

Regulations on the Administration of Publishing of the PRC

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Contents

Table of Contents	1
Chapter I — General Provisions	1
Chapter II — Establishment of Publishing Units	2
Chapter III — Publication of Publications	3
Chapter IV — Printing or Reproduction and Distribution	3
Chapter V — Import of Publications	3
Chapter VI — Supervision and Administration	4
Chapter VII — Legal Liability	4
Chapter VIII — Supplementary Provisions	4

Promulgated by Decree No. 343 of the State Council of the People's Republic of China on December 25, 2001; amended according to the Decision of the State Council on Amending the Regulations on the Administration of Publishing on February 6, 2016; and amended according to the Decision of the State Council on Amending and Repealing Certain Administrative Regulations on March 1, 2020
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Table of Contents

- Chapter I — General Provisions
- Chapter II — Establishment of Publishing Units
- Chapter III — Publication of Publications
- Chapter IV — Printing or Reproduction and Distribution
- Chapter V — Import of Publications
- Chapter VI — Supervision and Administration
- Chapter VII — Legal Liability
- Chapter VIII — Supplementary Provisions

Chapter I — General Provisions

Article 1 — These Regulations are formulated in accordance with the Constitution for the purposes of strengthening the administration of publishing activities, developing and flourishing the socialist publishing industry with Chinese characteristics, safeguarding the citizens' freedom of the press in accordance with the law, promoting the construction of socialist spiritual civilization and material civilization, and spreading

knowledge and thoughts conducive to economic development and social progress that are beneficial to the improvement of the quality of the nation.

Article 2 — Publishing activities within the territory of the People's Republic of China shall be governed by these Regulations. For the purposes of these Regulations, "publishing activities" include the publication, printing or reproduction, import, and distribution of publications. For the purposes of these Regulations, "publications" refer to newspapers, periodicals, books, audio-visual products, electronic publications, and others.

Article 3 — Publishing activities must adhere to the orientation of serving the people and serving socialism, adhere to the guidance of Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory, and the important thought of "Three Represents," and must not violate the basic principles established by the Constitution, nor impair the interests of the State, the public interest, or the lawful rights and interests of citizens.

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

Article 5 — Publishing industry associations shall, in accordance with their articles of association, practice self-disciplinary management and protect the lawful rights and interests of their members.

Article 6 — The State shall support and encourage the publication of excellent publications and shall support and encourage the publication of publications that are conducive to economic development, social progress, and the enhancement of the ideological, moral, scientific, and cultural qualities of the people.

Chapter II — Establishment of Publishing Units

Article 7 — The establishment of a publishing unit shall be subject to the approval of the administrative department of publication under the State Council and shall meet the following conditions: 1. Having a name and articles of association for the publishing unit; 2. Having a sponsor and a competent authority recognized by the administrative department of publication under the State Council; 3. Having a defined business scope; 4. Having a registered capital of not less than 300,000 yuan; 5. Having a fixed workplace; 6. Having an organizational structure and personnel meeting the requirements prescribed by the State; 7. Other conditions prescribed by laws and administrative regulations.

Article 8 — An application for the establishment of a publishing unit shall be submitted by the sponsor to the administrative department of publication of the people's government of the province, autonomous region, or municipality directly under the Central Government where the sponsor is located; after examination and consent, the application shall be submitted to the administrative department of publication under the State Council for approval. The administrative department of publication under the State Council shall make a decision on approval or disapproval within 90 days from the date of receiving the application.

Article 9 — After the establishment of a publishing unit, it shall register with the administrative department for industry and commerce by presenting the approval document and obtain a business license. A publishing unit shall, within 60 days from the date of obtaining a business license, apply to the administrative department of publication of the local people's government at or above the county level for registration, and after verification, be issued a publishing license.

Article 10 — A publishing unit may establish branch offices such as newsrooms, editorial departments, or sales departments with the approval of the administrative department of publication under the State Council. A newspaper or periodical publisher may establish reporter stations with the approval of the administrative department of publication of the local people's government at or above the provincial level.

Article 11 — Where a publishing unit changes its name, sponsor, or competent authority, or its business scope, or merges with, or spins off from, another publishing unit, or establishes a branch office, it shall apply for approval from the administrative department of publication under the State Council in accordance with Articles 8 and 10 of these Regulations.

Chapter III — Publication of Publications

Article 12 — Publishing units shall practice the system of editor's responsibility to ensure that the content of publications complies with the provisions of these Regulations.

Article 13 — Publication of publications shall be subject to the examination and approval of the editorial department or editor-in-chief of the publishing unit in accordance with the provisions of the publishing unit. No work that contains content prohibited by laws or administrative regulations may be published.

Article 14 — In respect of a book, audio-visual product, or electronic publication of a major topic, the publishing unit shall submit a sample or subject matter application to the administrative department of publication of the province, autonomous region, or municipality directly under the Central Government for record-filing before publication, and the administrative department of publication of the province, autonomous region, or municipality directly under the Central Government shall submit it to the administrative department of publication under the State Council for record-filing.

Article 15 — Publishing units shall not sell or otherwise transfer their publishing licenses, nor shall they sell or otherwise transfer their names or book numbers.

Article 16 — The State shall implement a system of compensation for publication of textbooks for primary and secondary schools to ensure the timely publication and distribution of textbooks.

Chapter IV — Printing or Reproduction and Distribution

Article 17 — Enterprises engaged in the printing or reproduction of publications shall apply to the administrative department of publication of the people's government of the province, autonomous region, or municipality directly under the Central Government for approval. Unapproved enterprises shall not engage in the printing or reproduction of publications.

Article 18 — When printing a publication, the publishing unit shall present a printing commission form to the printing enterprise. The printing enterprise shall not accept the printing of a publication without a printing commission form.

Article 19 — Enterprises engaged in the distribution of publications must meet the conditions prescribed by the State and shall be subject to the approval of the administrative department of publication in accordance with the law. Unapproved enterprises or individuals shall not engage in the distribution of publications.

Article 20 — Distribution enterprises shall purchase publications from legally established publishing units and shall not distribute publications that are illegally published or whose publication is prohibited by the State.

Chapter V — Import of Publications

Article 21 — The import of publications shall be operated by publication import business entities established with the approval of the administrative department of publication under the State Council. No other entity or individual may engage in the import of publications.

Article 22 — Publication import business entities shall conduct content examination of the publications they import. They shall not import publications that contain content prohibited by laws or administrative regulations.

Article 23 — A publication import business entity shall, when holding a book or periodical exhibition within the territory of the People's Republic of China, submit an application to the administrative department of publication under the State Council for approval.

Chapter VI — Supervision and Administration

Article 24 — The administrative department of publication shall strengthen supervision over the publishing, printing or reproduction, distribution, and import of publications and shall investigate and handle illegal publishing activities in accordance with the law.

Article 25 — The administrative department of publication may, based on the needs of supervision and administration, inspect the business premises of publishing units and obtain samples of publications.

Article 26 — Publishing units shall submit sample publications to the administrative department of publication, the National Library of China, and the China National Publications Import and Export (Group) Corporation in accordance with the provisions of the State.

Chapter VII — Legal Liability

Article 27 — Where a publishing unit engages in publishing activities without approval, the administrative department of publication shall ban it and confiscate the publications and illegal gains; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 28 — Where a publishing unit publishes a publication containing content prohibited by laws or administrative regulations, the administrative department of publication shall order it to cease publication, confiscate the publications and illegal gains, and impose a fine of not less than one time but not more than five times the amount of illegal gains; where the circumstances are serious, the publishing unit shall be ordered to cease operations for rectification, or its publishing license shall be revoked.

Article 29 — Where a publishing unit sells or otherwise transfers its publishing license, the administrative department of publication shall order it to cease the illegal activity, confiscate the illegal gains, and impose a fine; where the circumstances are serious, its publishing license shall be revoked.

Article 30 — Where a printing or reproduction enterprise or a distribution enterprise violates the provisions of these Regulations, the administrative department of publication shall order it to make corrections, confiscate the illegal gains, and impose a fine; where the circumstances are serious, its license shall be revoked.

Article 31 — Where a publication import business entity violates the provisions of these Regulations, the administrative department of publication shall order it to make corrections, confiscate the illegal gains, and impose a fine; where the circumstances are serious, its license for the import business shall be revoked.

Chapter VIII — Supplementary Provisions

Article 32 — These Regulations shall also apply to the establishment of publishing units within the territory of the People's Republic of China by entities or individuals from the Hong Kong Special Administrative Region, the Macao Special Administrative Region, or the Taiwan region.

Article 33 — The specific measures for the administration of publication import shall be formulated separately by the State Council.

Article 34 — These Regulations shall take effect as of February 1, 2002. The Regulations on the Administration of Publishing promulgated by the State Council on January 2, 1997 shall be repealed simultaneously.

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