# Administrative Licensing Law of the People’s Republic of China

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## Chapter I — General Provisions

Article 1. This Law is enacted for the purposes of regulating the creation and implementation of administrative licenses, protecting the lawful rights and interests of citizens, legal persons, and other organizations, safeguarding public interests and social order, and ensuring and supervising the effective exercise of administrative power by administrative organs.




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Article 2. “Administrative license” as used in this Law means an act whereby an administrative organ, upon application by a citizen, legal person, or other organization, permits the applicant to engage in a specific activity or grants the applicant specific qualifications or status after examination and approval in accordance with law.

Article 3. This Law applies to the creation and implementation of administrative licenses. This Law does not apply to the approval of personnel, finance, foreign affairs, and other matters by administrative organs with respect to other organs or public institutions directly under their administration.

Article 4. The creation and implementation of administrative licenses shall be in accordance with statutory powers, scope, conditions, and procedures.

Article 5. The creation and implementation of administrative licenses shall adhere to the principles of openness, fairness, impartiality, and non-discrimination. The provisions on administrative licenses shall be published; unpublished provisions shall not be the basis for implementing administrative licenses. Equal treatment shall be given to applicants, and no discrimination on unreasonable grounds shall be permitted.

Article 6. Administrative organs shall improve administrative efficiency and provide quality services.

Article 7. Where the administrative license applied for by a citizen, legal person, or other organization involves significant matters and the administrative organ shall hold a hearing, the administrative organ shall hold a hearing.

## Chapter II — Establishment of Administrative Licenses

Article 8. Administrative licenses may be established where matters fall within any of the following categories: (1) matters directly involving national security, public safety, macro-economic regulation, ecological environment protection, or personal health and life and property safety, which require approval in accordance with statutory conditions; (2) matters relating to the development and utilization of limited natural resources, allocation of public resources, or market access for specific industries directly affecting the public interest, which require the conferral of specific rights; (3) matters relating to the provision of public services and directly relating to the public interest, where qualifications or credentials of industry and profession are required; (4) matters relating to equipment, facilities, products, or articles directly relating to public safety, personal health, or life and property safety, which require inspection, testing, or quarantine in accordance with technical standards or specifications; and (5) matters relating to the establishment of enterprises or other organizations, which require determination of subject qualifications.

Article 9. Where matters specified in the preceding article may be regulated by any of the following means, administrative licenses shall not be created: (1) matters that can be resolved through autonomous decision-making by the citizen, legal person, or other organization; (2) matters that can be effectively regulated through market competition mechanisms; (3) matters that can be effectively addressed through self-regulatory management by industry organizations or intermediary institutions; or (4) matters that administrative organs can effectively supervise through ex-post supervision or other administrative means.

Article 10. Administrative licenses may be created by laws. Administrative regulations may create administrative licenses where no law exists. Local regulations may create administrative licenses where no national law or administrative regulation exists. No other regulatory documents, including departmental rules and provincial government rules, may create administrative licenses.

## Chapter III — Implementing Organs of Administrative Licenses

Article 11. Administrative licenses shall be implemented by the administrative organs having the power to grant administrative licenses within their statutory functions and powers.



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Article 12. Where an administrative license needs to be examined and approved by multiple internal departments of an administrative organ, the administrative organ shall designate one department to accept the application and serve the decision uniformly, or organize the relevant departments to handle the matter jointly and centrally.

Article 13. Where an administrative license is implemented by two or more departments of a local people's government in accordance with law, the people's government shall designate one department to accept the application and handle the matter, or organize the relevant departments to handle the matter jointly and centrally.

## Chapter IV — Procedures for Administrative Licenses

Article 14. An applicant may submit the application in writing, by letter, by telegram, by telex, by fax, by electronic data interchange, or by e-mail. The application shall truthfully provide the relevant materials and reflect the true situation.

Article 15. Where an administrative organ discovers that an administrative licensing matter directly relates to a material interest of another person, it shall inform that interested person. The applicant and the interested person shall have the right to make statements and defenses. The administrative organ shall hear the opinions of the applicant and the interested person.

Article 16. Where laws, regulations, or rules provide that the implementation of an administrative license shall require a hearing, or where the administrative organ considers a hearing necessary for other administrative licensing matters involving significant public interest, the administrative organ shall make a public announcement and hold a hearing.

Article 17. Where an administrative organ makes a decision to grant an administrative license, it shall issue and serve the administrative license certificate, license, approval document, or other administrative licensing documents, stamped with the seal of the administrative organ, to the applicant from the date of the decision.

Article 18. Unless an on-the-spot decision can be made, an administrative organ shall make a decision within 20 days from the date of acceptance of the application for administrative license. Where a decision cannot be made within 20 days, an extension of 10 days may be granted upon approval by the person in charge of the administrative organ, and the applicant shall be informed of the reason for the extension. Where laws or regulations provide otherwise, such provisions shall prevail.

Article 19. Where an administrative license is handled jointly or centrally, the time limit for processing shall not exceed 45 days. Where a decision cannot be made within 45 days, an extension of 15 days may be granted upon approval, and the applicant shall be informed of the reason for the extension.

Article 20. Where an administrative license is granted in accordance with law, the administrative organ shall not alter the administrative license without authorization unless the basis for the administrative license is modified by laws, regulations, or rules, or the circumstances on which the grant of the administrative license was based have materially changed, and the administrative license may be altered or revoked for the public interest.

Article 21. Where an administrative license is revoked under the preceding article, causing property losses to the citizen, legal person, or other organization, the administrative organ shall provide compensation in accordance with law.

## Chapter V — Fees for Administrative Licenses

Article 22. When implementing administrative licenses and conducting supervision and inspection of administrative licensing matters, administrative organs shall not charge any fees, unless otherwise provided by laws or administrative regulations. No fee may be charged for the provision of application forms for



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administrative licenses.

## Chapter VI — Supervision and Inspection

Article 23. An administrative organ that has granted an administrative license shall supervise and inspect the activities engaged in by the licensee under the administrative license. Where the licensee fails to perform its obligations under the administrative license, the administrative organ shall order correction.

Article 24. Where a citizen, legal person, or other organization engages in an activity without obtaining an administrative license, the administrative organ shall investigate and deal with it in accordance with law. Where it is discovered through verification that an administrative license has been obtained by deception, bribery, or other improper means, the administrative organ shall revoke it in accordance with law.

## Chapter VII — Legal Liability

Article 25. Where an administrative organ and its personnel create or implement administrative licenses in violation of this Law, the superior administrative organ or the supervisory organ shall order correction. Where the circumstances are serious, administrative sanctions shall be imposed on the directly responsible person in charge and other directly responsible persons in accordance with law. Where a crime is constituted, criminal liability shall be investigated.

Article 26. Where an applicant conceals relevant information or provides false materials in applying for an administrative license, the administrative organ shall not accept the application or shall not grant the administrative license, and shall give a warning. Where the application involves public safety, personal health, or life and property safety, the applicant shall be barred from applying again for the administrative license within one year.

Article 27. Where a licensee obtains an administrative license by deception, bribery, or other improper means, the administrative organ shall revoke the administrative license in accordance with law, and the applicant shall be barred from applying again for the administrative license within three years. Where a crime is constituted, criminal liability shall be investigated in accordance with law.

## Chapter VIII — Supplementary Provisions

Article 28. This Law shall take effect as of July 1, 2004. The amendments adopted on April 23, 2019 shall take effect as of the date of promulgation.

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