

LETTER OF UNDERSTANDING
BETWEEN
THE DEPARTMENT OF LABOR OF THE UNITED STATES OF AMERICA
AND
THE MINISTRY OF LABOUR AND SOCIAL SECURITY
OF THE PEOPLE'S REPUBLIC OF CHINA
REGARDING ADDITIONAL COOPERATION
RELATING TO
PENSION PROGRAMS

Acknowledging that the Department of Labor of the United States of America (USDOL) and the Ministry of Labour and Social Security of the People's Republic of China (MOLSS) entered into an Understanding on Labor Law Cooperation in April of 2003; and

Acknowledging that both USDOL and MOLSS wish to broaden their cooperation in the area of labor and employment;

USDOL and MOLSS intend to initiate additional cooperative activities as described below:

Overall Objective

USDOL and MOLSS reaffirm their common objective stated in the April 2003 Understanding, namely, to ensure economic growth, create employment, raise living standards and support widely shared prosperity, and to protect workers' rights in accordance with relevant international labor principles, while fully respecting the national laws and legal provisions of each country.

Areas for Additional Cooperation

USDOL and MOLSS intend to undertake technical cooperation activities in the areas of wage and working hour law administration. Specifically, such activities should include but not be limited to:

- Scope of pension plans;
- Regulation and oversight of pension programs; and
- Effective administration of pension programs.

Forms of Cooperation

Unless otherwise mutually agreed, USDOL and MOLSS should utilize the following forms of cooperation:

- Exchange of information and materials in the relevant fields;
- Seminars and workshops;
- Exchange of visits by officials and experts at all levels; and
- Technical cooperation projects.

USDOL and MOLSS intend to designate the appropriate technical agencies within each government to extend cooperation under this Letter of Understanding. Overall coordination for all activities under this Letter of Understanding should be done through the Bureau of International Labor Affairs of USDOL and the Department of International Cooperation of MOLSS.

Where considered appropriate and necessary to achieve the objectives of this Letter of Understanding, upon mutual agreement, USDOL and MOLSS may invite the participation of representatives of workers, employers and non-governmental organizations.

USDOL and MOLSS intend to bear the cost of activities under this Letter of Understanding jointly, with each side paying for its own expenses unless otherwise specifically agreed. It is understood that the activities to be undertaken pursuant to this Letter of Understanding are subject to the availability of duly authorized and appropriated funds.

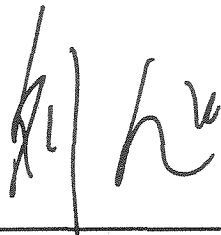
This Letter of Understanding is effective from the date of the signing for a consecutive twelve-month period. It may be amended or extended by written consent of USDOL and MOLSS. This Letter of Understanding is void three months following written notification by either USDOL or MOLSS to the other.

Signed in Beijing, in duplicate, on this 21st day of June, 2004, in English and Chinese.

FOR THE DEPARTMENT OF LABOR
OF THE UNITED STATES OF AMERICA

FOR THE MINISTRY OF LABOUR
AND SOCIAL SECURITY OF THE
PEOPLE'S REPUBLIC OF CHINA





**美利坚合众国劳工部
与
中华人民共和国劳动和社会保障部
关于年金计划
补充合作谅解书**

鉴于美利坚合众国劳工部（简称为 USDOL）与中华人民共和国劳动和社会保障部（简称为 MOLSS）在 2003 年 4 月达成的一项关于劳动法规合作的谅解，

鉴于美国劳工部与中国劳动保障部都希望在劳动和就业领域拓展合作，

美国劳工部与中国劳动保障部将开展如下补充合作活动：

总体目标

美国劳工部与中国劳动保障部重申在 2003 年 4 月达成的谅解中明确的目标，即在充分尊重各自国内有关法律法规的同时，按照有关国际劳工原则确保经济增长、创造就业岗位、提高生活水平、促进社会普遍繁荣并保护工人权益。

补充合作范围

美国劳工部与中国劳动保障部将在工资、工时法规管理领域开展技术合作活动。特别是，将包括但不仅限于以下活动：

- 年金计划的覆盖范围；

- 年金计划的法规及监督；
- 年金计划的有效管理。

合作方式

除非双方另有约定，美国劳工部与中国劳动保障部将通过以下方式开展合作：

- 就相关领域交流信息和资料；
- 举办研讨会；
- 各级官员和专家互访；
- 开展技术合作项目。

美国劳工部与中国劳动保障部将在各自机构内指定合适的技术部门开展本谅解书框架下的合作活动。美国劳工部国际劳工事务局和中国劳动保障部国际合作司负责综合协调本谅解书框架下的所有活动。

为实现本谅解书的目标，如属合适和必要，经协商同意，美国劳工部与中国劳动保障部可以邀请工人、雇主和非政府组织的代表参与。

美国劳工部与中国劳动保障部将共同承担本谅解书框架下活动的费用，除非另有约定，否则双方应承担各自参与活动的费用。本谅解书的后续活动应视批准和划拨的资金状况而定。

本谅解书自双方签字之日起开始生效，为期十二个月。经双方书面协商同意，本谅解可以修改或延期。任何一方可以书面形式通知对方撤消本谅解书，撤消决定自撤消之日起三个月后生效。

本谅解于2004年6月21日在北京签订，一式两份，每份都用英文和中文写成。

美利坚合众国
劳工部代表

中华人民共和国
劳动和社会保障部代表



