

Regulations on the Administration of Testing and Certification Institutions

Dan Young Business Consultancy — www.danyoungcpa.com
Unofficial English translation prepared for reference only. The official Chinese text prevails.

Contents

Table of Contents	1
Chapter I — General Provisions	1
Chapter II — Accreditation of Testing and Certification Entities	2
Chapter III — Operation and Administration	2
Chapter IV — Supervision and Inspection	2
Chapter V — Legal Liability	2

Promulgated by the State Council on April 26, 2016
Effective: July 1, 2016

Table of Contents

- Chapter I — General Provisions
- Chapter II — Accreditation of Testing and Certification Entities
- Chapter III — Operation and Administration
- Chapter IV — Supervision and Inspection
- Chapter V — Legal Liability

Chapter I — General Provisions

Article 1 — These Regulations are formulated for the purposes of standardizing testing and certification activities, strengthening the supervision and administration of testing and certification institutions, ensuring the standardized and orderly conduct of testing and certification activities, and promoting the healthy development of the testing and certification industry.

Article 2 — For the purposes of these Regulations, "testing" means the technical evaluation activity of determining the characteristics and performance of a specific object by professional technical means and methods in accordance with relevant standards, technical specifications or other prescribed requirements, and issuing the data and results determined.

"Certification" means the conformity assessment activity of proving that a product, service or management system complies with the relevant technical specifications, mandatory requirements or standards.

Article 3 — Testing and certification activities shall comply with laws and regulations, adhere to the principles of objectivity, independence and impartiality, and shall be responsible for the testing and certification conclusions they issue.

Article 4 — The certification and accreditation regulatory authority under the State Council shall be responsible for the unified supervision and administration of testing and certification institutions and their activities nationwide.

Chapter II — Accreditation of Testing and Certification Entities

Article 5 — Testing and certification institutions shall meet the conditions prescribed by the state and shall obtain accreditation in accordance with law before conducting testing and certification activities.

Article 6 — A testing organization shall meet the following conditions:

- (1) having professional technical personnel and management personnel appropriate for the testing activities;
- (2) having testing equipment and facilities that meet the requirements;
- (3) having a work site and environment that meet the testing requirements; and
- (4) other conditions prescribed by the state.

Article 7 — The accreditation of testing and certification institutions shall be handled in accordance with the relevant provisions of the state on administrative licensing.

Chapter III — Operation and Administration

Article 8 — Testing and certification institutions shall independently carry out testing and certification activities, and testing and certification activities shall not be subject to interference by administrative organs, public organizations, enterprises, institutions or individuals.

Article 9 — Testing and certification institutions shall establish and improve internal management systems, and shall be responsible for the authenticity, accuracy and completeness of the testing and certification data, results and conclusions they issue.

Article 10 — Testing and certification institutions shall retain original records and reports of testing and certification in accordance with the prescribed time limit.

Article 11 — Testing and certification institutions shall not issue false testing and certification reports, nor shall they issue testing and certification reports in violation of the prescribed procedures.

Chapter IV — Supervision and Inspection

Article 12 — The certification and accreditation regulatory authority shall conduct supervision and inspection of testing and certification institutions and their activities, and shall investigate and deal with illegal acts in accordance with law.

Article 13 — Any entity or individual shall have the right to report illegal acts in testing and certification activities to the certification and accreditation regulatory authority.

Chapter V — Legal Liability

Article 14 — Where a testing or certification institution issues false testing and certification reports, the certification and accreditation regulatory authority shall order it to make corrections, confiscate its illegal gains, and impose a fine; where the circumstances are serious, its accreditation shall be revoked.

Article 15 — These Regulations shall come into force on July 1, 2016.

Disclaimer: This translation is provided for informational and educational purposes only and does not constitute legal advice. While reasonable efforts have been made to ensure accuracy, this is an unofficial translation and may not reflect the most current amendments or interpretations. For authoritative legal guidance, please consult the official Chinese text and seek advice from qualified legal professionals. Dan Young Business Consultancy makes no warranty, express or implied, as to the accuracy, completeness or currency of this translation. Use of this translation is at your own risk.