Standardization Law of the People’s Republic of China

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of strengthening the work of standardization, enhancing the quality of products and services, promoting scientific and technological progress, safeguarding personal health and the safety of life and property, maintaining national security and the ecological environment, and improving the level of economic and social development.

Article 2 — Standards referred to in this Law mean technical requirements that need to be unified in the fields of agriculture, industry, services, social undertakings, and other fields.

Standards include national standards, industry standards, local standards, group standards, and enterprise standards. National standards are divided into mandatory national standards and recommended national standards; industry standards and local standards are recommended standards.

Where laws or administrative regulations provide otherwise, such provisions shall prevail.

Article 3 — The tasks of standardization work are to formulate standards, organize the implementation of standards, and supervise the formulation and implementation of standards.

Article 4 — The state shall encourage the active adoption of international standards.

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Article 5 — The standardization administrative department of the State Council shall be in charge of the work of standardization nationwide. The relevant departments of the State Council shall be responsible for the relevant standardization work within the scope of their respective duties.

Article 6 — The state shall encourage enterprises, public institutions, social organizations, scientific research institutions, and other organizations to participate in international standardization activities.

Article 7 — The state shall commend and reward entities and individuals that have made outstanding contributions to standardization work.

Article 8 — The state shall support the integration of standardization work with scientific research, and encourage the transformation of scientific and technological achievements into standards.

Article 9 — The state shall establish a coordination mechanism for standardization work to coordinate major standardization matters.

Article 10 — Recommended national standards, industry standards, and local standards shall be provided to the public free of charge. The state shall encourage the disclosure of group standards and enterprise standards to the public.

Chapter II — Formulation of Standards

Article 11 — Mandatory national standards shall be formulated for the technical requirements for safeguarding personal health and the safety of life and property, national security, the ecological environment, and meeting the basic needs of economic and social management.

Article 12 — Recommended national standards may be formulated for the technical requirements for meeting the needs of basic general use, matching mandatory national standards, and playing a leading role in relevant industries.

Article 13 — Industry standards may be formulated for the technical requirements that do not have recommended national standards but need to be unified within a certain industry nationwide.

Article 14 — Local standards may be formulated for the technical requirements for meeting special local natural conditions and customs that do not have national standards or industry standards.

Article 15 — Group standards may be formulated by societies, associations, chambers of commerce, federations, industrial technology alliances, and other social organizations for satisfying market and innovation needs, and shall be adopted by members of the group by agreement or provided to the public for voluntary adoption in accordance with the group’s provisions.

Article 16 — Enterprises may formulate their own enterprise standards or jointly formulate enterprise standards with other enterprises as needed.

Article 17 — The formulation of standards shall follow the principles of openness, transparency, and broad participation.

Article 18 — When formulating standards, the relevant administrative departments shall organize investigations, experiments, and demonstrations, and extensively solicit opinions from relevant parties.

Article 19 — The technical requirements specified in mandatory national standards shall not be lower than the corresponding international standards.

Article 20 — The formulation of standards shall be conducive to the rational use of national resources, the promotion of scientific and technological achievements, the enhancement of economic returns, social benefits, and ecological benefits, and shall be technically advanced and economically rational.

Article 21 — The formulation of standards shall be conducive to the protection of the safety of life and property and the health of consumers.

Article 22 — After standards are formulated, they shall be reviewed periodically. The review cycle shall not exceed five years generally. After review, standards that do not meet the needs of economic and social development shall be revised or abolished in a timely manner.

Article 23 — The technical committee for standardization established in accordance with law shall be responsible for the drafting and technical review of standards.

Article 24 — The procedures for the formulation of standards shall be prescribed by the standardization administrative department of the State Council.

Chapter III — Implementation of Standards

Article 25 — Mandatory standards must be implemented. Products and services that do not conform to mandatory standards shall not be produced, sold, imported, or provided.

Article 26 — The state shall encourage the adoption of recommended standards.

Article 27 — Enterprises shall publicly disclose the numbering and names of the mandatory standards, recommended standards, group standards, or enterprise standards that they implement.

Where an enterprise implements an enterprise standard or group standard it has formulated itself, it shall publicly disclose the enterprise standard's numbering and name, as well as the product's functional indicators and the product's performance indicators. Enterprises shall be responsible for the authenticity, accuracy, and lawfulness of the standards they publicly disclose.

Article 28 — Where an enterprise fails to publicly disclose the standards it implements in accordance with the provisions of this Law, the standardization administrative department shall order it to take corrective action; where it fails to do so within the prescribed time limit, a notice of criticism shall be circulated on the enterprise standards information public service platform.

Article 29 — Enterprises shall organize production and operation activities in accordance with the standards. The products they produce and the services they provide shall conform to the technical requirements specified in the publicly disclosed enterprise standards.

Article 30 — The state shall implement a conformity assessment system for conformity with standards.

Article 31 — Certification bodies shall, in accordance with law, certify products and services, and issue certification marks to indicate conformity.

Article 32 — The state shall encourage the use of standards in government procurement, bidding and tendering, and other activities.

Chapter IV — Supervision and Administration

Article 33 — The standardization administrative department of the people's government at or above the county level shall supervise and inspect the implementation of standards in accordance with law.

Article 34 — When performing their duties of supervision and inspection, the standardization administrative departments may take the following measures:

(1) Conduct on-site inspections of the places where products or services are produced, operated, or provided;

(2) Access and copy relevant contracts, records, account books, and other materials;

(3) Seal up or seize products suspected of not conforming to standards.

Article 35 — The standardization administrative department may commission a qualified inspection body to conduct inspection of products.

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Article 36 — Any entity or individual shall have the right to report or complain about violations of standardization laws and regulations.

Article 37 — The standardization administrative department shall establish a reporting and complaint mechanism and keep confidential the identity of whistleblowers.

Article 38 — The standardization administrative department shall publish results of supervision and spot checks on the implementation of standards to the public.

Chapter V — Legal Liability

Article 39 — Where a product or service that does not conform to mandatory standards is produced, sold, imported, or provided, the case shall be handled in accordance with the provisions of laws and administrative regulations such as the Product Quality Law and the Law on the Protection of Consumer Rights and Interests; where such provisions are not specified, the standardization administrative department shall order the cessation of production or sales, confiscate the illegally produced or sold products and illegal gains, and impose a fine.

Article 40 — Where an enterprise fails to publicly disclose its standards or publicly discloses false standards in accordance with the provisions of this Law, the standardization administrative department shall order it to take corrective action and may impose a fine.

Article 41 — Where a social organization or enterprise makes false or misleading representations through its self-declared and publicly disclosed standards, the standardization administrative department shall order it to take corrective action and may impose a fine.

Article 42 — Where, in the course of supervision and inspection, a standardization administrative department illegally charges fees or seeks unjust enrichment, sanctions shall be imposed in accordance with law.

Article 43 — Where a staff member of a standardization administrative department abuses power, neglects duty, or engages in malpractice for personal gain, sanctions shall be imposed in accordance with law; where a crime is constituted, criminal liability shall be pursued in accordance with law.

Chapter VI — Supplementary Provisions

Article 44 — The standardization of military supplies shall be prescribed separately by the State Council and the Central Military Commission in accordance with the provisions of this Law.

Article 45 — This Law shall come into force on January 1, 2018.

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