

# **RENEWABLE ENERGY POLICY AND PLANNING**

## **ANNEX VII**

### **Cooperative Activities Between the Department of Energy of the United States of America and the State Development Planning Commission of the People's Republic of China**

The Department of Energy of the United States of America (USDOE) and the State Development Planning Commission (SDPC) of the People's Republic of China, hereinafter referred to as the Parties:

Noting that the Agreement between the Government of the United States of America and the Government of the People's Republic of China on cooperation in Science and Technology as amended and extended, hereinafter referred to as the "Umbrella Agreement," was signed at Washington on January 31, 1979;

Noting that under Umbrella Agreement the USDOE and the Ministry of Science and Technology (MOST), are Parties to the Protocol for Cooperation in the Fields of Energy Efficiency and Renewable Energy Technology Development and Utilization that was signed on February 23, 1995, hereinafter referred to as the "Protocol;"

Noting that Article 2 of the Protocol identifies a number of areas for potential cooperation in the field of renewable energy technology and other fields in the area of renewable energy and noting that Article 6 of the Protocol provides that the USDOE and MOST may invite other organizations to participate in cooperative activities under the Protocol; and

Desiring to establish cooperation between organizations in the United States and in the People's Republic of China (PRC) for renewable energy development;

Have agreed as follows:

#### **ARTICLE I - OBJECTIVES**

- A. This Annex is subject to the terms and conditions of the Umbrella Agreement and the Protocol. In the event of any conflict between the terms and conditions of the Umbrella Agreement or the Protocol and this Annex, the Umbrella Agreement and the Protocol shall govern.
- B. The objectives of this Annex are to establish the framework for specific collaboration in order to promote renewable energy policies and assist in renewable energy planning. Activities conducted under this Annex will help develop a framework to assist China in developing national policies and planning for sustainable future renewable energy

development. It is anticipated that implementation of this Annex will assist China to meet its energy demand in the near future and to promote and accelerate the commercialization of renewable energy in China.

## **ARTICLE II - AREAS FOR COOPERATION**

Cooperation under this Annex may include, but is not limited to, the following areas:

- A. Development of Policy Options;
- B. Information Exchange;
- C. Planning Analysis;
- D. Training; and
- E. Program Development.

## **ARTICLE III - PARTICIPATING ORGANIZATIONS**

- A. The principal organization responsible for conducting the cooperative activities under this Annex in the United States shall be the USDOE.
- B. The principal organization responsible for conducting the cooperative activities under this Annex in the People's Republic of China shall be the State Development Planning Commission (SDPC).
- C. Each Party may invite other government agencies and organizations and private organizations in their respective countries to participate in cooperative activities under this Annex, at their own expense, and subject to such terms and conditions as Parties may specify. For the USDOE, the National Renewable Energy Laboratory (NREL), and for the PRC, such participants may include the Ministry of Science and Technology (MOST) and the Energy Research Institute (ERI).

## **ARTICLE IV - FORMS OF COOPERATION**

Cooperative activities undertaken pursuant to this Annex may include, but are not limited to, the following:

- A. Development of Renewable Energy Policy Options

The Parties undertake to jointly conduct analysis of renewable energy policies, learning from international and US experiences and examine options for policy incentives or regulatory reform that will create an enabling market for renewable energy development in China.

**B. Exchange of Technical Information and Collaborative Visits**

The Parties will exchange technical information and experiences and arrange collaborative visits. These exchanges and visits may address technical, economic, policy, regulatory, project approval, program planning and technology transfer in the area of renewable energy technology.

**C. Planning Analysis**

The Parties undertake to jointly conduct analysis to help China develop targets for renewable energy implementation and potential for development and mechanisms for reaching these goals. These analyses can be used to support recommendations for China's Five Year Plans.

**D. Training**

The Parties will participate in providing technical, analytical, and policy training for renewable energy policy, program and planning professionals. USDOE, through NREL, will provide training to Chinese staff.

**E. Program Development**

The Parties will support cooperation in areas of renewable energy program development. These programs may include current SDPC programs, such as the Brightness Program or the Ride the Wind Program, as well as future program development.

**ARTICLE V - MANAGEMENT**

Each Party shall designate one Project Coordinator who shall jointly plan the technical approach for accomplishing the objectives of this Annex, and who shall be responsible for the program, schedule, coordination and reports. A Project Coordination Meeting shall be held at a mutually agreed site, preferably annually.

**ARTICLE VI - COSTS AND LEGAL PROVISIONS**

Except when otherwise specifically agreed by the Parties in writing, all costs including travel and lodging expenses, resulting from cooperation under this Annex shall be borne by the Party that incurs them. The implementation of this Annex is subject to the availability of appropriated funds and personnel, and subject to applicable laws and regulations of the countries of the Parties.

## ARTICLE VII - INTELLECTUAL PROPERTY RIGHTS

Article 8 of the Protocol and Annex I of the Umbrella Agreement govern the dissemination, use and protection of information used or generated in the course of activities conducted under this Annex, and the allocation of intellectual property rights arising from this activity.

## ARTICLE VIII - ENTRY INTO FORCE AND TERMINATION

- A. This Annex shall enter into force upon signature by the Parties and remain in force for five (5) years or until termination of the Protocol, whichever occurs first. This Annex may be amended or extended by mutual written agreement of the Parties.
- B. At the discretion of either Party, this Annex may be terminated upon six (6) months advance notice in writing to the other Party.

SIGNED at San Diego, California this 11 day of May, 2000, in duplicate, in the English and Chinese languages, each text being equally authentic.

FOR THE DEPARTMENT OF ENERGY  
OF THE UNITED STATES OF AMERICA:



FOR THE STATE DEVELOPMENT  
PLANNING COMMISSION OF  
THE PEOPLE'S REPUBLIC OF CHINA:

