	Delegate to the Tenth National People's Congress Vice-Chairman of the Standing Committee of the People's Congress of Bozhou City, AnHui Province	Mr. Xu Jinglong
15:00	President of the Research Institute of Financial and Economic Law of South China University of Technology	Mr. Zhang Fuqiang
	Vice President of the Law School of South China University of Technology	
15:15	Professor of the Law School of Renmin University of China	Mr. Xu Mengzhou
15:30	Questions and Discussions	
15:45	Tea break	

16:00 Visit tourist attractions in Nanshan
18:00 Dinner

Sept. 23, 2005 (Friday), Morning session:

Topics for discussion: provisions on transfer payment with specific purpose

Chair: Deputy Director-General of Financial Audit Department, National Audit Office, PRC
Member of the Working Group for Draft of the Fiscal Transfer Payment Law Mr. Liu Zhengjun

08:30 (1) **Concept, categorization and applicability**
President of Finance and Tax Institute of Dongbei University of Finance and Economics Mr. Kou Tiejun
08:45 President of the Research Institute of Financial and Economic Law of South China University of Technology Mr. Zhang Fuqiang
Vice President of the Law School of South China University of Technology
09:00 Associate Professor of the School of Economics & Management, Tsinghua University Ms. Liu Lingling
09:15 Professor of Speyer University of Administrative Law, Germany Ms. Gisela Färber
09:30 Questions and Discussions
09:45 Tea break

(2) **The raise of projects as well as the preparation, approval, appropriation and adjusting processes of the budges**
10:00 Economic Professor of KEIO University, Tokyo Mr. Naoyuki Yoshino
10:20 Professor of the Law School of Renmin University of China Mr. Xu Mengzhou
10:40 Associate Professor of the School of Economics & Management, Tsinghua University Ms. Liu Lingling
11:00 Deputy Director-General of the Financial, Economic and Budget Affairs Commission of the Standing Committee of Anhui Provincial People's Congress Mr. Zhuang Liquan
12:00 Lunch

Sept. 23, 2005 (Friday), Afternoon session:

Topics for discussion: provisions on transfer payment with specific purpose

(2) The raise of projects as well as the preparation, approval, appropriation and adjusting processes of the budges

Chair: Director-General of the Research Department of the Budget Affairs Commission of the Standing Committee of the National People's Congress Mr. Feng Jian
Leader of the Working Group for Draft of the Fiscal Transfer Payment Law

14:30 Division Director of the Budget Examination and Supervision Department, Financial and Economic Committee of Fujian Provincial People's Congress Mr. Wang Yongli

14:50 Director-general of Fiscal Transfer Payment
Department, Ministry of Finance of the Republic of Austria Mr. Anton Matzinger
15:10 Questions and Discussions
15:40 Summary
15:45 Tea break

**Closing
Ceremony**

16:00 Legal Advisor of GTZ Address by Mr.
Andreas Obst
16:15 Director-General of the Research Department of the Budget Affairs Commission of the Standing Committee of the National People's Congress Leader of the Working Group for Draft of the Fiscal Transfer Payment Law Closing Remarks by Mr. Feng Jian
16:30 Close of the Symposium
18:00 Dinner

会议日程

2005年9月21日（星期三）上午

开幕式

主持人：	全国人大常委会预算工委调研室主任 中国财政转移支付法起草工作小组组长	冯键
08:30	主持人介绍与会主要领导和中外代表	
08:35	全国人大常委会委员 全国人大财经委副主任委员	刘积斌致开幕辞
	全国人大常委会预算工委主任 中国财政转移支付法起草领导小组组长	
08:55	山东省人大常委会副主任 山东省人大财经委主任委员	黄可华致欢迎辞
09:05	德国技术合作公司法律顾问	欧阳博安致辞

主要议题：财政转移支付立法的指导思想和适用范围

（一）立法的指导思想和应解决的主要问题

09:20	全国人大常委会预算工委调研室主任 中国财政转移支付法起草工作小组组长	冯键发言
09:35	清华大学公共管理学院副院长	王有强发言
09:50	德国巴伐利亚州财政部司长	奥托·白欧发言
10:05	茶歇	

（二）法律草案的名称（财政转移支付法还是政府间转移支付法） 和适用范围

10:20	奥地利财政部财政转移支付司司长	安东·马丁格发言
10:35	十届全国人大代表 安徽省亳州市人大常委会副主任	徐景龙发言
10:50	中国农业大学法学院教授	徐孟洲发言
11:05	提问评论	
11:30	会议小结	
12:00	午餐	

2005年9月21日（星期三）下午

主要议题：财政转移支付概念、原则、分类和规模的条款设定

主持人： 德国技术合作公司法律顾问 欧阳博安

（一）概念、原则

14:30	十届全国人大代表 安徽省亳州市人大常委会副主任	徐景龙发言
14:45	国务院发展研究中心宏观部副部长	孟春发言

15:00	清华大学经济管理学院副教授	刘玲玲发言
15:15	德国施佩耶尔行政法大学教授	吉瑟拉·费伯尔发言
15:30	提问评论	
15:45	茶歇	

(二) 分类、规模

16:00	日本庆应义塾大学经济学教授	吉野直行发言
16:15	东北财经大学财税学院院长	寇铁军发言
16:30	清华大学公共管理学院副院长	王有强发言
16:45	安徽省人大常委会财经预算工委副主任	庄立权发言
17:00	提问评论	
17:15	会议小结	
18:00	晚餐	

2005年9月22日(星期四)上午**主要议题: 一般目的转移支付的条款设定**

主持人: 财政部预算司副司长
中国财政转移支付法起草工作小组副组长

许宏才

(一) 概念、适用范围、计算方法

08:30	财政部预算司副司长	许宏才发言
08:45	中国财政转移支付法起草工作小组副组长	孟春发言
09:00	国务院发展研究中心宏观部副处长	寇铁军发言
09:15	东北财经大学财税学院院长	奥托·白欧发言
09:30	提问评论	
09:45	茶歇	

(二) 一般目的转移支付预算的编制、审批、拨付程序

10:00	德国巴伐利亚州财政部司长	奥托·白欧发言
10:15	财政部预算司副司长	许宏才发言
10:30	中国财政转移支付法起草工作小组副组长	
	华南理工大学财经法研究所所长	张富强发言
	华南理工大学法学院副院长	
10:45	福建省人大财经委预算审查监督处处长	王永礼发言
11:00	世界银行驻中国代表处首席经济学家	郝福满发言
11:15	提问评论	
11:30	会议小结	
12:00	午餐	

2005年9月22日(星期四)下午**主要议题: 监督及法律责任的条款设定**

主持人: 德国技术合作公司法律顾问

欧阳博安

14:30	奥地利财政部财政转移支付司司长	安东·马丁格发言
14:45	十届全国人大代表	徐景龙发言

15:00	安徽省亳州市人大常委会副主任 华南理工大学财经法研究所所长 华南理工大学法学院副院长	张富强发言
15:15	中国人民大学法学院教授	徐孟洲发言
15:30	提问评论	
15:45	茶歇	
16:00	参观南山旅游景区	
18:00	晚餐	

2005年9月23日(星期五)上午

主要议题:特定目的转移支付的条款设定

主持人:	国家审计署财政审计司副司长 中国财政转移支付法起草工作小组成员	刘正均
(一)概念、分类、适用范围		
08:30	东北财经大学财税学院院长	寇铁军发言
08:45	华南理工大学财经法研究所所长 华南理工大学法学院副院长	张富强发言
09:00	清华大学经济管理学院副教授	刘玲玲发言
09:15	德国施佩耶尔行政法大学教授	吉瑟拉·费伯尔发言
09:30	提问评论	
09:45	茶歇	
(二)项目的提出和预算的编制、审批、拨付、调整程序		
10:00	日本庆应义塾大学经济学教授	吉野直行发言
10:20	中国人民大学法学院教授	徐孟洲发言
10:40	清华大学经济管理学院副教授	刘玲玲发言
11:00	安徽省人大常委会财经预算工委副主任	庄立权发言
12:00	午餐	

2005年9月23日(星期五)下午

主要议题:特定目的转移支付的条款设定

(二)项目的提出和预算的编制、审批、拨付、调整程序

主持人:	全国人大常委会预算工委调研室主任 中国财政转移支付法起草工作小组组长	冯键
14:30	福建省人大财经委预算审查监督处处长	王永礼发言
14:50	奥地利财政部财政转移支付司司长	安东·马丁格发言
15:10	提问评论	
15:40	小结	
15:45	茶歇	

闭幕式

16:00	德国技术合作公司法律顾问	欧阳博安致辞
16:15	全国人大常委会预算工委调研室主任 中国财政转移支付法起草工作小组组长	冯键致闭幕辞

16:30 会议结束
18:00 晚餐