# Tourism Law of the People’s Republic of China

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## Chapter I — General Provisions

Article 1 — This Law is enacted to protect the lawful rights and interests of tourists and tourism operators, regulate the order of the tourism market, protect and rationally utilize tourism resources, and promote the sustainable and healthy development of the tourism industry.




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Article 2 — This Law shall apply to tourism business activities and tourism supervision and administration within the territory of the People's Republic of China, as well as tourism business activities organized abroad that are operated within China.

Article 3 — The state shall develop the tourism industry, improve the tourism public service system, and protect the rights of tourists in tourism activities in accordance with law.

Article 4 — The development of the tourism industry shall comply with the principles of government guidance, law-based regulation, industry self-discipline, and social supervision, and shall adhere to the integration of social, economic, and ecological benefits.

Article 5 — The state shall advocate healthy, civilized, and environmentally friendly tourism practices, and shall prohibit any form of tourism activities that damage the public interest or the lawful rights and interests of others.

Article 6 — The tourism administrative department of the State Council shall be responsible for the supervision and administration of the tourism industry nationwide. The tourism administrative departments of local people's governments at or above the county level shall be responsible for the supervision and administration of the tourism industry within their respective administrative regions.

Article 7 — Relevant departments of people's governments at or above the county level, such as development and reform, public security, transportation, culture, market regulation, health, and emergency management, shall perform their tourism-related supervision and administration duties in accordance with their respective responsibilities.

Article 8 — Tourism industry organizations shall strengthen industry self-discipline, serve their members in accordance with law, and safeguard the lawful rights and interests of their members.

## Chapter II — Tourists

Article 9 — Tourists shall have the right to independently choose tourism products and services, and shall have the right to refuse the compulsory trading conduct of tourism operators.

Article 10 — Tourists shall have the right to know the true details of the tourism products and services they purchase.

Article 11 — Tourists shall have the right to require tourism operators to perform the agreement in accordance with the contract.

Article 12 — Where the personal or property safety of a tourist is endangered, the tourist shall have the right to request assistance and protection from the tourism operator, the local government, or the relevant authorities.

Article 13 — Where the lawful rights and interests of a tourist are infringed upon, the tourist shall have the right to seek resolution through negotiation, mediation, arbitration, or litigation in accordance with law.

Article 14 — Tourists shall comply with social public order and social morality, respect local customs and religious beliefs, care for tourism resources, protect the ecological environment, and observe the norms of civilized tourism conduct.

Article 15 — Tourists shall inform the tourism operator of their personal health information truthfully, comply with safety management provisions during tourism activities, and cooperate with the tourism operator in implementing safety precautions and emergency measures.

Article 16 — Tourists shall not damage the lawful rights and interests of other tourists in tourism activities and shall not interfere with the normal operation of tourism activities. Where entry-exit restrictions exist, tourists shall not illegally remain abroad or leave the group without authorization.

## Chapter III — Tourism Planning and Promotion

Article 17 — The State Council and local people's governments at or above the county level shall incorporate the development of the tourism industry into their national economic and social development plans.

Article 18 — The tourism administrative department of the State Council shall, in conjunction with relevant departments, organize the preparation of national tourism development plans. Provincial-level people's governments shall organize the preparation of tourism development plans for their respective regions.

Article 19 — People's governments at all levels shall arrange funds for tourism development promotion and the construction of tourism public service facilities.

Article 20 — The state shall formulate and implement tourism promotion strategies, strengthen international tourism exchange and cooperation, and promote the image of China as a tourism destination.

Article 21 — The state shall encourage and support the development of tourism vocational education and training to improve the quality of tourism professionals.

Article 22 — Local people's governments shall, based on actual conditions, establish tourism public information service platforms, provide information on tourist attractions, transportation, weather, accommodation, safety, and medical treatment to tourists free of charge.

Article 23 — The state shall encourage the development of tourism in old revolutionary base areas, ethnic minority areas, border areas, and poverty-stricken areas, and shall support the development of rural tourism, red tourism, and eco-tourism.

Article 24 — The state shall encourage the use of new technologies to enhance the quality of tourism services and the tourism experience, and shall promote the development of smart tourism.

## Chapter IV — Tourism Operation

Article 25 — To establish a travel agency, the conditions prescribed by the state shall be met, and a travel agency business license shall be obtained. No entity or individual may operate travel agency business without a license.

Article 26 — Travel agencies shall, in accordance with state provisions, deposit a tourism service quality guarantee fund to be used for the compensation of tourists' losses in the event of infringement of their rights and interests.

Article 27 — A travel agency shall not lease or lend its business license, and shall not transfer, lease, or lend its business license to others in any form.

Article 28 — Where a travel agency organizes outbound tourism, it shall arrange for a licensed tour leader to accompany the group. Where a travel agency receives inbound tourists, it shall arrange for a licensed tour guide to provide services.

Article 29 — A travel agency shall truthfully inform tourists of the specific contents of the tourism itinerary, service standards, fees, and other relevant matters when entering into a contract.

Article 30 — A travel agency shall not solicit business at unreasonably low prices, and shall not deceive or mislead tourists through false advertising or other improper means.

Article 31 — A travel agency shall enter into a written tourism contract with the tourist, specifying the rights and obligations of both parties. The tourism contract shall include: the travel itinerary; the service standards; the total price and payment method; liability for breach of contract; and dispute resolution methods.

Article 32 — A travel agency shall purchase travel agency liability insurance in accordance with law, and shall advise tourists to purchase personal accident insurance.

Article 33 — A travel agency shall not, during the tourism itinerary, arrange for tourists to purchase goods or participate in self-funded tourism projects at designated places without the tourists' consent.

Article 34 — A tour guide or tour leader shall strictly implement the tourism itinerary, and shall not change the itinerary or suspend service activities without authorization. They shall not solicit or accept tips from tourists.

Article 35 — Where a travel agency entrusts another travel agency to perform part of the contract, it shall obtain the tourist's consent and be responsible for the performance of the entrusted matters. The entrusted travel agency shall be jointly and severally liable.

Article 36 — A travel agency shall not require a tour guide or tour leader to pay fees or advance expenses, and shall pay the tour guide or tour leader remuneration in accordance with the labor contract.

Article 37 — Tourism operators shall indicate their service items and fee standards in a conspicuous position in their place of business. When providing services, they shall issue service vouchers or invoices to tourists in accordance with state provisions.

Article 38 — Scenic area operators shall charge admission fees in accordance with state provisions and shall make the admission fees and their reduction or exemption policies public. Scenic areas using public resources shall not increase admission fees in disguised form.

Article 39 — Where the number of tourists accepted by a scenic area exceeds the maximum carrying capacity approved by the relevant authority, the scenic area shall promptly adopt diversion or restriction measures and report to the local government.

Article 40 — Operators of high-risk tourism projects such as mountaineering, diving, rafting, and aerial tours shall obtain a business license in accordance with state provisions and comply with safety management requirements.

## Chapter V — Tourism Service Contracts

Article 41 — Package tour contracts shall be in written form and shall include: basic information of both parties; itinerary and service arrangements; specific contents and standards of services; tour fees and payment methods; liability for breach of contract; and dispute resolution methods.

Article 42 — Where a travel agency entrusts another travel agency to perform the contract, it shall specify in the package tour contract the basic information of the entrusted travel agency. The tourist shall have the right to know the details of the entrusted matters.

Article 43 — Before the start of the tour, the tourist may transfer his or her contractual rights under the package tour contract to a third party, provided there is no justifiable reason for the travel agency to refuse.

Article 44 — Where it is impossible to perform the package tour contract due to force majeure or other reasons not attributable to either party, either party may rescind the contract. The travel agency shall refund the balance of the tour fees after deducting reasonable expenses already paid to the local reception agency or performance agency and non-refundable expenses.

Article 45 — Where a travel agency fails to perform the contract or its performance does not conform to the agreement, resulting in the tourist's personal injury or property loss, the travel agency shall bear compensation liability in accordance with law.

Article 46 — Where during the performance of the package tour contract the travel agency or the performance-assisting person causes personal injury or property loss to the tourist, the tourist may claim compensation directly against the travel agency. The travel agency may, after assuming compensation liability, seek recovery from the responsible performance-assisting person.



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Article 47 — Where a tourist suffers damage to personal or property safety during a self-arranged activity period, and the travel agency has fulfilled its safety reminder and rescue obligations, the travel agency shall not bear liability for compensation.

Article 48 — Where a tourist is stranded due to force majeure, the travel agency shall take appropriateaccommodation measures and assist the tourist in returning. The increased expenses shall be shared by both parties, and the saved expenses shall be refunded to the tourist.

## Chapter VI — Tourism Safety

Article 49 — People's governments at or above the county level shall incorporate tourism safety into their emergency management systems, establish tourism safety management mechanisms, and organize relevant departments to carry out tourism safety inspections.

Article 50 — Tourism operators shall strictly implement the safety management provisions prescribed by laws, regulations, and state standards, establish safety management rules and regulations, be equipped with safety facilities and equipment, and strengthen safety management of their employees.

Article 51 — High-risk tourism projects shall be subject to safety assessment in accordance with state provisions. Operators of such projects shall meet statutory conditions and obtain the corresponding licenses.

Article 52 — Tourism operators shall explain or warn tourists about matters requiring attention for the safety of tourism activities in accordance with law. Where a tourism activity may endanger personal safety, the tourism operator shall make a truthful explanation and a clear warning to the tourist.

Article 53 — Where an emergent event endangers the personal safety of tourists, the tourism operator shall immediately report to the local government and relevant departments, and take necessary rescue and disposal measures.

Article 54 — Where a tourist's personal safety is endangered during a tourism activity, the tourism operator, the tourism administrative department, and the local people's government shall provide timely assistance and organize rescue efforts.

Article 55 — Tourists shall bear the relevant rescue expenses for tourism activities organized or carried out without authorization, or for rescue operations necessitated by their own fault.

## Chapter VII — Tourism Supervision and Administration

Article 56 — The tourism administrative departments of people's governments at or above the county level and relevant departments shall strengthen tourism supervision and administration and investigate and punish illegal tourism business activities in accordance with law.

Article 57 — Tourism administrative departments shall establish a unified tourism complaint acceptance mechanism, publicize complaint hotline numbers, and accept and handle tourist complaints in a timely manner.

Article 58 — Tourism administrative departments shall establish a tourism operator credit evaluation system and a dishonesty punishment mechanism, and shall disclose information on the credit status of tourism operators to the public.

Article 59 — Tourism administrative departments shall conduct supervisory inspections of tourism operators, and may take measures such as on-site inspection, accessing and copying relevant materials, and questioning relevant personnel.

Article 60 — Tourism industry organizations shall formulate industry business standards and service specifications in accordance with their articles of association and strengthen industry self-discipline management.



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Article 61 — Tourism administrative departments shall, in conjunction with relevant departments, establish a comprehensive tourism market supervision and coordination mechanism to jointly maintain the order of the tourism market.

Article 62 — Any entity or individual shall have the right to report illegal tourism business activities. Tourism administrative departments and relevant departments shall promptly investigate and handle such reports and notify the reporters of the results.

## Chapter VIII — Tourism Dispute Resolution

Article 63 — Where a dispute arises between a tourist and a tourism operator, it may be resolved through: negotiation between the parties; mediation by a consumer association, a tourism industry organization, or a tourism complainthandling institution; filing a complaint with the tourism administrative department; submitting to an arbitration institution for arbitration in accordance with the arbitration agreement; or filing a lawsuit with a people's court.

Article 64 — Where a tourist files a complaint with the tourism administrative department, the department shall handle it in accordance with the provisions of this Law and other relevant laws and regulations. Complaints that do not fall within the scope of its duties shall be promptly referred to the competent department.

Article 65 — The tourism complainthandling institution shall accept complaints within its statutory duties, and shall make a decision on handling within 60 days of accepting the complaint. Where the circumstances are complex, an extension may be granted with the approval of the responsible person.

Article 66 — Where a dispute arising from a package tour contract cannot be resolved through negotiation, mediation, or arbitration, the tourist may file a lawsuit with the people's court. The statute of limitations for tourists to file lawsuits for personal injury in tourism activities shall be governed by the provisions of relevant laws.

Article 67 — Where a tourist files a lawsuit against a travel agency, the tourist may choose the people's court of the place where the travel agency is located, the place where the contract was concluded, or the place where the infringement occurred as the court of jurisdiction.

Article 68 — In accepting tourism dispute cases, people's courts shall actively use the method of mediation to resolve disputes, and may invite tourism industry organizations and consumer associations to participate in mediation activities.

## Chapter IX — Legal Liability

Article 69 — Where a travel agency operates without a license or beyond the permitted scope, the tourism administrative department shall order it to cease the illegal operation, confiscate the illegal gains, and impose a fine of not less than RMB 10,000 but not more than RMB 100,000. The principal responsible person shall be fined not less than RMB 2,000 but not more than RMB 20,000.

Article 70 — Where a travel agency leases or lends its business license, or transfers, leases, or lends it in any form, the tourism administrative department shall order it to take corrective action, confiscate the illegal gains, and impose a fine of not less than RMB 10,000 but not more than RMB 100,000. Where the circumstances are serious, the business license shall be revoked.

Article 71 — Where a travel agency solicits business at unreasonably low prices, the tourism administrative department shall order it to take corrective action, confiscate the illegal gains, and impose a fine of not less than RMB 30,000 but not more than RMB 300,000. Where the circumstances are serious, the business license shall be revoked.

Article 72 — Where a travel agency fails to enter into a contract with tourists as required, the tourism administrative department shall order it to take corrective action and impose a fine of not less than RMB 20,000 but not more than RMB 100,000. Where the circumstances are serious, it shall be ordered to cease business for rectification or have its business license revoked.

Article 73 — Where a travel agency arranges for tourists to purchase goods or participate in self-funded projects at designated places without consent, the tourism administrative department shall order corrective action, confiscate illegal gains, and impose a fine of not less than RMB 30,000 but not more than RMB 300,000. The directly responsible person shall be fined not less than RMB 2,000 but not more than RMB 20,000. The tour guide or tour leader's license may be suspended or revoked.

Article 74 — Where a tour guide or tour leader changes the itinerary without authorization or suspends service activities, the tourism administrative department shall order corrective action and impose a fine of not less than RMB 2,000 but not more than RMB 20,000. The tour guide or tour leader license may be temporarily suspended or revoked.

Article 75 — Where a tourism operator fails to obtain a license for high-risk tourism projects, the tourism administrative department and relevant departments shall order it to cease illegal operations and impose a fine of not less than RMB 50,000 but not more than RMB 500,000.

Article 76 — Where a tourism operator causes personal injury or property loss to a tourist in violation of safety management provisions, it shall bear compensation liability in accordance with law. Where the circumstances are serious, the tourism administrative department shall impose a fine of not less than RMB 10,000 but not more than RMB 100,000.

Article 77 — Where a staff member of the tourism administrative department or relevant department neglects duty, abuses power, or engages in malpractice for personal gain in tourism supervision and administration, disciplinary action shall be taken in accordance with law. Where a crime is constituted, criminal liability shall be pursued.

Article 78 — Where a violation of this Law causes damage to the lawful rights and interests of tourists, the tourism operator shall bear civil liability in accordance with law. Where a tourist also violates the provisions of this Law, he or she shall bear corresponding liability.

## Chapter X — Supplementary Provisions

Article 79 — For the purposes of this Law, tourism operators refer to travel agencies, scenic areas, and other operators providing tourism services to tourists. Package tour contracts refer to contracts under which a travel agency provides two or more tourism services for a total price.

Article 80 — The tourism administrative department of the State Council shall, in conjunction with relevant departments, formulate measures for the administration of online tourism business operators.

Article 81 — The specific measures for the administration of outbound tourism, border tourism, and tourism between the mainland and the special administrative regions of Hong Kong and Macao shall be formulated by the State Council separately.

Article 82 — The administration of tourism activities in special administrative regions such as Hong Kong and Macao shall be governed by the laws of those respective regions.

Article 83 — This Law shall come into force on October 1, 2013. The Regulations on Travel Agency Administration previously promulgated shall be adjusted in accordance with this Law.



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