

Automobile Industry

MIIT Revised the Measures for Parallel Point-based Administration

After two rounds of opinion solicitation, the Ministry of Industry and Information Technology (“MIIT”) recently released the *Decision on Revising the Measures for the Parallel Point-based Administration of Corporate Average Fuel Consumption and New-Energy Vehicles for Passenger Vehicle Enterprises* (the “**Amendment**”), which will come into effect on January 1, 2021.

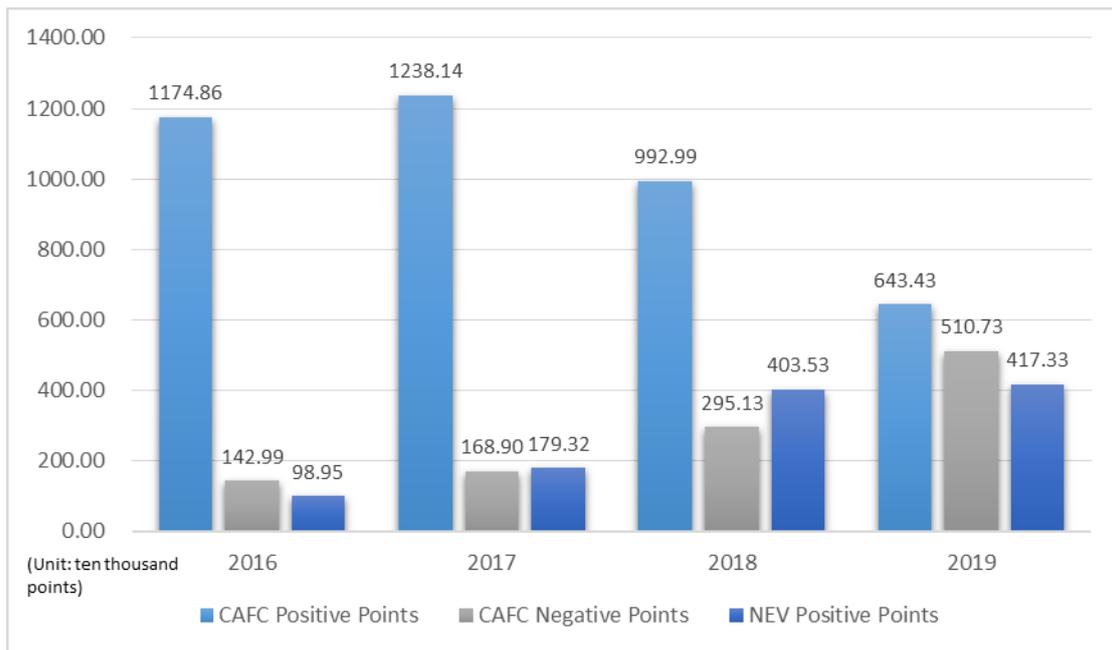
I. Background to the Revision

In 2017, MIIT released the *Measures for the Parallel Point-based Administration of Corporate Average Fuel Consumption and New-Energy Vehicles for Passenger Vehicle Enterprises* (the “**Parallel Point-based Measures**”), which came into effect on April 1, 2018. As a policy tool to replace the subsidies for new energy vehicles, the Parallel Point-based Measures administer the corporate average fuel consumption (“**CAFC**”) and the production/import volume of new energy passenger vehicles (“**NEV**”) in the form of points, outlining the target value of points, the transferring methods and the possible punishments. The Parallel Point-based Measures impose policy pressure on passenger vehicle enterprises to improve both the energy-saving level of traditional energy vehicles and the production/import volume of NEVs, thus avoiding the grave decline of production capacity that may occur after the drop off of subsidies for NEVs.

According to MIIT's statistics, in 2019, the sales of NEVs in China reached 1.06 million, ranking first in the world for five consecutive years¹. From a perspective of promoting the production/import of NEVs, the Parallel Point-based Measures have achieved relatively good results after implementation, and have met their objectives.

Having said that, some new issues have surfaced during the implementation of the Parallel Point-based Measures. The most important issue lies in the trend of the large number of NEV positive points being generated and the decrease of CAFC positive points. By comparing the statistics of NEV points and CAFC points in the passenger vehicle industry for 2016-2019, we may see that 2018 was a watershed year — despite the fact that CAFC negative points' increment was 1.3 million points compared to that in 2017, CAFC positive points' steady growth trend in the past few years was terminated with a shortfall of nearly 2.5 million points, the reduction ratio of which was nearly 20%. On the other hand, NEV points have increased with a volume of 2.3 million points, a growth ratio of 125%. The statistics in 2019 keep reflecting the aforesaid trend of 2018. Despite the fact that CAFC negative points increased to nearly 2.15 million points compared to that in 2018, CAFC positive points were greatly reduced by 3.5 million points with a reduction ratio of 35%, while NEV positive points basically maintained

the same level as 2018.



(Figure 1 - Statistics of CAFC Points and NEV Points for 2016 – 2019

Source: the announcements of points of various years published on MIIT's official website)

The above data demonstrates that after the implementation of the Parallel Point-based Measures, passenger vehicle enterprises have excessively focused on the increase of the production capacity for NEVs, instead of investing in energy-saving measures for traditional energy passenger vehicles. The reason behind this could be due to the fact that on the basis of the existing fuel consumption levels, it requires a large investment in R&D to improve the energy consumption level of traditional energy passenger vehicles. Instead, the R&D investment in NEVs will be much lower; In terms of generating points, the production (or import) of an NEV can directly bring considerable CAFC positive points and NEV positive points to passenger vehicle enterprises. In contrast, the outcome in generating points by enhancing the energy consumption level of traditional energy passenger vehicles is quite insignificant. It is therefore not surprising that passenger vehicle enterprises choose to take the shortcut of expanding the production of NEVs.

This single-handed way is obviously contrary to the original intention of the policy. According to the requirements under the *Energy-Saving and New Energy Development Plan for the Automobile Industry (2012-2020)* promulgated by the State Council in 2012, by 2020, the cumulative production and sales of pure electric vehicles and plug-in hybrid vehicles shall exceed five million units; the average fuel consumption of passenger vehicles produced in that year shall be reduced to 5.0 liters/100 kilometers. At present, the former target of total production and sales of five million new energy vehicles should be reached without a problem. However, considering the current actual fuel consumption level (5.5 liters/100 kilometers in 2019), the latter fuel consumption target of 5.0 liters/100 kilometers is still far from being reached. As a result of that, at the policy level, lowering the proportion of NEV points under the entire parallel point-based system and thereby guiding passenger vehicle enterprises to make a prompt adjustment from the production side naturally becomes the background for the promulgation of

this Amendment.

II. Main Revisions in the Amendment

The main revisions in this Amendment include (1) adjusting the formula for calculating the NEV standard vehicle model points; (2) stepwise enhancing the ratio requirement of the target value of NEV points from 2021 to 2023 and granting the preferential treatment to low-fuel-consumption passenger vehicles; (3) establishing carry-over rules for NEV points linked to the bottom level of CAFC of traditional energy passenger vehicles; (4) establishing channels for the transfer of CAFC positive points among several domestic passenger vehicle manufacturers established by the same overseas passenger vehicle manufacturer; (5) adding the policy adjustment power to MIIT to cope with the negative impact of COVID-19 on passenger

vehicle enterprises; and (6) other updated revisions.

1. Adjustment to the formula for calculating the NEV standard vehicle model points

According to the Parallel Point-based Measures, the standard vehicle model points of each NEV and its production/import volume in the calculating year constitutes the NEV points of that vehicle model, and the sum of NEV points of each NEV model produced/imported by passenger vehicle enterprises constitutes the actual value of NEV points of that enterprise. By adjusting the formula for calculating the standard vehicle model points of each NEV, the Amendment reduces the standard vehicle model points, thereby further reducing the overall NEV points. Please see below for details:

Comparison in Calculating Method of NEV Standard Vehicle Model Points		
	Parallel Point-based Measures	Amendment
Pure Electric Passenger Vehicles	$0.012 \times R + 0.8$	$0.0056 \times R + 0.4$ (The upper limit of the standard vehicle model is 3.4 points; if $R < 100\text{km}$, the point is 0; if $100 \leq R < 150\text{km}$, the point is 1)
Plug-in Hybrid Passenger Vehicles	2	1.6
Fuel cell passenger vehicles	$0.16 \times P$	$0.08 \times P$ (The upper limit is 6 points)

Note: R refers to the running distance per charge in comprehensive working condition (km); P refers to the specified power of the fuel cell system (kW)

Besides, the Amendment further specifies the adjustment of vehicle model points under the different power consumption conditions of the above three types of new energy vehicles. Taking the pure electric vehicle as an example, the Amendment introduces three variables (i.e. "Running Distance Adjustment Factor", "Power Consumption Adjustment Factor" and "Energy Density Adjustment Factor") to calculate the NEV points, thereby imposing higher technical requirements on the pure electric vehicles from three different perspectives of running distance, power consumption level and battery energy

density, thus avoiding passenger vehicle enterprises unilaterally pursuing high running distances and neglecting the development of energy density and power consumption.

2. Stepwise enhancing the ratio requirement of the target value of NEV points from 2021 to 2023 and granting preferential treatment to low fuel-consumption passenger vehicles

According to the Parallel Point-based Measures, the target value of NEV points is the production of the production/import volume of traditional

energy passenger vehicles and the NEV ratio in the calculating year. The NEV ratio in 2019 and 2020 are 10% and 12% respectively. This Amendment further stipulates that the NEV ratios from 2021 to 2023 are 14%, 16% and 18% respectively to further increase the target value of NEV points.

Despite the Amendment imposing higher requirements on the NEV ratio, it also introduces the concept of “Low Fuel-Consumption Passenger Vehicles² and provides more preferential NEV measures to encourage passenger vehicle enterprises to increase their investment in the energy-saving of traditional energy passenger vehicles. Specifically, when calculating the target value of NEV points, the production/import volume of Low Fuel-Consumption Passenger Vehicles will be calculated at 0.5 times in 2021, 0.3 times in 2022 and 0.2 times in 2023, of its actual number. Therefore the requirement of the target value of NEV points for such Low Fuel-Consumption Passenger Vehicles will be significantly lowered, thus guiding and encouraging passenger vehicle enterprises to further research and develop, manufacture and import Low Fuel-Consumption Passenger Vehicles.

3. Establishing carry-over rules for NEV points linked to the bottom level of CAFC for traditional energy passenger vehicles

Under the Parallel Point-based Measures, NEV positive points can be freely traded but cannot be carried over (except for 2019). Considering the large number of NEV positive points generated, the Amendment makes a further adjustment to the carrying over of NEV positive points to future years, permitting NEV positive points to be carried over to future years according to the following rules, provided that the validity period of such carrying over does not exceed three years:

- (1) NEV positive points generated in 2019 may be carried over to be used for one year at the equal amount;

- (2) The ratio for each carrying over of NEV positive points in 2020 shall be 50%;

- (3) If the ratio of the CAFC actual value (calculating traditional energy vehicles only) to the CAFC target value of the enterprise in and subsequent to the year of 2021 is not higher than 123%, the NEV positive points generated in that year are permitted to be carried over and the ratio for each carrying over is 50%. NEV positive points, generated by passenger vehicle enterprises which only manufacture or import new energy vehicles, shall be carried over at a ratio of 50%.

The above rules could effectively ingest a large number of NEV positive points that have already been generated so far, slow down the production of NEVs by passenger vehicle enterprises and avoid overcapacity. On the other hand, from 2021, the carrying over of NEV positive points will be directly linked to the CAFC performance status, thus further encouraging passenger vehicle enterprises to increase their investment in the saving of power consumption in traditional energy passenger vehicles.

4. Establishing channels for the transfer of CAFC positive points among several domestic passenger vehicle manufacturers established by the same overseas passenger vehicle manufacturer

Under the Parallel Point-based Measures, the affiliates allowed to transfer CAFC positive points include imported passenger vehicle suppliers authorized by the overseas passenger vehicle manufacturer and the domestic passenger vehicle manufacturers whose more than 25% shares are directly or indirectly held by the said overseas passenger vehicle manufacturer. However, it is not clear under the original Parallel Point-based Measures whether different domestic passenger vehicle manufacturers, with more than 25% shares directly or indirectly held by the same overseas passenger vehicle manufacturer respectively, shall be deemed as

the affiliates. This Amendment solves the said issue by further clarifying that the different domestic passenger vehicle manufacturers, whose more than 25% shares are directly or indirectly held by the same overseas passenger vehicle manufacturer respectively, shall also constitute the affiliates and thus CAFC positive points can be transferred among them.

5. Adding the policy adjustment power to MIIT to cope with the negative impact of COVID-19 on passenger vehicle enterprises

In 2020, the global passenger vehicle industry has been adversely affected by the COVID-19 pandemic. To alleviate the impact of the pandemic on the passenger vehicle industry, this Amendment further adds the policy adjustment power to MIIT on top of the original draft for public opinion, to cope with the possible impact of the pandemic on the passenger vehicle enterprises, which includes,

(1) MIIT has the power to extend the compensation period and adjust the ratio for carrying-over NEV positive points in 2020 according to the development status of the automobile industry;

(2) MIIT may allow passenger vehicle enterprises to use NEV positive points generated in 2021 to compensate for NEV negative points generated in 2020 according to the development status of the automotive industry.

6. Other updated revisions

Apart from the aforementioned revisions, the Amendment also includes the following updated revisions:

(1) Incorporating passenger vehicles fueled by alcohol ether into the category of traditional energy passenger vehicles;

(2) Updating and loosening the requirements of CAFC concession compliance for

small-scale passenger vehicle enterprises³ from 2021 to 2023 to replace the expired policy in 2020 under the Parallel Point-based Measures;

(3) According to the institutional reform of the State Council, the “General Administration of Quality Supervision, Inspection and Quarantine” set out in the Parallel Point-based Measures is revised into the “State Administration for Market Regulation”.

III. Brief Comments

During the NPC and CPPCC Sessions in 2018, Mr. MIAO Wei, the minister of MIIT, publicly stated that the ratio of production and sales of new energy vehicles shall reach 10% in 2020. In other words, the remaining 90% of the production and sales shall still be comprised of traditional energy vehicles. It is therefore very significant for the entire automobile industry to optimize the power consumption level for traditional energy vehicles. The utmost objective of this Amendment is to make a prompt adjustment to the issues arising from the implantation of the Parallel Point-based Measures and lower the proportion of NEV points under the entire parallel point-based system, thus guiding passenger vehicle enterprises to improve the power consumption levels of traditional energy passenger vehicles and increase the comprehensive technical levels of NEVs.

The Parallel Point-based Measures promulgated in 2017, which uniquely created the parallel point-based system and the parallel management mode, have effectively achieved the policy objective to succeed the subsidy policy and to stimulate passenger vehicle manufacturers to continue the production of NEVs, and have created a large number of positive points. However, in addition to the points generated, the Parallel Point-based Measures also concentrate on the trading of points. Currently, the industry's CAFC positive points are still far more than the CAFC negative points

(although the gap is shrinking), and there are still a large number of NEV positive points. Hence, the trading of points is not active and is regarded more as an adjusting method for medium and small-scale vehicle enterprises. The officials from MIIT also revealed during the Amendment press conference that, MIIT, through its point management platform, had only implemented two transactions of points so far⁴. In this respect, the original purpose of realizing the balance between supply and demand through the market trading mechanism under the Parallel Point-based Measures and maximizing the utilization of resources has not yet been achieved. A large number of positive points have been shelved. As a result of this, we speculate that in the near future the Parallel Point-based Measures will be further adjusted to narrow the gap between the positive and negative points and to promote the trading of points. We will

continue to monitor the latest updates in this regard.

-
1. Press conference held by the officers of the Policy and Regulation Bureau and Equipment Industry First Bureau of the MIIT regarding the Decision on Revising the Measures for the Parallel Point-based Administration of Corporate Average Fuel Consumption and New-Energy Vehicle for Passenger Vehicle Enterprises (<http://www.miit.gov.cn/n1146295/n7281315/c7981645/content.html>).
 2. Refers to the traditional energy passenger vehicles of which the comprehensive power consumption does not exceed the production of (i) the target value of power consumption of corresponding vehicle model contained in the *Fuel Consumption Evaluation Methods and Targets for Passenger Vehicles (GB 27999)* and (ii) the CAFC requirement of the enterprise in such calculating year.
 3. Refers to (i) the domestic passenger vehicle manufacturers that have an annual production capacity of 2,000 units or less and whose production, R&D and operation remain independent, or (ii) the imported passenger vehicle supply enterprises authorized by the overseas passenger vehicle manufacturers with an import volume fewer than 2,000 units.
 4. Please refer to endnote No.1.

ZHENG Yu	Partner	Tel: 86 10 8553 7652	Email: zhengy@junhe.com
WANG Kai	Associate	Tel: 86 10 8553 7931	Email: wangk@junhe.com
ZHANG Xiaobin	Associate	Tel: 86 10 8553 7967	Email: zhangxiaobin@junhe.com

This document is provided for and only for the purposes of information sharing. Nothing contained in this document constitutes any legal advice or opinion of JunHe Law Offices. For more information, please visit our official website at www.junhe.com or our WeChat public account “君合法律评论”/WeChat account “JUNHE_LegalUpdates”



汽车行业法律热点问题

工信部修改双积分管理办法

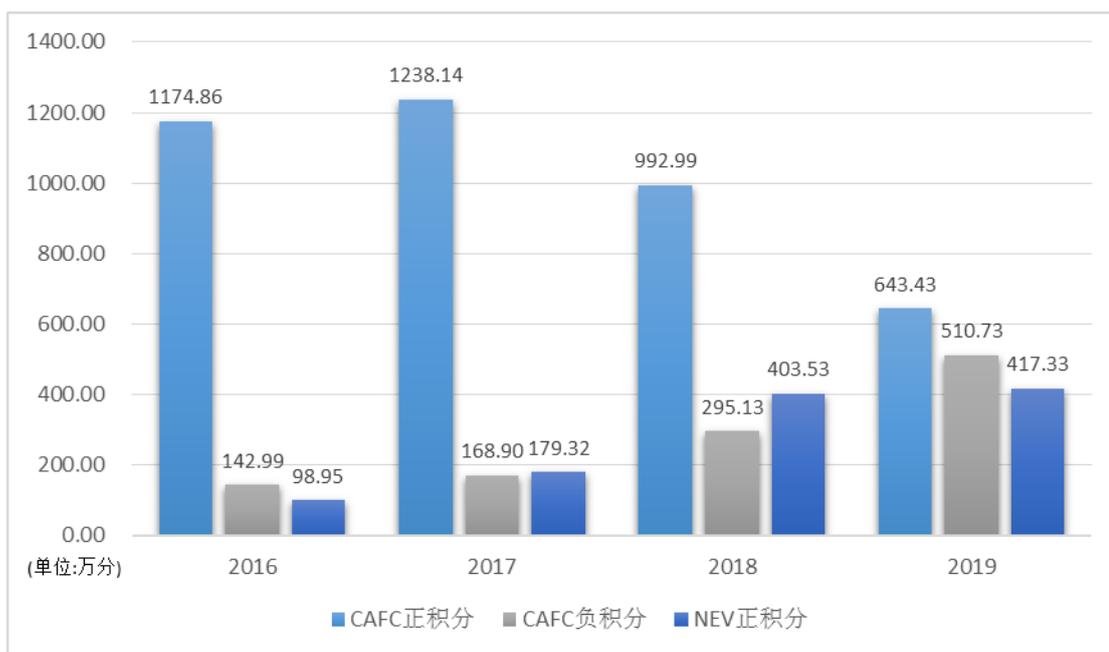
在经过两轮征求意见后，工业和信息化部（以下简称“工信部”）于近日正式发布了《关于修改〈乘用车企业平均燃料消耗量与新能源汽车积分并行管理办法〉的决定》（以下简称“《修正案》”）。《修正案》将于2021年1月1日正式施行。

一、修改背景

2017年，工信部公布了《乘用车企业平均燃料消耗量与新能源汽车积分并行管理办法》（以下简称“双积分办法”）并自2018年4月1日起正式施行。作为替代新能源汽车补贴的政策工具，双积分办法将乘用车平均燃料消耗量（Corporate Average Fuel Consumption，以下简称“CAFC”）和新能源乘用车产量/进口量（New Energy Vehicles，以下简称“NEV”）以积分形式进行并行管理，通过设置积分达标值、交易方法以及处罚措施，向乘用车企业施加了提升传统能源车节能水平和增加新能源乘用车产量/进口量两方面的政策压力，避免了新能源汽

车补贴政策退坡后可能出现的产能断档。根据工信部统计，2019年我国新能源乘用车销量达到106万辆，连续五年位居世界首位¹。从促进新能源乘用车的生产/进口的角度来看，双积分办法在实施后取得了较为良好的效果，达到了政策的预期目标。

但是，双积分办法在实施过程中也产生了新的问题，其中最主要的问题就在于NEV正积分的大量产生，以及CAFC正积分的退步趋势。通过对比2016-2019四年的乘用车行业NEV积分和CAFC积分的统计数据，可以看出2018年是一个明显的分水岭——尽管CAFC负积分较2017年增加了将近130万分，但CAFC正积分却停止了之前的稳步增长趋势，缩减了将近250万分，缩减比例将近20%。而与此同时，NEV积分却新增了将近230万分，增长比例达到125%。2019年依然保持了2018年的态势，CAFC负积分比2018年增加了将近215万分，但CAFC正积分大幅缩减了350万分，缩减比例高达35%，而NEV正积分基本保持2018年的水平。



(图 1 - 2016-2019 CAFC 积分与 NEV 积分统计 数据来源：工信部官网各年度积分公告)

上述数据充分说明了在双积分办法实施后，乘用车企业将生产重心主要放在加大新能源乘用车的产能上，而并未在传统能源乘用车的能耗节约上投入过多，其背后的原因不难猜测：在现有燃料消耗水平的基础上，进一步提升传统能源乘用车的能耗水平显然需要极高的研发投入，与之相比生产新能源乘用车的研发投入要低不少；而在积分产出上，生产（或进口）一辆新能源乘用车能够直接给乘用车企业同时带来可观的 CAFC 正积分和 NEV 正积分，而靠提升传统能源乘用车的能耗水平带来的积分效果则微乎其微。因此乘用车企业选择走新能源乘用车扩产这一捷径也就不足为奇了。

这种“一条腿走路”的现实状况显然有悖于政策制定的初衷，根据国务院 2012 年公布的《节能与新能源汽车产业发展规划(2012—2020 年)》的要求，到 2020 年，纯电动汽车和插电式混合动力汽车累计产销量超过 500 万辆；当年生产的乘用车平均燃料消耗量降至 5.0 升/百公里。目前来看前一 500 万辆的新能源车产销总量达标应无虞，但后一 5.0 升/百公里的燃料消耗目标与当前实际水平(2019 年为 5.5 升/百公里)还相去甚远。因此在政策层面，弱化 NEV 积分在整个双积分体系下的比重，从而及时引导乘用车企业进行生产端的调整就构成了本次《修正案》

的出台背景。

二、《修正案》主要修订内容

本次《修正案》主要内容包括（1）调整 NEV 标准车型积分的计算公式；（2）阶梯式提升 2021 至 2023 年度的 NEV 积分达标值的比例要求，同时对低油耗乘用车给予优待措施；（3）设立与传统能源乘用车 CAFC 达标水平联动的 NEV 积分结转规则，（4）打通境外车企境内设立的多家乘用车生产企业之间的 CAFC 正积分转让通道，（5）增加工信部的政策调节权力，以应对新冠肺炎对于车企的负面影响，以及（6）其它更新型修订内容。

1、调整 NEV 标准车型积分的计算公式

根据双积分办法，每一新能源乘用车车型的标准车型积分与其在核算年度的生产量/进口量的乘积构成了该车型的 NEV 积分，而乘用车企业生产/进口的各个新能源乘用车车型的 NEV 积分之和即构成了该企业的 NEV 积分实际值。《修正案》通过调整每种新能源乘用车标准车型积分的计算公式，减少了标准车型积分，进而使整体 NEV 积分相应调减，具体而言：

NEV 标准车型积分计算方法对比

	双积分办法	《修正案》
纯电动乘用车	$0.012 \times R + 0.8$	$0.0056 \times R + 0.4$ (标准车型积分上限为 3.4 分; 当 $<100\text{km}$ 时, 为 0 分; $100 \leq R < 150\text{km}$ 时, 为 1 分)
插电式混合动力乘用车	2	1.6
燃料电池乘用车	$0.16 \times P$	$0.08 \times P$ (上限为 6 分)

注: R 为电动汽车续驶里程(工况法), 单位为 km; P 为燃料电池系统额定功率, 单位为 kW。

此外,《修正案》中还对上述三类新能源车型在不同功耗条件下车型积分的调整进一步细化。以纯电动车为例,《修正案》引入了“续驶里程调整系数”、“电耗调整系数”和“能量密度调整系数”三个变量计算 NEV 积分,从而分别在续航里程、电耗水平和电池能量密度三个维度对纯电动车提出了更高的技术要求,以避免车企片面追求高续航而忽略了能量密度和电能消耗方面的发展。

2、阶梯式提升 2021 至 2023 年度的 NEV 积分达标值的比例要求,同时对低油耗乘用车给予优待措施

根据双积分办法,NEV 积分达标值为乘用车企业在核算年度传统能源乘用车的生产量/进口量与 NEV 积分比例的乘积,该 NEV 积分比例在 2019 年和 2020 年分别为 10% 和 12%。本次《修正案》进一步规定了 2021 至 2023 年度的 NEV 积分比例,分别为 14%、16% 和 18%,从而进一步提高了 NEV 积分达标值的水平。

尽管《修正案》对于 NEV 积分比例提出了更高要求,但其同时新引入了“低油耗乘用车”²这一概念并对其提供了更为优待的 NEV 积分核算措施,以激励乘用车企业加大传统能源乘用车节约能耗的投入力度。具体而言,在计算 NEV 积分达标值时,低油耗乘用车的生产量/进口量将按照其实际数量的 0.5 倍(2021 年度)、0.3 倍(2022 年度)和 0.2 倍(2023 年度)计算,从而大幅调减该等低油耗乘用车的 NEV 积分达标值要求,以引导和鼓励乘用车企业进一步研发生产及进口低油耗乘用车。

3、设立与传统能源乘用车 CAFC 达标水平联动的 NEV 积分结转规则

在双积分办法下,NEV 正积分可以自由交易,但不得结转(2019 年除外)。考虑到近几年产生的大量 NEV 正积分,《修正案》对于 NEV 正积分的向后结转做出了进一步调整,允许 NEV 正积分按照下列规定结转,但结转有效期不得超过三年:

(1) 2019 年度的 NEV 正积分可以等额结转一年;

(2) 2020 年度的 NEV 正积分,每结转一次,结转比例为 50%;

(3) 2021 年度及以后年度企业 CAFC 实际值(仅核算传统能源乘用车)与 CAFC 达标值的比值不高于 123% 的,允许其当年度产生的 NEV 正积分结转,每结转一次,结转比例为 50%。只生产或者进口新能源汽车的乘用车企业产生的 NEV 正积分按照 50% 的比例结转。

上述修订一方面可以为目前已产生的大量 NEV 正积分提供消化渠道,以减缓乘用车企业在新能源乘用车领域的投产力度,避免产能过剩。另一方面,自 2021 年起,NEV 正积分的结转将直接与 CAFC 的达标情况挂钩,进而进一步激励乘用车企业在传统能源乘用车节约能耗上加大投入。

4、打通境外车企境内设立的多乘用车生产企业之间的 CAFC 正积分转让通道

在双积分办法下,可进行 CAFC 正积分转让的关联企业包括境外车企授权的进口乘用车供应企业,及该境外车企直接或间接持股达到 25% 以上的境内乘用车生产企业。而对于境外车企在境内分别持股达到 25% 以上的多家境内乘用车企业之间是否构成关联企业,双积分办法并没有进行明确。此次《修正案》则解决了上述问题,进一步明确了境外

车企在境内分别直接或间接持股达到 25% 以上的多家境内乘用车企业之间亦构成关联企业关系，可以进行 CAFC 正积分转让。

5、增加工信部的政策调节权力，以应对新冠肺炎对于车企的负面影响

2020 年以来，全球乘用车行业都受到了新冠肺炎疫情的影响。为了缓解疫情对乘用车产业的冲击，本次《修正案》在原征求意见稿的基础上进一步增加了工信部的政策调节权力，以应对疫情对部分车企可能带来的影响，具体包括：

(1) 工信部有权根据汽车行业发展情况延长抵偿期限和调整 2020 年度 NEV 正积分结转比例；

(2) 工信部可以根据汽车行业发展情况，决定乘用车企业使用 2021 年度产生的 NEV 正积分对 2020 年度产生的 NEV 负积分进行抵偿。

6、其它更新型修订内容

除上述修订外，《修正案》还包含如下更新型修订内容：

(1) 将以醇醚作为燃料的乘用车纳入传统能源乘用车的范畴；

(2) 更新并放宽 2021 至 2023 年小规模乘用车企业³的 CAFC 减让达标要求，以替代双积分办法下 2020 年到期的政策；

(3) 根据国务院机构改革设置，将双积分办法中的“质检总局”修改为“市场监管总局”。

三、简评

2018 年两会期间，工信部部长苗圩曾公开表示 2020 年新能源车产销量占比要达到 10%。换言之，剩余 90% 的产销量仍然需依赖传统能源汽车完成，因此提升传统能源汽车的能耗水平对于整体汽车工

业亦非常重要。本次《修正案》最大目的在于及时调整双积分办法实施过程中产生的问题，弱化 NEV 积分在整个双积分体系下的比重，以引导乘用车企业提升传统能源乘用车的能耗水平并提高新能源乘用车的综合技术水平。

2017 年出台的双积分办法以独创的双积分制度以及并行管理模式，有效实现了接棒新能源汽车补贴以刺激乘用车生产企业继续投产新能源乘用车的政策目的，并创造了大量正积分。不过双积分办法除了积分的产生，还有一个重点在于积分的交易。而在目前，全行业 CAFC 正积分仍远多于 CAFC 负积分（尽管差距在不断缩小），同时还存在大量的 NEV 正积分，因此积分交易并不活跃，更多是作为中小规模车企的一种调剂方式。工信部在《修正案》发布的答记者问中也透露，工信部目前通过其积分管理平台仅实施了 2 次积分交易⁴。就这一点而言，双积分办法中通过市场交易机制实现供需平衡从而资源最大化利用的设计初衷实际上仍未实现，大量正积分被闲置了。因此，我们推测在不远的将来双积分办法还会被进一步调整，以缩小正负积分差距并推进积分交易。就此我们也将持续关注。

1. 工业和信息化部产业政策与法规司、装备工业一司负责人就《关于修改〈乘用车企业平均燃料消耗量与新能源汽车积分并行管理办法〉的决定》答记者问
<http://www.miit.gov.cn/n1146295/n7281315/c7981645/content.html>。
2. 指综合燃料消耗量不超过《乘用车燃料消耗量评价方法及指标》（GB 27999）中对应的车型燃料消耗量目标值与该核算年度的企业平均燃料消耗量要求之积（计算结果按四舍五入原则保留两位小数）的传统能源乘用车。
3. 即核算年度生产量 2000 辆以下并且生产、研发和运营保持独立的境内乘用车生产企业，或进口量 2000 辆以下的获境外乘用车生产企业授权的进口乘用车供应企业。
4. 见尾注 1。

郑宇 合伙人 电话：86 10 8553 7652 邮箱地址：zhengy@junhe.com
王凯 律师 电话：86 10 8553 7931 邮箱地址：wangk@junhe.com
张晓彬 律师 电话：86 10 8553 7967 邮箱地址：zhangxiaobin@junhe.com

本文仅为分享信息之目的提供。本文的任何内容均不构成君合律师事务所的任何法律意见或建议。如您想获得更多讯息，敬请关注君合官方网站“www.junhe.com”或君合微信公众号“君合法律评论”/微信号“JUNHE_Legal Updates”。

