Measures for the Administration of Imported Films

Dan Young Business Consultancy — www.danyoungcpa.com

Unofficial English translation prepared for reference only. The official Chinese text prevails.

Approved by the State Council on October 13, 1981; promulgated by the Ministry of Culture and the General Administration of Customs.

Article 1 — These Measures are specially formulated in accordance with the spirit of the Notice on Prohibiting the Indiscriminate Screening of Films for Internal Reference issued by the Central Committee of the Communist Party of China, the State Council and the Central Military Commission on April 14, 1980, for the purpose of strengthening the administration of imported films.

Article 2 — The business of importing and distributing films or test-screening copies from foreign countries and the Hong Kong and Macao regions (including 35mm, 16mm and super-8mm films, film videotapes and film videodiscs, hereinafter collectively referred to as “films”) shall all be operated and managed by the China Film Distribution and Exhibition Corporation (hereinafter referred to as the “China Film Corporation”).

When films are imported, Customs shall examine and release them upon the import goods declaration form filed by the China Film Corporation. Commercial films to be distributed nationwide shall go through tax payment procedures at the time of import; non-commercial films shall be exempted from tax; where a non-commercial film is distributed nationwide after import with approval, the China Film Corporation shall, in accordance with the rules, go through the procedures for paying supplementary tax with Beijing Customs.

Article 3 — Reference films imported by the China Film Archive (including films selected and purchased, exchanged or donated between the China Film Archive and foreign film archives, or acquired as reference through other channels) are non-commercial films, and Customs shall examine and release them duty-free upon the import goods declaration form filed by the Archive.

Where an imported reference film is approved for nationwide distribution, the China Film Corporation shall, in accordance with the rules, go through the procedures for paying supplementary tax with Beijing Customs.

Article 4 — Professional documentary and scientific-educational films imported by science and technology, industrial, agricultural, educational, health, news, foreign trade and foreign-affairs units for business needs — where imported by units under the State Council system, approval shall be given by the ministries and commissions (or general administrations) under the State Council; where imported by local units, approval shall be given by the people’s governments of provinces, autonomous regions and municipalities directly under the Central Government.

When films are imported, Customs shall examine and release them duty-free upon the approval documents of the relevant ministries and commissions (or general administrations) or the people’s governments of provinces, autonomous regions and municipalities directly under the Central Government and three copies of the import goods declaration form filed by the applying unit, and shall forward one copy of the declaration form bearing the Customs seal to the Film Administration of the Ministry of Culture for filing.

Article 5 — Feature films transported into China by organizations or individuals from foreign countries, the Hong Kong and Macao regions and the Taiwan region to organs, organizations, schools and other units — where accepted by units under the State Council system, approval must be obtained from the Film Administration of the Ministry of Culture; where accepted by local units, approval must be obtained from the culture bureau (film bureau) of the province, autonomous region or municipality directly under the Central Government, with a copy sent to the Film Administration of the Ministry of Culture for filing.

When films are imported, Customs shall examine and release them duty-free upon the import goods declaration form filed by the accepting unit and the approval documents.

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The accepting unit shall deliver the accepted films to the China Film Archive for unified custody. Where there is special business need, the accepting unit may, upon the approval documents of the competent department at the next higher level, retrieve the films from the Archive for reference by relevant personnel; however, they may not be lent out, screened at receptions, or publicly shown in society. After reference, the films shall be returned to the China Film Archive for custody.

Where an imported feature film is approved for nationwide distribution, the China Film Corporation shall go through the supplementary tax procedures with Customs.

Article 6 — Scientific-educational films mailed or carried into China by foreigners, overseas Chinese, and compatriots from Hong Kong, Macao and the Taiwan region as gifts to individuals in China for business reference shall be permitted for import by Customs, and shall be examined and released duty-free upon the import goods declaration form filed by the individual accepting the films and a certification letter from his or her unit. Feature films gifted to individuals in China shall generally not be permitted for import and shall be returned by Customs. Under special circumstances, they shall be studied and handled by the Ministry of Culture and the General Administration of Customs.

Films carried (or mailed from abroad to) personnel of foreign embassies (consulates) in China, permanent personnel sent to China by foreign industrial and commercial enterprises (including resident foreign correspondents), and foreign experts employed to work in China (including culture, education, economic and scientific experts) shall be handled in accordance with the current relevant provisions of Customs. After import, the films shall be strictly controlled by the relevant departments and may only be screened internally by them; units or individuals on our side may not borrow them for screening.

Article 7 — Except for the filming on the mainland by the Hong Kong Great Wall, Phoenix and Xinlian companies, which shall be directly handled by the Hong Kong and Macao Affairs Office of the State Council with the relevant regions and units, all cooperative film production business between China and foreign countries, or between China and the Hong Kong and Macao regions and the Taiwan region, shall be managed by the China Film Co-production Corporation. The import of co-produced films shall be handled by the China Film Co-production Corporation with Customs through import declaration procedures; where a co-produced film is approved for nationwide distribution, the China Film Corporation shall, in accordance with the rules, go through the supplementary tax procedures with Beijing Customs.

Article 8 — Films imported in violation of provisions or smuggled in shall be handled by Customs in accordance with the relevant provisions; confiscated films that have reference value for preservation may be forwarded to the Film Administration of the Ministry of Culture for custody by the China Film Archive.

Article 9 — These Measures shall take effect on the date of promulgation.

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