

Provisions on the Administration of Foreign-Invested Conference and Exhibition Companies of the PRC

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

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Article 1 — These Provisions are formulated for the purposes of regulating the establishment and activities of foreign-invested conference and exhibition companies and promoting the healthy development of the conference and exhibition industry.

Article 2 — These Provisions shall apply to the establishment of foreign-invested conference and exhibition companies within the territory of the People's Republic of China and the holding of conferences and exhibitions within the territory by such companies. The term "foreign-invested conference and exhibition companies" means enterprises established within the territory by foreign investors in the form of wholly foreign-owned enterprises, Sino-foreign equity joint ventures, or Sino-foreign cooperative joint ventures to engage in conference and exhibition services.

Article 3 — The Ministry of Commerce and its authorized institutions shall be the examination and approval authorities for foreign-invested conference and exhibition companies. The administrative departments of commerce under the local people's governments shall be the administration authorities for foreign-invested conference and exhibition companies within their respective administrative areas.

Article 4 — A foreign-invested conference and exhibition company may engage in the following business: organizing and holding international economic, technological, and trade exhibitions and conferences within the territory of China; providing related consulting and services for exhibitions and conferences; and other businesses related to conferences and exhibitions.

Article 5 — Foreign investors establishing foreign-invested conference and exhibition companies shall meet the following conditions: the foreign investor shall be an enterprise legal person registered in accordance with the law; the foreign investor shall have corresponding capital and credit standing; the foreign investor shall have three or more years of experience in organizing exhibitions or conferences; and the foreign investor shall meet other conditions prescribed by laws and administrative regulations.

Article 6 — The registered capital of a foreign-invested conference and exhibition company shall meet the relevant provisions of the State. The proportion of capital contributed by the foreign investor in a Sino-foreign equity joint venture or Sino-foreign cooperative joint venture conference and exhibition company shall not be less than 25 percent of the registered capital.

Article 7 — An applicant for the establishment of a foreign-invested conference and exhibition company shall submit the following documents to the examination and approval authority: an application for establishment; a feasibility study report; the contract and articles of association of the foreign-invested conference and exhibition company; the business license or registration certificate of the foreign investor; the certificate of credit standing of the foreign investor; the curriculum vitae and identification documents of the legal representative or the members of the board of directors of the foreign-invested conference and exhibition company; and other documents required by the examination and approval authority.

Article 8 — The examination and approval authority shall, within three months of receiving all the documents specified in Article 7, decide whether to approve or disapprove the application. Where the application is approved, a Certificate of Approval for Foreign-Invested Enterprises shall be issued. Where the application is disapproved, the reasons shall be stated in writing.

Article 9 — The applicant shall, within 30 days of receiving the Certificate of Approval for Foreign-Invested Enterprises, go through the registration formalities with the competent administration for industry and commerce and obtain a business license. The business license shall record the business scope and term of operation of the foreign-invested conference and exhibition company.

Article 10 — A foreign-invested conference and exhibition company shall, before holding an exhibition, submit an application to the relevant department in accordance with the provisions of the State and shall not hold the exhibition until it has been approved. The specific provisions on the examination and approval of exhibitions shall be implemented in accordance with the relevant provisions of the State.

Article 11 — A foreign-invested conference and exhibition company shall comply with Chinese laws and regulations when holding exhibitions and conferences within the territory, and shall not harm the public interest of China. A foreign-invested conference and exhibition company shall conduct its exhibition and conference activities in accordance with the approved business scope and scale of exhibitions and conferences.

Article 12 — Chinese employees shall be mainly recruited for the holding of exhibitions and conferences by foreign-invested conference and exhibition companies. Foreign employees may be recruited if necessary.

Article 13 — Foreign-invested conference and exhibition companies conducting exhibition and conference activities within the territory shall pay taxes in accordance with the law and accept the supervision of the relevant departments of the State.

Article 14 — Where a foreign-invested conference and exhibition company has any of the following circumstances, the examination and approval authority may revoke its Certificate of Approval for Foreign-Invested Enterprises: the company obtains the certificate of approval by fraud or other improper means; the company fails to carry out conference and exhibition business within the territory for one year after its establishment; the company, in the course of operation, violates Chinese laws and regulations, causing serious consequences; or other circumstances prescribed by laws and administrative regulations.

Article 15 — The relevant authorities shall strengthen the supervision and administration of foreign-invested conference and exhibition companies. Foreign-invested conference and exhibition companies conducting exhibition and conference activities within the territory that violate the provisions of Chinese laws or administrative regulations shall be dealt with by the relevant authorities in accordance with the law.

Article 16 — The establishment of resident representative offices and branches within the territory by foreign-invested conference and exhibition companies shall be subject to the approval of the examination and approval authority.

Article 17 — Foreign enterprises, other economic organizations, or individuals that wish to hold exhibitions and conferences within the territory shall apply to the examination and approval authority in accordance with the provisions of these Provisions.

Article 18 — These Provisions shall apply to investors from the Hong Kong Special Administrative Region, the Macao Special Administrative Region, and the Taiwan region establishing conference and exhibition companies within the mainland territory.

Article 19 — The Ministry of Commerce shall be responsible for the interpretation of these Provisions.

Article 20 — These Provisions shall take effect 30 days after the date of promulgation.

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