

Regulations on the Administration of Surveying and Mapping Results of the PRC – Full English Translation (2006)

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Contents

Table of Contents	1
Chapter I — General Provisions	1
Chapter II — Collection and Updating	2
Chapter III — Submission and Receipt	2
Chapter IV — Storage and Provision for Use	3
Chapter V — Important Geospatial Data	3
Chapter VI — Legal Liability	3
Chapter VII — Supplementary Provisions	4

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Table of Contents

- Chapter I — General Provisions
- Chapter II — Collection and Updating
- Chapter III — Submission and Receipt
- Chapter IV — Storage and Provision for Use
- Chapter V — Important Geospatial Data
- Chapter VI — Legal Liability
- Chapter VII — Supplementary Provisions

Chapter I — General Provisions

Article 1 — These Regulations are enacted in accordance with the Surveying and Mapping Law of the People's Republic of China for the purposes of strengthening the administration of surveying and mapping results, safeguarding national security, and promoting the utilization of surveying and mapping results.

Article 2 — These Regulations shall apply to the collection and updating, submission and receipt, storage and provision for use of surveying and mapping results, as well as the examination and verification of important geospatial data and the publication and use of such data.

Article 3 — The competent department of surveying and mapping geographic information of the State Council shall be responsible for the unified supervision and administration of surveying and mapping results nationwide. The competent departments of surveying and mapping geographic information of the local people's governments at or above the county level shall be responsible for the unified supervision and administration of surveying and mapping results within their respective administrative areas.

The other relevant departments of the State Council shall, in accordance with the division of duties prescribed by the State Council, be responsible for the work relating to surveying and mapping results of their respective departments.

Article 4 — Entities and individuals collecting and utilizing surveying and mapping results shall abide by the relevant laws and administrative regulations, shall not endanger State security, and shall not prejudice the lawful rights and interests of other entities or individuals.

Chapter II — Collection and Updating

Article 5 — The State shall exercise unified planning and administration over the work of collecting and updating surveying and mapping results. The plan for the collection and updating of basic surveying and mapping results shall be formulated by the competent department of surveying and mapping geographic information of the State Council in conjunction with the relevant departments of the State Council and the military surveying and mapping department, and shall be organised for implementation after approval by the State Council.

Article 6 — The basic surveying and mapping results shall be collected and updated by the competent departments of surveying and mapping geographic information of the people's governments at or above the county level in accordance with the division of duties. Other surveying and mapping results shall be collected and updated by the relevant departments or entities in accordance with the division of duties.

Article 7 — The collection of surveying and mapping results shall be carried out using the national geodetic datum, the national vertical datum, the national gravity datum, and the national coordinate system, and shall comply with the national surveying and mapping technical standards and specifications.

Article 8 — The quality of surveying and mapping results shall be subject to supervision and inspection according to law. Surveying and mapping results that have not passed the quality inspection shall not be provided for use.

Article 9 — Where aerial photography is required for the collection of surveying and mapping results, the approval formalities for aerial photography shall be completed in accordance with the relevant provisions of the State.

Chapter III — Submission and Receipt

Article 10 — The State shall implement a system of submission and receipt of surveying and mapping results. A catalogue of surveying and mapping results shall be submitted in accordance with the provisions. The specific measures for the submission and receipt of surveying and mapping results shall be formulated by the competent department of surveying and mapping geographic information of the State Council.

Article 11 — The competent department of surveying and mapping geographic information of the State Council and the competent departments of surveying and mapping geographic information of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall compile and publish catalogues of surveying and mapping results on a regular basis.

Article 12 — After the completion of a surveying and mapping project funded by fiscal appropriations, the entity undertaking the project shall submit the catalogue of surveying and mapping results to the competent department of surveying and mapping geographic information. Surveying and mapping results funded by

fiscal appropriations shall be submitted in a timely manner to the competent department of surveying and mapping geographic information for the catalogue of surveying and mapping results designated to receive such results.

Chapter IV — Storage and Provision for Use

Article 13 — The State shall implement a system of classified storage of surveying and mapping results. Surveying and mapping results shall be classified as state secrets in accordance with the provisions of the State Law on Guarding State Secrets and other laws and administrative regulations, and shall be stored, managed and used according to the classification level.

Article 14 — Where surveying and mapping results are state secrets, the entity that stores such results shall, in accordance with the provisions of the State on guarding state secrets and the provisions on the security and confidentiality of surveying and mapping results, establish a sound storage and management system, equip with necessary security and confidentiality facilities, and ensure the security of the surveying and mapping results.

Article 15 — Where surveying and mapping results are state secrets, the provision of such results shall be subject to approval in accordance with the examination and approval procedures prescribed by the State Council. The specific measures shall be formulated by the competent department of surveying and mapping geographic information of the State Council in conjunction with the relevant departments.

Article 16 — The provision of surveying and mapping results to foreign organisations or individuals, or the carrying or transmitting of surveying and mapping results out of the country, shall be carried out in accordance with the examination and approval procedures prescribed by the State Council.

Article 17 — Where a surveying and mapping result is used for purposes that are not the purposes for which it was originally collected, the user shall not divulge or transfer the surveying and mapping result without authorisation, and shall ensure the security of the surveying and mapping result.

Chapter V — Important Geospatial Data

Article 18 — Important geospatial data of the People's Republic of China, including the territory, territorial sea and area, boundary lines, elevations of famous mountains and peaks, and other important natural and human geographical data, shall be subject to examination and verification by the competent department of surveying and mapping geographic information of the State Council in conjunction with the relevant departments of the State Council and the military surveying and mapping department, and shall be submitted to the State Council for approval before being published by the State Council or a department authorised by the State Council.

Article 19 — No entity or individual may unauthorisedly publish important geospatial data. In publishing information containing important geospatial data, the data published according to law shall be used.

Chapter VI — Legal Liability

Article 20 — Where an entity, in violation of the provisions of these Regulations, fails to submit the catalogue or copy of surveying and mapping results in accordance with the provisions, the competent department of surveying and mapping geographic information shall order it to submit the same within a specified time limit; where it fails to submit the same within the time limit, a fine of not less than 10 percent but not more than 50 percent of the expenses for the surveying and mapping project shall be imposed.

Article 21 — Where an entity or individual, in violation of the provisions of these Regulations, unauthorisedly provides a state-secret surveying and mapping result, or divulges a state-secret surveying and mapping result, the competent department of surveying and mapping geographic information shall impose a fine of not less than RMB 20,000 but not more than RMB 100,000; where serious consequences are caused, a fine

of not less than RMB 100,000 but not more than RMB 200,000 shall be imposed; where a crime is constituted, criminal liability shall be investigated according to law.

Article 22 — Where an entity or individual, in violation of the provisions of these Regulations, unauthorisedly publishes important geospatial data, the competent department of surveying and mapping geographic information shall, in conjunction with the relevant departments, order it to make corrections and impose a fine.

Article 23 — Where a staff member of a competent department of surveying and mapping geographic information abuses his or her power, neglects his or her duties, or engages in malpractice for personal gain, sanctions shall be imposed according to law; where a crime is constituted, criminal liability shall be investigated according to law.

Chapter VII — Supplementary Provisions

Article 24 — The administration of military surveying and mapping results shall be implemented in accordance with the relevant provisions of the Central Military Commission.

Article 25 — The administration of marine surveying and mapping results shall be governed by the relevant provisions of the State Council.

Article 26 — These Regulations shall come into force on September 1, 2006. The Provisions on the Administration of Surveying and Mapping Results promulgated by the State Council on March 21, 1989 shall be repealed simultaneously.

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