Regulations on the Administration of Entertainment Venues of the PRC

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Chapter I — General Provisions

Article 1 — These Regulations are formulated for the purposes of strengthening the administration of entertainment venues, safeguarding their sound development, and enriching the cultural life of the people.

Article 2 — For the purposes of these Regulations, "entertainment venues" refer to business premises such as song and dance halls, karaoke bars and other such venues that provide services to the public for recreational purposes. Other relevant laws and regulations shall apply to the administration of entertainment venues in places such as hotels and restaurants, as well as entertainment venues that concurrently engage in other business activities such as the screening of films and artistic performances.

Article 3 — The administrative department of culture under the people's governments at or above the county level shall be responsible for supervising and administering the routine business activities of entertainment venues. The public security authorities under the people's governments at or above the county level shall be

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responsible for supervising and administering the public security and fire safety of entertainment venues.

Chapter II — Establishment

Article 7 — Entertainment venues shall not be established in the following locations: (1) inside residential buildings or residential areas; (2) inside museums or libraries, or within 200 meters of the perimeter of schools, hospitals or government offices; (3) on any floor of a building lower than ground level (basement level); or (4) in areas where establishment is prohibited by laws or administrative regulations.

Article 8 — The establishment of an entertainment venue shall meet the following conditions: (1) it has the name, domicile, organizational structure and articles of association of the entertainment venue; (2) it has a business site that is compatible with the scale of operation, the facilities, equipment and fire safety facilities of which satisfy the relevant state provisions; (3) it has the registered capital compatible with its business activities; and (4) other conditions prescribed by laws, regulations and the State Council.

Article 9 — For the establishment of an entertainment venue, an application shall be filed with the administrative department of culture of the local people's government at the county level, and foreign investors may apply to establish entertainment venues in accordance with the relevant state provisions on foreign investment. Upon examination and approval, the administrative department of culture shall issue an entertainment business license.

Chapter III — Operation

Article 13 — The State shall advocate the promotion of excellent national culture and prohibit entertainment venues from engaging in the following activities: (1) those that violate the basic principles defined in the Constitution; (2) those that endanger national unity, sovereignty or territorial integrity; (3) those that divulge state secrets, endanger state security or damage the honor and interests of the State; (4) those that incite ethnic hatred or discrimination, undermine ethnic unity, or infringe upon ethnic customs and habits; (5) those that propagate cults or superstition; (6) those that spread rumors, disrupt social order or undermine social stability; (7) those that propagate obscenity, gambling, violence or abet crime; or (8) those that insult or defame others or infringe upon the lawful rights and interests of others.

Article 15 — Entertainment venues shall sign letters of responsibility for civilized and lawful operation with their employees, and shall establish a roster of employees. The roster of employees shall include the true names of the employees, copies of their resident identity cards and the certificates of qualifications for foreign employees working in China.

Article 23 — Entertainment venues shall not admit minors. In addition to the circumstances specified in the preceding article, song and dance entertainment venues shall not admit minors. Entertainment venues shall set up conspicuous no-minors signs at the entrances; no minors shall be permitted to enter the venues.

Chapter IV — Public Security Administration

Article 29 — The public security authorities of entertainment venues shall satisfy the following requirements: (1) the lighting in the business premises shall meet the prescribed minimum brightness standards; (2) all private rooms of song and dance entertainment venues shall be equipped with viewing windows that allow observation of the entire interior of the room; (3) the entrances, exits and main passages of the venues shall be equipped with closed-circuit television monitoring equipment; and (4) other requirements prescribed by laws, regulations and the State Council.

Article 30 — Entertainment venues shall strengthen fire safety management and shall not lock or block the exits of the venues during business hours.

Chapter V — Legal Liability

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Article 40 — Where an entertainment venue operates without authorization in violation of the provisions of these Regulations, the administrative department of culture shall ban the venue according to law; the public security authority shall confiscate the illegal gains and the equipment and tools used for illegal operations, and impose a fine of not less than one time but not more than five times the illegal gains; where there are no illegal gains or the illegal gains are less than 10,000 yuan, a fine of not less than 50,000 yuan but not more than 100,000 yuan shall be imposed.

Article 47 — Where an entertainment venue admits minors in violation of the provisions of these Regulations, the administrative department of culture shall confiscate the illegal gains and the equipment and tools used for illegal operations, and impose a fine of not less than 10,000 yuan but not more than 30,000 yuan; where the circumstances are serious, the venue shall be ordered to cease business for rectification or its entertainment business license shall be revoked.

Chapter VI — Supplementary Provisions

Article 55 — These Regulations shall come into force on March 1, 2006. The Regulations on the Administration of Entertainment Venues promulgated by the State Council on March 26, 1999 shall be repealed simultaneously.

Disclaimer: This English translation is provided for informational purposes only and is not an official translation. While every effort has been made to ensure accuracy, only the original Chinese text has legal force. For legal matters involving the Regulations on the Administration of Entertainment Venues, please consult a qualified legal professional. Dan Young Business Consultancy assumes no liability for any reliance placed on this translation.

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