

Regulations on the Administration of Broadcasting and Television of the PRC

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Chapter I — General Provisions

Article 1 — These Regulations are formulated for the purpose of strengthening the administration of broadcasting and television, promoting the development and prosperity of the broadcasting and television undertaking, and promoting the building of a socialist spiritual civilization.

Article 2 — These Regulations shall apply to the establishment of broadcasting stations and television stations within the territory of the People's Republic of China, and the collection, production, broadcasting, transmission, and other activities concerning broadcasting and television programs.

Article 3 — The undertaking of broadcasting and television shall adhere to the direction of serving the people and socialism, and shall maintain the correct guidance of public opinion.

Article 4 — The administrative department for broadcasting and television under the State Council shall be responsible for the supervision and administration of broadcasting and television nationwide. The administrative departments for broadcasting and television of the local people's governments at or above the county level shall be responsible for the supervision and administration of broadcasting and television within their respective administrative regions.

Chapter II — Establishment of Broadcasting Stations and Television Stations

Article 5 — Broadcasting stations and television stations shall be established by the administrative departments for broadcasting and television of the people's governments at the county level or above, and only one administrative region may establish one educational television station. No other entity or individual may establish a broadcasting station or television station. The State prohibits the establishment of foreign-funded, Sino-foreign equity joint venture, or Sino-foreign contractual joint venture broadcasting stations or television stations.

Article 6 — To establish a broadcasting station or television station, the following conditions shall be met:

- (1) having professional personnel who meet the requirements of the State;
- (2) having technical equipment that meets the requirements of the State;
- (3) having a reliable source of funds and guarantee of financial resources; and
- (4) having a fixed place for conducting activities.

Article 7 — An application for the establishment of a broadcasting station or television station shall be submitted level by level to the administrative department for broadcasting and television under the State Council for examination and approval. Upon approval, a broadcasting station license or television station license shall be issued by the administrative department for broadcasting and television under the State Council.

Chapter III — Construction and Protection of Broadcasting and Television Transmission Networks

Article 8 — The construction and development plan for broadcasting and television transmission networks shall be incorporated into the overall planning for information infrastructure building at the corresponding level.

Article 9 — No entity or individual may seize, dismantle, or damage broadcasting and television facilities without authorization, or obstruct the smooth flow of broadcasting and television signals.

Article 10 — The installation of satellite broadcast ground receiving facilities shall be subject to the examination and approval of the relevant departments of the people's governments at or above the county level in accordance with the relevant State provisions.

Chapter IV — Broadcasting and Television Programs

Article 11 — Broadcasting stations and television stations shall, in accordance with the relevant State provisions, broadcast programs produced in accordance with the law. The broadcast of programs shall comply with the relevant provisions of the State and shall not contain content prohibited by laws or administrative regulations.

Article 12 — Foreign films and television series and other foreign broadcasting and television programs introduced by the administrative department for broadcasting and television under the State Council or

approved for introduction by it shall be examined by a specialized institution before being broadcast. No broadcasting station or television station may broadcast foreign films or television series without examination.

Article 13 — Broadcasting stations and television stations shall determine the broadcasting time for programs at their own discretion in accordance with the relevant State provisions. They shall broadcast public service advertisements at the time ratio prescribed by the State. No broadcasting station or television station may broadcast programs with excessive advertising content.

Article 14 — Broadcasting stations and television stations shall not lease, transfer, or sell broadcasting frequencies or channels without authorization, and shall not change the technical parameters of broadcasting and television transmission coverage without authorization.

Chapter V — Legal Liability

Article 15 — Where any entity, in violation of these Regulations, establishes a broadcasting station or television station without authorization, the administrative department for broadcasting and television under the people's government at or above the county level shall ban it, confiscate the equipment used for the illegal activities, and impose a fine of not less than 10,000 yuan but not more than 20,000 yuan on the investor and capital contributor. Broadcasting and television signals shall be terminated.

Article 16 — Where a broadcasting station or television station broadcasts programs containing content prohibited by laws or administrative regulations, the administrative department for broadcasting and television under the people's government at or above the county level shall order it to cease broadcasting, confiscate the illegal gains, and impose a fine of not less than 10,000 yuan but not more than 50,000 yuan. Where the circumstances are serious, the original approving authority shall revoke the license.

Article 17 — Where any entity, in violation of these Regulations, seizes, dismantles, or damages broadcasting and television facilities, the administrative department for broadcasting and television under the people's government at or above the county level shall order it to cease the illegal act and impose a fine of not less than 20,000 yuan but not more than 50,000 yuan. Where the circumstances are serious, a fine of not less than 50,000 yuan but not more than 100,000 yuan shall be imposed.

Chapter VI — Supplementary Provisions

Article 18 — The establishment of cable broadcasting stations and cable television stations and the administration of their programs shall be governed by the relevant State provisions.

Article 19 — These Regulations shall be effective as of September 1, 1997.

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