Regulations of the People’s Republic of China on Chinese-Foreign Cooperation in Running Schools

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

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Chapter I — General Provisions

Article 1 — These Regulations are formulated for the purpose of regulating Chinese-foreign cooperation in running schools, strengthening foreign exchanges and cooperation in the field of education, and promoting the development of the educational undertakings, in accordance with the Education Law of the People's Republic of China, the Vocational Education Law of the People's Republic of China and the Law of the

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People's Republic of China on the Promotion of Privately-run Schools.

Article 2 — These Regulations apply to the activities whereby foreign educational institutions and Chinese educational institutions (hereinafter referred to as the Chinese and foreign cooperators in running schools) cooperate within the territory of China to establish educational institutions that recruit mainly Chinese citizens as their students (hereinafter referred to as Chinese-foreign cooperatively-run schools).

Article 3 — Chinese-foreign cooperation in running schools is a public-welfare undertaking and a component part of China's educational undertakings.

The State shall apply the principles of opening wider to the outside world, running schools in accordance with law, exercising administration in accordance with law and promoting development to Chinese-foreign cooperation in running schools.

The State shall encourage the introduction of high-quality foreign educational resources in Chinese-foreign cooperation in running schools.

The State shall encourage Chinese-foreign cooperation in running schools in the fields of higher education and vocational education, and encourage Chinese institutions of higher learning to cooperate with well-known foreign institutions of higher learning in running schools.

Article 4 — The lawful rights and interests of the Chinese and foreign cooperators in running schools and of Chinese-foreign cooperatively-run schools shall be protected by the laws of China.

Chinese-foreign cooperatively-run schools shall enjoy the preferential policies prescribed by the State in accordance with law, and shall carry out education and teaching activities independently in accordance with law.

Article 5 — Chinese-foreign cooperation in running schools shall abide by the laws of China, implement the educational policies of China, conform to the public morals of China, and shall not impair the sovereignty, security and social and public interests of the State of China.

Chinese-foreign cooperation in running schools shall meet the needs of the development of China's educational undertakings, guarantee the quality of education and teaching, and devote itself to training various types of personnel for the socialist construction of China.

Article 6 — Chinese and foreign cooperators in running schools may cooperate to establish educational institutions of various levels and categories; however, they shall not establish institutions providing compulsory education or institutions providing education of a special nature such as military, police or political education.

Article 7 — Foreign religious organizations, religious institutions, religious academies and religious personnel shall not engage in activities of cooperation in running schools within the territory of China.

Chinese-foreign cooperatively-run schools shall not conduct religious education or carry out religious activities.

Article 8 — The administrative department of education under the State Council shall be responsible for the overall planning, comprehensive coordination and macro-administration of the work of Chinese-foreign cooperation in running schools nationwide. The administrative department of education, the administrative department of labor and other relevant administrative departments under the State Council shall, within the scope of their duties prescribed by the State Council, be responsible for the relevant work of Chinese-foreign cooperation in running schools.

The administrative departments of education of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall be responsible for the overall planning, comprehensive coordination and macro-administration of the work of Chinese-foreign cooperation in running

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schools within their respective administrative areas. The administrative departments of education, the administrative departments of labor and other relevant administrative departments of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall, within the scope of their duties, be responsible for the relevant work of Chinese-foreign cooperation in running schools within their respective administrative areas.

Chapter II — Establishment

Article 9 — An educational institution applying for the establishment of a Chinese-foreign cooperatively-run school shall have the status of a legal person.

Article 10 — Chinese and foreign cooperators in running schools may use funds, physical objects, land-use rights, intellectual property rights and other property as their input in running schools.

The input of intellectual property rights by a Chinese or foreign cooperator in running schools shall not exceed one third of its respective total input. However, the input of intellectual property rights by a foreign educational institution that comes to China to cooperate in running schools upon the invitation of the administrative department of education or the administrative department of labor under the State Council, or of the people's government of a province, autonomous region or municipality directly under the Central Government, may exceed one third of its total input.

Article 11 — A Chinese-foreign cooperatively-run school shall meet the basic conditions prescribed by the Education Law of the People's Republic of China, the Vocational Education Law of the People's Republic of China, the Higher Education Law of the People's Republic of China and other laws and relevant administrative regulations, and shall have the status of a legal person. However, a Chinese-foreign cooperatively-run school providing higher education that is established by a foreign educational institution and a Chinese institution of higher learning providing diploma education need not have the status of a legal person.

The establishment of a Chinese-foreign cooperatively-run school shall be carried out with reference to the standards prescribed by the State for the establishment of educational institutions of the same level and category.

Article 12 — Applications for the establishment of Chinese-foreign cooperatively-run schools providing higher education at or above the undergraduate level shall be subject to examination and approval by the administrative department of education under the State Council; applications for the establishment of Chinese-foreign cooperatively-run schools providing higher diploma education and non-diploma higher education shall be subject to examination and approval by the people's governments of the provinces, autonomous regions or municipalities directly under the Central Government where the proposed schools are to be located.

Applications for the establishment of Chinese-foreign cooperatively-run schools providing secondary diploma education, self-study examination assistance, cultural remedial courses and preschool education shall be subject to examination and approval by the administrative departments of education of the people's governments of the provinces, autonomous regions or municipalities directly under the Central Government where the proposed schools are to be located.

Applications for the establishment of Chinese-foreign cooperatively-run schools providing vocational skills training shall be subject to examination and approval by the administrative departments of labor of the people's governments of the provinces, autonomous regions or municipalities directly under the Central Government where the proposed schools are to be located.

Article 13 — The establishment of a Chinese-foreign cooperatively-run school shall be divided into two steps: preparatory establishment and formal establishment. However, where the conditions for running a school are

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met and the standards for establishment are satisfied, an application for formal establishment may be filed directly.

Article 14 — To apply for the preparatory establishment of a Chinese-foreign cooperatively-run school, the following documents shall be submitted:

(1) a report on the application, the content of which shall mainly include: the Chinese and foreign cooperators in running schools, the name of the proposed Chinese-foreign cooperatively-run school, the training objectives, and the scale, level, form and conditions of running the school, the internal management system, and the raising, management and use of funds;

(2) a cooperation agreement, the content of which shall include the term of cooperation, the methods for resolving disputes, and so on;

(3) the sources of assets, the amount of funds and the valid certifying documents, with the property rights clearly stated;

(4) where the school property is of the nature of a donation, a donation agreement shall be submitted, stating the name of the donor, the amount, purpose and management methods of the donated assets, and the relevant valid certifying documents; and

(5) the certificate showing the receipt of the start-up funds, which shall be no less than 15 percent of the total funds input by the Chinese and foreign cooperators in running schools.

Article 15 — For an application for the preparatory establishment of a Chinese-foreign cooperatively-run school, the examination and approval authority shall make a decision on whether to grant approval within 45 working days from the date of acceptance of the application. Where approval is granted, a written approval of preparatory establishment shall be issued; where approval is not granted, the reasons shall be stated in writing.

Article 16 — After the preparatory establishment of a Chinese-foreign cooperatively-run school is approved, an application for formal establishment shall be filed within three years from the date of approval; where three years have elapsed, the Chinese and foreign cooperators in running schools shall apply anew.

During the period of preparatory establishment, students shall not be recruited.

Article 17 — To apply for formal establishment upon the completion of preparatory establishment, the following documents shall be submitted:

(1) an application for formal establishment;

(2) the written approval of preparatory establishment;

(3) a report on the situation of the preparatory establishment;

(4) the articles of association of the Chinese-foreign cooperatively-run school, and the list of the members of the first council, board of directors or joint management committee;

(5) the valid certifying documents of the assets of the Chinese-foreign cooperatively-run school; and

(6) the qualification certifying documents of the president or principal administrator, the teachers and the financial and accounting personnel.

To directly apply for the formal establishment of a Chinese-foreign cooperatively-run school, the documents listed in items (1), (4), (5) and (6) of the preceding paragraph and items (2), (3) and (4) of Article 14 shall be submitted.

Article 18 — For an application for the formal establishment of a Chinese-foreign cooperatively-run school providing non-diploma education, the examination and approval authority shall make a decision on whether to grant approval within three months from the date of acceptance of the application; for an application for

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the formal establishment of a Chinese-foreign cooperatively-run school providing diploma education, the examination and approval authority shall make a decision on whether to grant approval within six months from the date of acceptance of the application. Where approval is granted, a Chinese-foreign cooperatively-run school permit with a uniform format and a uniform number shall be issued; where approval is not granted, the reasons shall be stated in writing.

The format of the Chinese-foreign cooperatively-run school permit shall be formulated by the administrative department of education under the State Council, and the permit shall be printed by the administrative department of education and the administrative department of labor under the State Council respectively according to the division of their duties; the Chinese-foreign cooperatively-run school permit shall be numbered uniformly by the administrative department of education under the State Council, and the specific measures shall be determined by the administrative department of education under the State Council in conjunction with the administrative department of labor.

Article 19 — Where an application is made for the formal establishment of a Chinese-foreign cooperatively-run school providing diploma education, the examination and approval authority shall, after accepting the application, organize an expert committee to conduct an evaluation, and the expert committee shall put forward its advisory opinions.

Article 20 — After obtaining the Chinese-foreign cooperatively-run school permit, a Chinese-foreign cooperatively-run school shall undergo registration in accordance with the relevant laws and administrative regulations, and the registration authority shall handle the registration without delay in accordance with the relevant provisions.

Chapter III — Organization and Administration

Article 21 — A Chinese-foreign cooperatively-run school with the status of a legal person shall establish a council or a board of directors, and a Chinese-foreign cooperatively-run school without the status of a legal person shall establish a joint management committee. The number of Chinese members of the council, board of directors or joint management committee shall not be less than one half.

The council, board of directors or joint management committee shall be composed of five or more members, and shall have one chairman and one vice-chairman, or one chairperson and one vice-chairperson, or one director and one deputy director, respectively. Where one party among the Chinese and foreign cooperators in running schools serves as the chairman, chairperson or director, the other party shall serve as the vice-chairman, vice-chairperson or deputy director.

The legal representative of a Chinese-foreign cooperatively-run school with the status of a legal person shall be determined through consultation between the Chinese and foreign cooperators in running schools from among the chairman of the council, the chairman of the board of directors or the president.

Article 22 — The council, board of directors or joint management committee of a Chinese-foreign cooperatively-run school shall be composed of the representatives of the Chinese and foreign cooperators in running schools, the president or principal administrator, the representatives of the teaching and administrative staff, and so on, of which one third or more of the members shall have five or more years of experience in education and teaching.

The list of the members of the council, board of directors or joint management committee of a Chinese-foreign cooperatively-run school shall be submitted to the examination and approval authority for the record.

Article 23 — The council, board of directors or joint management committee of a Chinese-foreign cooperatively-run school shall exercise the following powers:

(1) electing or by-electing the members of the council, board of directors or joint management committee;

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(2) appointing or dismissing the president or principal administrator;

(3) amending the articles of association and formulating rules and regulations;

(4) formulating development plans and approving annual work plans;

(5) raising funds for running the school and examining and approving budgets and final accounts;

(6) deciding on the authorized size of the teaching and administrative staff and the standards of their wages;

(7) deciding on the division, merger or termination of the Chinese-foreign cooperatively-run school; and

(8) other powers prescribed by the articles of association.

Article 24 — The council, board of directors or joint management committee of a Chinese-foreign cooperatively-run school shall hold at least one meeting each year. Upon the proposal of one third or more of its members, an interim meeting of the council, board of directors or joint management committee may be convened.

The following major matters discussed by the council, board of directors or joint management committee of a Chinese-foreign cooperatively-run school may be passed only with the consent of two thirds or more of its members:

(1) appointing or dismissing the president or principal administrator;

(2) amending the articles of association;

(3) formulating development plans;

(4) deciding on the division, merger or termination of the Chinese-foreign cooperatively-run school; and

(5) other major matters prescribed by the articles of association.

Article 25 — The president or principal administrator of a Chinese-foreign cooperatively-run school shall have the nationality of the People's Republic of China, be domiciled within the territory of China, love the motherland, be of good moral character, have experience in education and teaching, and possess the corresponding professional level.

The president or principal administrator appointed by a Chinese-foreign cooperatively-run school shall be subject to verification and approval by the examination and approval authority.

Article 26 — The president or principal administrator of a Chinese-foreign cooperatively-run school shall exercise the following powers:

(1) implementing the decisions of the council, board of directors or joint management committee;

(2) implementing development plans, and drawing up annual work plans, financial budgets and rules and regulations;

(3) appointing and dismissing staff members and implementing rewards and punishments;

(4) organizing education and teaching activities and scientific research activities, and guaranteeing the quality of education and teaching;

(5) being responsible for the day-to-day administration; and

(6) other powers prescribed by the articles of association.

Article 27 — A Chinese-foreign cooperatively-run school shall administer its teachers and students in accordance with law.

Foreign teachers and foreign administrators employed by a Chinese-foreign cooperatively-run school shall hold a bachelor's degree or above and the corresponding vocational certificates, and shall have two or more

years of experience in education and teaching.

The foreign cooperator in running schools shall select and send a certain number of teachers from its own educational institution to teach in the Chinese-foreign cooperatively-run school.

Article 28 — A Chinese-foreign cooperatively-run school shall, in accordance with law, safeguard the lawful rights and interests of teachers and students, guarantee the wages and welfare benefits of the teaching and administrative staff, and pay social insurance premiums for the teaching and administrative staff.

The teaching and administrative staff of a Chinese-foreign cooperatively-run school shall establish trade unions and other organizations in accordance with law, and shall participate in the democratic administration of the Chinese-foreign cooperatively-run school through the staff and workers' congress and other forms.

Article 29 — Foreign personnel of a Chinese-foreign cooperatively-run school shall abide by the relevant provisions on the employment of foreigners in China.

Chapter IV — Education and Teaching

Article 30 — A Chinese-foreign cooperatively-run school shall, in accordance with the requirements of China for educational institutions of the same level and category, offer courses on the Constitution, laws, civic morality and the national conditions.

The State shall encourage Chinese-foreign cooperatively-run schools to introduce courses and teaching materials that are urgently needed in China and internationally advanced.

A Chinese-foreign cooperatively-run school shall submit the courses it offers and the teaching materials it introduces to the examination and approval authority for the record.

Article 31 — A Chinese-foreign cooperatively-run school may, as needed, conduct teaching in foreign languages, but shall use Putonghua and standard Chinese characters as the basic language and characters for teaching.

Article 32 — The recruitment of students by a Chinese-foreign cooperatively-run school providing higher diploma education shall be incorporated into the national enrollment plan for institutions of higher learning. The recruitment of students by a Chinese-foreign cooperatively-run school providing other diploma education shall be carried out in accordance with the provisions of the administrative department of education of the people's government of the province, autonomous region or municipality directly under the Central Government.

The recruitment of overseas students by a Chinese-foreign cooperatively-run school shall be carried out in accordance with the relevant provisions of the State.

Article 33 — The enrollment brochures and advertisements of a Chinese-foreign cooperatively-run school shall be submitted to the examination and approval authority for the record.

A Chinese-foreign cooperatively-run school shall periodically make public to the society the relevant information on the type and level of the school it runs, the disciplines it offers, the content of its courses and the scale of its enrollment.

Article 34 — A Chinese-foreign cooperatively-run school providing diploma education shall, in accordance with the relevant provisions of the State, issue diplomas or other academic certificates; a Chinese-foreign cooperatively-run school providing non-diploma education shall, in accordance with the relevant provisions of the State, issue training certificates or completion certificates. Students receiving vocational skills training who pass the appraisal conducted by a government-approved vocational skills appraisal institution may, in accordance with the relevant provisions of the State, be issued the corresponding national vocational qualification certificates.

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A Chinese-foreign cooperatively-run school providing higher diploma education may, in accordance with the relevant provisions of the State, issue the corresponding Chinese degree certificates.

The academic degree and diploma certificates of foreign educational institutions issued by a Chinese-foreign cooperatively-run school shall be the same as those issued by the educational institution in its home country and shall be recognized in that country.

The recognition by China of the academic degree and diploma certificates of foreign educational institutions issued by Chinese-foreign cooperatively-run schools shall be handled in accordance with the international treaties concluded or acceded to by the People's Republic of China, or in accordance with the relevant provisions of the State.

Article 35 — The administrative department of education under the State Council, or the administrative departments of education, the administrative departments of labor and other relevant administrative departments of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall strengthen routine supervision over Chinese-foreign cooperatively-run schools, organize or entrust public intermediary organizations to evaluate the level and quality of the schools run by Chinese-foreign cooperatively-run schools, and make public the evaluation results to the society.

Chapter V — Assets and Finance

Article 36 — A Chinese-foreign cooperatively-run school shall, in accordance with law, establish and improve its financial and accounting systems and its asset management system, and shall set up accounting books in accordance with the relevant provisions of the State.

Article 37 — During the existence of a Chinese-foreign cooperatively-run school, all its assets shall be enjoyed by the school as the property rights of a legal person in accordance with law, and no organization or individual may encroach upon them.

Article 38 — The items and standards of the fees charged by a Chinese-foreign cooperatively-run school shall be determined and made public in accordance with the provisions of the State on government pricing; no items shall be added or standards raised without approval.

A Chinese-foreign cooperatively-run school shall collect tuition and other fees in Renminbi, and shall not collect tuition and other fees in foreign exchange.

Article 39 — The fees collected by a Chinese-foreign cooperatively-run school shall be used mainly for education and teaching activities and for improving the conditions for running the school.

Article 40 — The foreign exchange receipts and expenditures activities and the opening and use of foreign exchange accounts of a Chinese-foreign cooperatively-run school shall comply with the provisions of the State on the administration of foreign exchange.

Article 41 — A Chinese-foreign cooperatively-run school shall, at the end of each fiscal year, prepare financial and accounting reports, entrust a public auditing institution to conduct an audit in accordance with law, make public the audit results to the society, and submit them to the examination and approval authority for the record.

Chapter VI — Change and Termination

Article 42 — The division or merger of a Chinese-foreign cooperatively-run school shall, after financial liquidation, be reported by its council, board of directors or joint management committee to the examination and approval authority for approval.

For an application for the division or merger of a Chinese-foreign cooperatively-run school providing non-diploma education, the examination and approval authority shall give a written reply within three months

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from the date of acceptance of the application; for an application for the division or merger of a Chinese-foreign cooperatively-run school providing diploma education, the examination and approval authority shall give a written reply within six months from the date of acceptance of the application.

Article 43 — A change of the Chinese and foreign cooperators in running schools shall be proposed by the cooperators in running schools, and shall, after financial liquidation, be reported to the examination and approval authority for verification and approval with the consent of the council, board of directors or joint management committee of the school, and the corresponding change formalities shall be gone through.

A change of the domicile, legal representative, president or principal administrator of a Chinese-foreign cooperatively-run school shall be subject to verification and approval by the examination and approval authority, and the corresponding change formalities shall be gone through.

Article 44 — A change of the name, level or category of a Chinese-foreign cooperatively-run school shall be reported by its council, board of directors or joint management committee to the examination and approval authority for approval.

For an application for a change to a Chinese-foreign cooperatively-run school providing non-diploma education, the examination and approval authority shall give a written reply within three months from the date of acceptance of the application; for an application for a change to a Chinese-foreign cooperatively-run school providing diploma education, the examination and approval authority shall give a written reply within six months from the date of acceptance of the application.

Article 45 — A Chinese-foreign cooperatively-run school shall be terminated under any of the following circumstances:

(1) termination is required in accordance with the articles of association and approved by the examination and approval authority;

(2) its Chinese-foreign cooperatively-run school permit has been revoked; or

(3) it is unable to continue running the school due to insolvency, and the termination is approved by the examination and approval authority.

Upon the termination of a Chinese-foreign cooperatively-run school, the students at the school shall be properly resettled; when a Chinese-foreign cooperatively-run school files an application for termination, it shall simultaneously submit a plan for the proper resettlement of the students at the school.

Article 46 — Upon the termination of a Chinese-foreign cooperatively-run school, financial liquidation shall be carried out in accordance with law.

Where a Chinese-foreign cooperatively-run school requests termination on its own, the liquidation shall be organized by the school; where the school is revoked by the examination and approval authority in accordance with law, the liquidation shall be organized by the examination and approval authority; where the school is terminated because it is unable to continue running the school due to insolvency, the people's court shall be requested in accordance with law to organize the liquidation.

Article 47 — In the liquidation of a Chinese-foreign cooperatively-run school, debts shall be paid off in the following order:

(1) tuition and other fees that shall be refunded to students;

(2) wages that shall be paid to the teaching and administrative staff and social insurance premiums that shall be paid; and

(3) other debts that shall be repaid.

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The remaining property of a Chinese-foreign cooperatively-run school after the payment of the above debts shall be disposed of in accordance with the provisions of the relevant laws and administrative regulations.

Article 48 — A Chinese-foreign cooperatively-run school whose termination is approved or whose Chinese-foreign cooperatively-run school permit is revoked shall return the Chinese-foreign cooperatively-run school permit and its seal to the examination and approval authority, and shall go through the deregistration formalities in accordance with law.

Chapter VII — Legal Liability

Article 49 — Where the examination and approval authority for Chinese-foreign cooperation in running schools or any of its staff members, taking advantage of their positions, accepts property from others or obtains other benefits, abuses their power or neglects their duties, issues a Chinese-foreign cooperatively-run school permit to those who do not meet the conditions prescribed by these Regulations, or fails to investigate and deal with illegal acts upon discovering them, thereby causing serious consequences, if a crime is constituted, the responsible persons in charge and other directly responsible persons shall be investigated for criminal liability in accordance with the provisions of the Criminal Law on the crimes of accepting bribes, abusing power or neglecting duties, or other crimes; where the case is not serious enough for criminal punishment, administrative sanctions shall be imposed in accordance with law.

Article 50 — Where anyone, in violation of these Regulations, examines and approves the establishment of a Chinese-foreign cooperatively-run school beyond its authority, the approval document shall be invalid, and the authority at a higher level shall order it to make corrections; administrative sanctions shall be imposed in accordance with law on the responsible persons in charge and other directly responsible persons; where heavy losses are caused to public property or to the interests of the State and the people, criminal liability shall be investigated in accordance with the provisions of the Criminal Law on the crime of abusing power or other crimes.

Article 51 — Where anyone, in violation of these Regulations, establishes a Chinese-foreign cooperatively-run school without approval, or obtains a Chinese-foreign cooperatively-run school permit by improper means, the administrative department of education or the administrative department of labor shall, according to the division of their duties, ban it or ban it in conjunction with the public security organ, order the refund of the fees collected from students, and impose a fine of not more than 100,000 yuan; where the act constitutes a crime, criminal liability shall be investigated in accordance with the provisions of the Criminal Law on the crime of fraud or other crimes.

Article 52 — Where anyone, in violation of these Regulations, recruits students during the period of preparatory establishment of a Chinese-foreign cooperatively-run school, the administrative department of education or the administrative department of labor shall, according to the division of their duties, order the cessation of student recruitment, order the refund of the fees collected from students, and impose a fine of not more than 100,000 yuan; where the circumstances are serious and the recruitment of students is not stopped, the examination and approval authority shall revoke the written approval of preparatory establishment.

Article 53 — Where a Chinese or foreign cooperator in running schools makes a false capital contribution or withdraws its capital contribution after the establishment of the Chinese-foreign cooperatively-run school, the administrative department of education or the administrative department of labor shall, according to the division of their duties, order it to make corrections within a prescribed time limit; where corrections are not made within the prescribed time limit, the administrative department of education or the administrative department of labor shall, according to the division of their duties, impose a fine of not more than twice the amount of the false capital contribution or the withdrawn capital contribution.

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Article 54 — Where anyone forges, alters, buys or sells a Chinese-foreign cooperatively-run school permit, criminal liability shall be investigated in accordance with the provisions of the Criminal Law on the crime of forging, altering, buying or selling certificates of State organs or other crimes.

Article 55 — Where a Chinese-foreign cooperatively-run school adds fee items or raises fee standards without approval, the administrative department of education or the administrative department of labor shall, according to the division of their duties, order the refund of the overcharged fees, and the competent pricing department shall impose penalties in accordance with the provisions of the relevant laws and administrative regulations.

Article 56 — Where a Chinese-foreign cooperatively-run school is under disorderly administration and its education and teaching quality is low, causing a bad influence, the administrative department of education or the administrative department of labor shall, according to the division of their duties, order it to rectify within a prescribed time limit and make a public announcement; where the circumstances are serious and the rectification is not carried out within the prescribed time limit or the requirements are still not met after rectification, the administrative department of education or the administrative department of labor shall, according to the division of their duties, order the cessation of student recruitment and revoke the Chinese-foreign cooperatively-run school permit.

Article 57 — Where anyone, in violation of these Regulations, publishes false enrollment brochures and swindles money, the administrative department of education or the administrative department of labor shall, according to the division of their duties, order corrections within a prescribed time limit and give a warning; where there are illegal gains, the illegal gains shall be confiscated after the refund of the fees collected, and a fine of not more than 100,000 yuan may be imposed; where the circumstances are serious, the cessation of student recruitment shall be ordered and the Chinese-foreign cooperatively-run school permit shall be revoked; where a crime is constituted, criminal liability shall be investigated in accordance with the provisions of the Criminal Law on the crime of fraud or other crimes.

Where a Chinese-foreign cooperatively-run school publishes false enrollment advertisements, its legal liability shall be investigated in accordance with the relevant provisions of the Advertising Law of the People's Republic of China.

Article 58 — Where an administrative penalty of revoking the Chinese-foreign cooperatively-run school permit is imposed on a Chinese-foreign cooperatively-run school, its chairman of the council or chairman of the board of directors, president or principal administrator shall not serve as the chairman of the council or chairman of the board of directors, president or principal administrator of any Chinese-foreign cooperatively-run school within ten years from the date of the revocation of the Chinese-foreign cooperatively-run school permit.

Where anyone, in violation of these Regulations, is investigated for criminal liability in accordance with law for committing a crime, he shall not engage in activities of Chinese-foreign cooperation in running schools within ten years from the date of the completion of the execution of the penalty.

Chapter VIII — Supplementary Provisions

Article 59 — Cooperation between educational institutions of the Hong Kong Special Administrative Region, the Macao Special Administrative Region and the Taiwan region and educational institutions of the mainland in running schools shall be handled with reference to the provisions of these Regulations.

Article 60 — The measures for the administration of profit-making training institutions engaged in Chinese-foreign cooperation that are registered with the administrative departments for industry and commerce shall be separately formulated by the State Council.

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Article 61 — The specific measures for the examination and approval and administration of Chinese-foreign cooperation projects in running schools providing diploma education, self-study examination assistance, cultural remedial courses and preschool education, which are jointly established within the territory of China by foreign educational institutions and Chinese educational institutions and which recruit mainly Chinese citizens as their students, shall be formulated by the administrative department of education under the State Council.

The specific measures for the examination and approval and administration of Chinese-foreign cooperation projects in running schools providing vocational skills training, which are jointly established within the territory of China by foreign educational institutions and Chinese educational institutions and which recruit mainly Chinese citizens as their students, shall be formulated by the administrative department of labor under the State Council.

Article 62 — Foreign educational institutions, other organizations or individuals shall not independently establish schools or other educational institutions within the territory of China that recruit mainly Chinese citizens as their students.

Article 63 — Chinese-foreign cooperatively-run schools established in accordance with law before the implementation of these Regulations shall go through the supplementary formalities for the Chinese-foreign cooperatively-run school permit prescribed by these Regulations. Among them, those that do not fully meet the conditions prescribed by these Regulations shall meet the conditions prescribed by these Regulations within two years from the date of implementation of these Regulations; those that fail to meet the conditions within the prescribed time limit shall be revoked by the examination and approval authority.

Article 64 — These Regulations shall become effective as of September 1, 2003.

Disclaimer: This is an unofficial English translation of the Regulations of the People's Republic of China on Chinese-Foreign Cooperation in Running Schools, prepared for reference purposes only. In the event of any discrepancy, the original Chinese text shall prevail. This translation is provided for general information and does not constitute legal advice. For guidance on how this regulation may apply to your specific circumstances, please consult a qualified professional.