

Regulations on the Administration of Films 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 the film industry, promoting the prosperity and development of the film undertaking, satisfying the people's needs for cultural life, and promoting the building of a socialist spiritual civilization and material civilization.

Article 2 — These Regulations shall apply to the production, import, export, distribution, exhibition, and other activities concerning films within the territory of the People's Republic of China.

Article 3 — The administrative department for film under the State Council shall be responsible for the supervision and administration of films nationwide. The administrative departments for film of the local people's governments at or above the county level shall be responsible for the supervision and administration of films within their respective administrative regions.

Chapter II — Establishment of Film Production Entities

Article 4 — The State shall implement a system of examination and approval for activities such as film production, import, export, distribution, and exhibition. Without permission, no entity or individual may engage in activities such as film production, import, distribution, or exhibition.

Article 5 — To establish a film production entity, an application shall be submitted to the administrative department for film under the State Council. The administrative department for film under the State Council shall, within ninety (90) days from the date of receipt of the application, make a decision of approval or disapproval and notify the applicant in writing.

Article 6 — Film production entities shall obtain a film production license in accordance with the law before engaging in film production activities. The film production license shall be issued by the administrative department for film under the State Council.

Article 7 — Where a film production entity cooperates with a foreign entity in producing a film, the entity shall submit an application in advance to the administrative department for film under the State Council and may carry out the cooperative film production activities only after approval.

Chapter III — Film Examination

Article 8 — The State shall implement a system of film examination. No film that has not been examined and approved by the film examination institution under the administrative department for film under the State Council may be distributed, exhibited, imported, or exported.

Article 9 — The film examination institution shall, within thirty (30) days from the date of receipt of the submitted film, organize experts to conduct the examination. Films that pass the examination shall be issued a film public exhibition permit. Films that do not pass the examination shall notify the applicant in writing of the reasons therefor.

Article 10 — The content of a film shall comply with the Constitution, laws, administrative regulations, and the relevant State provisions, and shall not contain content prohibited by the State.

Article 11 — Where a film that has passed the examination needs to be modified, the matter shall be reported anew to the film examination institution for examination in accordance with the provisions of these Regulations.

Chapter IV — Film Distribution and Exhibition

Article 12 — To establish a film distribution entity, an application shall be submitted to the administrative department for film under the State Council or the administrative department for film of the people's government of the province, autonomous region, or municipality directly under the central government. The examining authority shall, within sixty (60) days, make a decision of approval or disapproval.

Article 13 — To establish a film exhibition entity, an application shall be submitted to the administrative department for film of the people's government of the county or city divided into districts. The examining authority shall, within sixty (60) days, make a decision of approval or disapproval.

Article 14 — The time allocated for the exhibition of domestic films by film exhibition entities shall not be less than two-thirds (2/3) of the annual film exhibition time. No film exhibition entity may exhibit films without a film public exhibition permit.

Article 15 — The import of films for exhibition shall be conducted by film import business entities approved by the administrative department for film under the State Council. Films imported for exhibition shall be submitted to the film examination institution for examination.

Chapter V — Legal Liability

Article 16 — Where any entity, without authorization, engages in the production, import, distribution, or exhibition of films, the administrative department for film shall ban it, confiscate the illegally produced films and illegal gains, and impose a fine of not less than five (5) times but not more than ten (10) times the illegal gains. Where the illegal gains are less than 50,000 yuan, a fine of not more than 250,000 yuan shall be imposed.

Article 17 — Where any entity produces, distributes, or exhibits films containing content prohibited by the State, the administrative department for film shall order it to cease the illegal act, confiscate the illegally produced films and illegal gains, impose a fine of not less than two (2) times but not more than five (5) times the illegal gains, and order it to suspend business for rectification. Where the circumstances are serious, the license shall be revoked.

Article 18 — Where any entity exhibits a film without a film public exhibition permit, the administrative department for film shall order it to cease the illegal act, confiscate the illegally exhibited films and illegal gains, and impose a fine of not less than two (2) times but not more than five (5) times the illegal gains. Where the circumstances are serious, the license shall be revoked.

Chapter VI — Supplementary Provisions

Article 19 — The State shall encourage and support the production, distribution, and exhibition of scientific and educational films, documentary films, fine arts films, and children's films.

Article 20 — The administration of films for television broadcasting shall be governed by the relevant laws and administrative regulations.

Article 21 — These Regulations shall be effective as of February 1, 2002.

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