Provisions on the Administration of Construction Enterprise Qualifications of the PRC

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Unofficial English translation prepared for reference only. The official Chinese text prevails.

Adopted on June 26, 2007

Effective: September 1, 2007

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Article 1 — These Provisions are formulated in accordance with the Construction Law of the PRC and the Administrative Licensing Law for strengthening supervision of construction enterprise qualifications.

Article 2 — Construction enterprises shall obtain qualification certificates of corresponding grades before engaging in construction activities.

Article 3 — The housing and urban-rural development department under the State Council shall be responsible for unified supervision of construction enterprise qualifications nationwide.

Article 4 — Qualifications are classified into general contracting, professional contracting and labor subcontracting sequences, each with categories and grades.

Article 5 — Enterprises applying for qualifications shall meet conditions in registered capital, professional personnel, technical equipment, and project performance.

Article 6 — Newly established enterprises shall apply for the lowest grade. Enterprises may upgrade after meeting higher grade conditions.

Article 7 — Applications shall be submitted level by level to the housing department. The examining authority shall complete review within the statutory time limit.

Article 8 — Enterprises shall not sublet, lend, transfer, forge or alter qualification certificates. Qualifications obtained by fraud shall be revoked.

Article 9 — Enterprises shall undertake projects within their qualification grades and shall not operate beyond their grade.

Article 10 — Housing departments shall exercise dynamic supervision. Enterprises no longer meeting standards shall rectify.

Article 11 — Foreign-invested construction enterprises shall also comply with these Provisions.

Article 12 — These Provisions shall become effective on September 1, 2007.

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