Regulations of the PRC on the Administration of Production Licenses for Industrial Products

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

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Chapter I — General Provisions

Article 1 — These Regulations are formulated for the purpose of ensuring the quality and safety of important industrial products that directly concern public safety, human health, and the safety of life and property, implementing the State industrial policy, and promoting the healthy and coordinated development of the socialist market economy.

Article 2 — The State implements a production license system for enterprises producing the following important industrial products: (1) processed foods directly concerning human health, such as dairy products, meat products, beverages, rice, flour, edible oil and alcoholic beverages; (2) products that may endanger

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personal or property safety, such as electric blankets, pressure cookers and gas water heaters; (3) products concerning financial security and communication quality safety, such as fiscal cash registers, anti-counterfeiting currency detectors, satellite television broadcasting ground receiving equipment and wireless radio and television transmitting equipment; (4) products ensuring labor safety, such as safety nets, safety helmets and building fasteners; (5) products affecting production safety and public safety, such as electric power towers, bridge bearings, railway industrial products, hydraulic metal structures, hazardous chemicals and their packaging materials and containers; and (6) other products for which laws and administrative regulations require production license administration in accordance with these Regulations.

Article 3 — The catalogue of industrial products subject to the production license system (hereinafter the Catalogue) shall be formulated by the competent department of industrial product production licenses under the State Council together with the relevant departments under the State Council, after soliciting the opinions of consumers' associations and relevant product industry associations, and shall be published to the public after approval by the State Council. Industrial products whose quality and safety can be effectively ensured through consumers' self-judgment, enterprise self-discipline and market competition shall not be subject to the production license system. Industrial products whose quality and safety can be effectively ensured through the certification and accreditation system shall not be subject to the production license system. The competent department of industrial product production licenses under the State Council shall, together with the relevant departments under the State Council, evaluate, adjust and gradually reduce the Catalogue in due course, and publish it to the public after approval by the State Council.

Article 4 — Producing, selling or using in business activities products included in the Catalogue within the territory of the People's Republic of China shall comply with these Regulations. The import and export administration of products included in the Catalogue shall be implemented in accordance with laws, administrative regulations and the relevant provisions of the State.

Article 5 — No enterprise may produce products included in the Catalogue without obtaining a production license. No unit or individual may sell or use in business activities products included in the Catalogue that have not obtained a production license.

Article 6 — The competent department of industrial product production licenses under the State Council shall be responsible for the unified administration of industrial product production licenses nationwide in accordance with these Regulations, and the competent departments of industrial product production licenses of local governments at or above the county level shall be responsible for the administration of industrial product production licenses within their respective administrative areas. The State shall unify the catalogue, the examination requirements, the certificate marks and the supervision and administration of industrial products subject to the industrial product production license system.

Article 7 — The administration of industrial product production licenses shall follow the principles of being scientific and impartial, open and transparent, lawful in procedure, and convenient and efficient for the people.

Article 8 — The competent departments of industrial product production licenses at or above the county level, their personnel, inspection institutions and inspection personnel shall bear the duty of confidentiality with respect to the State secrets and trade secrets they come to know.

Chapter II — Application and Acceptance

Article 9 — To obtain a production license, an enterprise shall satisfy the following conditions: (1) having a business license; (2) having professional and technical personnel appropriate to the products to be produced; (3) having production conditions and means of inspection and quarantine appropriate to the products to be produced; (4) having technical documents and process documents appropriate to the products to be produced; (5) having sound and effective quality management systems and responsibility

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systems; (6) the products conform to the relevant national standards and industry standards and the requirements for safeguarding human health and personal and property safety; and (7) conforming to the provisions of the State industrial policy and having no circumstances of backward processes, high energy consumption, environmental pollution or waste of resources that the State has expressly eliminated or prohibited from investment and construction. Where laws and administrative regulations provide otherwise, such provisions shall also be complied with.

Article 10 — The competent department of industrial product production licenses under the State Council shall, in accordance with the conditions prescribed in Article 9 of these Regulations and based on the different characteristics of industrial products, formulate and publish the specific requirements for obtaining production licenses for products included in the Catalogue; where special provisions need to be made with respect to the specific requirements for production licenses for products included in the Catalogue, they shall be formulated and published together with the relevant departments under the State Council. When formulating the specific requirements for obtaining production licenses for products included in the Catalogue, the opinions of consumers' associations and relevant product industry associations shall be solicited.

Article 11 — An enterprise producing products included in the Catalogue shall apply to the competent department of industrial product production licenses of the province, autonomous region or municipality directly under the Central Government at its locality for a production license. Where a product currently being produced by an enterprise is included in the Catalogue, the enterprise shall apply for a production license within the time prescribed by the competent department of industrial product production licenses under the State Council. An enterprise's application may be filed by letter, telegraph, telex, facsimile, electronic data interchange, email or other means.

Article 12 — After receiving an enterprise's application, the competent department of industrial product production licenses of a province, autonomous region or municipality directly under the Central Government shall handle it in accordance with the relevant provisions of the Administrative Licensing Law of the People's Republic of China.

Article 13 — The competent departments of industrial product production licenses of provinces, autonomous regions and municipalities directly under the Central Government and any other units shall not attach any additional conditions to restrict enterprises from applying for production licenses.

Chapter III — Examination and Decision

Article 14 — After accepting an enterprise's application, the competent department of industrial product production licenses of a province, autonomous region or municipality directly under the Central Government shall organize an examination of the enterprise. Where, in accordance with the specific requirements for production licenses for products included in the Catalogue, the examination of the enterprise shall be organized by the competent department of industrial product production licenses under the State Council, the competent department of industrial product production licenses of the province, autonomous region or municipality directly under the Central Government shall submit all the application materials to the competent department of industrial product production licenses under the State Council within five days from the date of acceptance of the enterprise's application. The examination of an enterprise includes on-site verification of the enterprise and testing of the products.

Article 15 — For on-site verification of an enterprise, the competent department of industrial product production licenses under the State Council or the competent department of industrial product production licenses of the province, autonomous region or municipality directly under the Central Government shall assign two to four verification personnel, and the enterprise shall provide cooperation.

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Article 16 — Verification personnel may engage in the corresponding verification work only after passing the assessment organized by the competent department of industrial product production licenses under the State Council and obtaining a verification personnel certificate.

Article 17 — Verification personnel shall conduct on-site verification of an enterprise in accordance with the conditions prescribed in Article 9 of these Regulations and the specific requirements for production licenses for products included in the Catalogue. In conducting on-site verification of an enterprise, verification personnel shall not make things difficult for the enterprise, demand or accept money or property from the enterprise, or seek other improper benefits.

Article 18 — The competent department of industrial product production licenses under the State Council or the competent department of industrial product production licenses of the province, autonomous region or municipality directly under the Central Government shall notify the enterprise in writing of the result of the on-site verification within 30 days from the date of acceptance of the enterprise's application. Where the verification is not passed, the reasons shall be explained.

Article 19 — Where an enterprise passes the on-site verification, it shall promptly conduct product testing. Where sample testing is required, the verification personnel shall seal the samples and inform the enterprise to deliver the samples to an inspection institution with corresponding qualifications within seven days. Where on-site testing is required, the verification personnel shall notify the inspection institution to conduct on-site testing.

Article 20 — Inspection institutions shall conduct product testing in accordance with the relevant national standards and requirements and complete the testing work within the prescribed time. Inspection institutions and inspection personnel shall issue inspection reports objectively, impartially and in a timely manner. The inspection report shall be signed by the inspection personnel and then signed by the person in charge of the inspection institution. Inspection institutions and inspection personnel shall be responsible for the inspection reports.

Article 21 — In conducting product testing, inspection institutions and inspection personnel shall follow the principle of good faith and the principle of facilitating enterprises, provide enterprises with reliable and convenient testing services, and shall not delay or make things difficult for enterprises.

Article 22 — Inspection institutions and inspection personnel shall not engage in production or sales activities related to the products included in the Catalogue that they test, and shall not, in their own names, recommend, supervise the production of, or supervise the sale of the products included in the Catalogue that they test.

Article 23 — Where the examination of an enterprise is organized by the competent department of industrial product production licenses of a province, autonomous region or municipality directly under the Central Government, that department shall, after completing the examination, submit the examination opinions and all the application materials to the competent department of industrial product production licenses under the State Council.

Article 24 — Within 60 days from the date of acceptance of the enterprise's application, the competent department of industrial product production licenses under the State Council shall make a decision on whether to grant the license. Where a decision to grant the license is made, the competent department of industrial product production licenses under the State Council shall issue the industrial product production license certificate (hereinafter the License Certificate) to the enterprise within 10 days from the date of making the decision; where a decision not to grant the license is made, the competent department of industrial product production licenses under the State Council shall notify the enterprise in writing and explain the reasons. The time required for product testing by the inspection institution shall not be counted within the time limit prescribed in the preceding paragraph. The competent department of industrial product production licenses under the State Council shall promptly notify the development and reform department

under the State Council, the health department under the State Council and other relevant departments of the decisions made to grant licenses for the relevant products.

Article 25 — The term of validity of a production license is five years, except that the term of validity of a production license of a food processing enterprise is three years. Where an enterprise continues production upon expiry of the term of validity of the production license, it shall file a renewal application with the competent department of industrial product production licenses of the province, autonomous region or municipality directly under the Central Government at its locality six months before the expiry of the term of validity of the production license. The competent department of industrial product production licenses under the State Council or the competent department of industrial product production licenses of the province, autonomous region or municipality directly under the Central Government shall examine the enterprise in accordance with the procedures prescribed in these Regulations.

Article 26 — Where the relevant standards and requirements for a product change during the term of validity of the production license, the competent department of industrial product production licenses under the State Council or the competent department of industrial product production licenses of the province, autonomous region or municipality directly under the Central Government may re-organize verification and testing in accordance with these Regulations. Where an enterprise's production conditions, testing means, production technology or processes change during the term of validity of the production license, the enterprise shall promptly file an application with the competent department of industrial product production licenses of the province, autonomous region or municipality directly under the Central Government at its locality, and the competent department of industrial product production licenses under the State Council or the competent department of industrial product production licenses of the province, autonomous region or municipality directly under the Central Government shall re-organize verification and testing in accordance with these Regulations.

Article 27 — With respect to major licensing matters involving the public interest that the competent department of industrial product production licenses under the State Council considers require a hearing, a public announcement shall be made and a hearing held. Decisions made by the competent department of industrial product production licenses under the State Council to grant licenses shall be published to the public. The competent department of industrial product production licenses under the State Council and the competent departments of industrial product production licenses of provinces, autonomous regions and municipalities directly under the Central Government shall promptly file the relevant materials for handling production licenses, and the public has the right to consult them.

Chapter IV — Certificates and Marks

Article 28 — A License Certificate shall be divided into an original and a duplicate. The License Certificate shall state the relevant contents such as the name and domicile of the enterprise, the production address, the product name, the certificate number, the date of issuance and the term of validity. The format of the License Certificate shall be prescribed by the competent department of industrial product production licenses under the State Council.

Article 29 — Where the name of an enterprise changes, the enterprise shall promptly file an application with the competent department of industrial product production licenses of the province, autonomous region or municipality directly under the Central Government at its locality to complete the formalities for the change.

Article 30 — An enterprise shall properly keep its License Certificate. Where the License Certificate is lost or damaged, the enterprise shall apply for a replacement, and the competent department of industrial product production licenses of the province, autonomous region or municipality directly under the Central Government at the enterprise's locality shall promptly accept the application and complete the formalities for the replacement.

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Article 31 — Where an enterprise ceases production of products included in the Catalogue during the term of validity of the production license, it shall complete the formalities for cancellation of the production license. Where the enterprise fails to complete the formalities for cancellation of the production license, the competent department of industrial product production licenses under the State Council shall cancel its production license and make a public announcement.

Article 32 — The mark and format of the production license shall be prescribed and published by the competent department of industrial product production licenses under the State Council.

Article 33 — An enterprise shall mark the production license mark and number on its products or the packaging or instructions. Unpackaged foods and other unpackaged products on which it is difficult to mark the production license mark according to the characteristics of the products need not be marked with the production license mark and number.

Article 34 — Enterprises selling and using in business activities products included in the Catalogue shall examine the production license marks and numbers of the products.

Article 35 — No unit or individual may forge or alter license certificates, production license marks and numbers. Enterprises that have obtained production licenses shall not lease, lend or otherwise transfer the license certificates and production license marks.

Chapter V — Supervision and Inspection

Article 36 — The competent department of industrial product production licenses under the State Council and the competent departments of industrial product production licenses of local governments at or above the county level shall, in accordance with these Regulations, supervise and inspect enterprises producing products included in the Catalogue, as well as the relevant activities of verification personnel, inspection institutions and their inspection personnel. The competent department of industrial product production licenses under the State Council shall supervise the production license administration work of the competent departments of industrial product production licenses of local governments at or above the county level.

Article 37 — The competent departments of industrial product production licenses at or above the county level shall, based on the evidence of suspected violations already obtained or on reports, investigate and handle acts suspected of violating these Regulations and may exercise the following functions and powers: (1) investigating and learning about the circumstances of suspected activities in violation of these Regulations from the legal representatives, principal responsible persons and other relevant persons of units and inspection institutions producing, selling or using in business activities products included in the Catalogue; (2) consulting and copying the relevant contracts, invoices, account books and other relevant materials of units and inspection institutions producing, selling or using in business activities products included in the Catalogue; and (3) sealing up or seizing products included in the Catalogue that evidence shows are produced, sold or used in business activities in violation of these Regulations.

Article 38 — Enterprises shall ensure that product quality is stable and up to standard, and periodically submit reports to the competent department of industrial product production licenses of the province, autonomous region or municipality directly under the Central Government. Enterprises shall be responsible for the authenticity of the reports.

Article 39 — The competent department of industrial product production licenses under the State Council and the competent departments of industrial product production licenses of local governments at or above the county level shall conduct periodic or non-periodic supervision and inspection of enterprises. Where product testing is required, it shall be conducted in accordance with the relevant provisions of the Product Quality Law of the People's Republic of China. Supervision and inspection or product testing shall be conducted by at least two staff members, who shall present valid certificates.

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Article 40 — In conducting supervision and inspection of enterprises, the competent department of industrial product production licenses under the State Council and the competent departments of industrial product production licenses of local governments at or above the county level shall not impede the normal production and business activities of enterprises, and shall not demand or accept money or property from enterprises or seek other benefits.

Article 41 — When the competent department of industrial product production licenses under the State Council and the competent departments of industrial product production licenses of local governments at or above the county level conduct supervision and inspection of enterprises in accordance with law, they shall record the circumstances of the supervision and inspection and the handling results, which shall be signed by the supervisory and inspection personnel and filed. The public has the right to consult the supervision and inspection records.

Article 42 — The competent department of industrial product production licenses under the State Council shall supervise and inspect whether the inspection processes and inspection reports of inspection institutions are objective, impartial and timely through such means as consulting inspection reports and comparing inspection conclusions.

Article 43 — Where verification personnel, inspection institutions or their inspection personnel make things difficult for an enterprise, the enterprise has the right to complain to the competent department of industrial product production licenses under the State Council and the competent departments of industrial product production licenses of local governments at or above the county level. Upon receiving a complaint, the competent department of industrial product production licenses under the State Council and the competent departments of industrial product production licenses of local governments at or above the county level shall promptly investigate and handle it.

Article 44 — Any unit or individual has the right to report acts violating these Regulations to the competent department of industrial product production licenses under the State Council and the competent departments of industrial product production licenses of local governments at or above the county level. Upon receiving a report, the competent department of industrial product production licenses under the State Council and the competent departments of industrial product production licenses of local governments at or above the county level shall promptly investigate and handle it, and keep the reporter confidential.

Chapter VI — Legal Liability

Article 45 — Where an enterprise produces products included in the Catalogue without applying for and obtaining a production license in accordance with these Regulations, the competent department of industrial product production licenses shall order it to stop production, confiscate the products produced in violation of the law, and impose a fine of not less than the equivalent value but not more than three times the value of the products produced in violation of the law; where there are illegal gains, the illegal gains shall be confiscated; where a crime is constituted, criminal responsibility shall be investigated in accordance with law.

Article 46 — Where an enterprise that has obtained a production license fails to complete the formalities for re-examination in accordance with these Regulations when its production conditions, testing means, production technology or processes change, it shall be ordered to stop production and sale, the products produced or sold in violation of the law shall be confiscated, and it shall be ordered to complete the relevant formalities within a prescribed time limit; where the formalities are still not completed within the time limit, a fine of not more than three times the value of the products produced or sold in violation of the law (including products already sold and products not yet sold, the same below) shall be imposed; where there are illegal gains, the illegal gains shall be confiscated; where a crime is constituted, criminal responsibility shall be investigated in accordance with law. Where an enterprise that has obtained a production license fails to complete the formalities for change in accordance with these Regulations when its name changes, it shall be ordered to complete the relevant formalities within a prescribed time limit; where the formalities are still not

completed within the time limit, it shall be ordered to stop production and sale, the products produced or sold in violation of the law shall be confiscated, and a fine of not more than the equivalent value of the products produced or sold in violation of the law shall be imposed; where there are illegal gains, the illegal gains shall be confiscated.

Article 47 — Where an enterprise that has obtained a production license fails to mark the production license mark and number on its products, packaging or instructions in accordance with these Regulations, it shall be ordered to make corrections within a prescribed time limit; where corrections are still not made within the time limit, a fine of not more than 30 percent of the value of the products produced or sold in violation of the law shall be imposed; where there are illegal gains, the illegal gains shall be confiscated; where the circumstances are serious, the production license shall be revoked.

Article 48 — Where a party sells or uses in business activities products included in the Catalogue without obtaining a production license, it shall be ordered to make corrections and a fine of not less than RMB 50,000 but not more than RMB 200,000 shall be imposed; where there are illegal gains, the illegal gains shall be confiscated; where a crime is constituted, criminal responsibility shall be investigated in accordance with law.

Article 49 — Where an enterprise that has obtained a production license leases, lends or transfers the license certificate, production license mark and number, it shall be ordered to make corrections within a prescribed time limit and a fine of not more than RMB 200,000 shall be imposed; where the circumstances are serious, the production license shall be revoked. Where a party illegally accepts and uses license certificates, production license marks and numbers provided by others, it shall be ordered to stop production and sale, the products produced or sold in violation of the law shall be confiscated, and a fine of not less than the equivalent value but not more than three times the value of the products produced or sold in violation of the law shall be imposed; where there are illegal gains, the illegal gains shall be confiscated; where a crime is constituted, criminal responsibility shall be investigated in accordance with law.

Article 50 — Where a party, without authorization, uses, exchanges, transfers or damages the sealed or seized property, it shall be ordered to make corrections and a fine of not less than 5 percent but not more than 20 percent of the value of the property used, exchanged, transferred or damaged shall be imposed; where it refuses to make corrections, a fine of not less than one time but not more than three times the value of the property used, exchanged, transferred or damaged shall be imposed.

Article 51 — Where a party forges or alters license certificates, production license marks and numbers, it shall be ordered to make corrections, the products produced or sold in violation of the law shall be confiscated, and a fine of not less than the equivalent value but not more than three times the value of the products produced or sold in violation of the law shall be imposed; where there are illegal gains, the illegal gains shall be confiscated; where a crime is constituted, criminal responsibility shall be investigated in accordance with law.

Article 52 — Where an enterprise obtains a production license by improper means such as fraud or bribery, the competent department of industrial product production licenses shall impose a fine of not more than RMB 200,000 and handle the matter in accordance with the relevant provisions of the Administrative Licensing Law of the People's Republic of China.

Article 53 — Where an enterprise that has obtained a production license fails to periodically submit reports to the competent department of industrial product production licenses of the province, autonomous region or municipality directly under the Central Government in accordance with these Regulations, it shall be ordered by that department to make corrections within a prescribed time limit.

Article 54 — Where products covered by a production license fail to pass a national or provincial-level supervision sampling inspection of product quality, the competent department of industrial product production licenses shall order the enterprise to make corrections within a prescribed time limit; where the

products still fail to pass a re-inspection upon expiry of the time limit, the production license shall be revoked.

Article 55 — Where an enterprise's production license is revoked, it shall not apply again for a production license for the same product included in the Catalogue within three years.

Article 56 — Where an inspection institution undertaking product testing for license issuance forges inspection conclusions or issues false certificates, the competent department of industrial product production licenses shall order it to make corrections, impose a fine of not less than RMB 50,000 but not more than RMB 200,000 on the institution, and impose a fine of not less than RMB 10,000 but not more than RMB 50,000 on the directly responsible persons in charge and other directly responsible persons; where there are illegal gains, the illegal gains shall be confiscated; where the circumstances are serious, its inspection qualification shall be revoked; where a crime is constituted, criminal responsibility shall be investigated in accordance with law.

Article 57 — Where inspection institutions and inspection personnel engage in production or sales activities related to the products included in the Catalogue that they test, or recommend, supervise the production of, or supervise the sale of the products included in the Catalogue that they test in their own names, the competent department of industrial product production licenses shall impose a fine of not less than RMB 20,000 but not more than RMB 100,000; where there are illegal gains, the illegal gains shall be confiscated; where the circumstances are serious, their inspection qualification shall be revoked.

Article 58 — Where inspection institutions and inspection personnel make things difficult for enterprises by exploiting inspection work, the competent department of industrial product production licenses shall order them to make corrections; where they refuse to make corrections, their inspection qualification shall be revoked.

Article 59 — Where a competent department of industrial product production licenses of a local government at or above the county level, in violation of these Regulations, establishes production licensing for industrial products outside the Catalogue, the competent department of industrial product production licenses under the State Council shall order it to make corrections or revoke the establishment in accordance with law.

Article 60 — Where the competent department of industrial product production licenses or any of its staff members, in violation of these Regulations, falls under any of the following circumstances, its superior administrative organ or supervisory organ shall order it to make corrections; where the circumstances are serious, administrative sanctions shall be imposed in accordance with law on the directly responsible persons in charge and other directly responsible persons: (1) failing to accept an application that meets the conditions prescribed in these Regulations; (2) failing to publicly display at the office premises the materials that shall be publicly displayed in accordance with law; (3) failing to perform the statutory duty of notification to the applicant and interested parties in the course of acceptance, examination and decision-making; (4) failing to inform the applicant at one time of all the contents that must be supplemented or corrected where the application materials submitted by the applicant are incomplete or do not conform to the statutory form; (5) failing to explain in accordance with law the reasons for not accepting an application or not granting a license; or (6) failing to hold a hearing where a hearing shall be held in accordance with these Regulations and the Administrative Licensing Law of the People's Republic of China.

Article 61 — Where a staff member of the competent department of industrial product production licenses, in handling industrial product production licenses or conducting supervision and inspection, demands or accepts money or property from others or seeks other benefits, and a crime is constituted, criminal responsibility shall be investigated in accordance with law; where a crime is not constituted, an administrative sanction shall be imposed in accordance with law.

Article 62 — Where the competent department of industrial product production licenses falls under any of the following circumstances, its superior administrative organ, supervisory organ or the relevant organ shall order it to make corrections and handle the matter in accordance with law; the directly responsible persons in

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charge and other directly responsible persons shall be given an administrative sanction of demotion or removal from office in accordance with law; where a crime is constituted, criminal responsibility shall be investigated in accordance with law: (1) granting a license to an applicant who does not meet the conditions prescribed in these Regulations, or making a decision to grant a license beyond the statutory functions and powers; (2) failing to grant a license to an applicant who meets the conditions prescribed in these Regulations, or failing to make a decision to grant a license within the statutory time limit; (3) failing to promptly investigate and handle, in accordance with law, enterprises discovered to be producing products included in the Catalogue without applying for and obtaining a production license in accordance with these Regulations; (4) failing to promptly investigate and handle, in accordance with law, inspection institutions whose inspection reports or inspection conclusions are found to be seriously untrue; or (5) collecting fees indiscriminately in violation of laws, administrative regulations or these Regulations.

Article 63 — Where the competent department of industrial product production licenses illegally grants a license and causes damage to the lawful rights and interests of a party, it shall pay compensation in accordance with the State Compensation Law of the People's Republic of China.

Article 64 — Where the competent department of industrial product production licenses fails to perform its supervisory duties in accordance with law or performs them inadequately, causing serious consequences, its superior administrative organ or supervisory organ shall order it to make corrections, and administrative sanctions shall be imposed in accordance with law on the directly responsible persons in charge and other directly responsible persons; where a crime is constituted, criminal responsibility shall be investigated in accordance with law.

Article 65 — The administrative penalty of revoking a production license prescribed in these Regulations shall be decided by the competent department of industrial product production licenses. The competent department of industrial product production licenses shall promptly notify the development and reform department, the health department and other relevant departments of the administrative penalty decisions made to revoke production licenses for the relevant products. Where laws and administrative regulations provide otherwise with respect to the organ exercising the power of administrative penalty, such provisions shall be followed.

Chapter VII — Supplementary Provisions

Article 66 — Where laws and administrative regulations provide otherwise with respect to the administration of industrial products, such provisions shall prevail.

Article 67 — The fee items for the handling of industrial product production licenses by the competent department of industrial product production licenses under the State Council and the competent departments of industrial product production licenses of provinces, autonomous regions and municipalities directly under the Central Government shall be implemented in accordance with the relevant provisions of the finance department and the price department under the State Council; the fee standards for industrial product production licenses shall be implemented in accordance with the relevant provisions of the price department and the finance department under the State Council, and shall be open and transparent. All fees collected shall be turned over to the State treasury in full and shall not be withheld, diverted, privately divided or privately divided in a disguised form. The finance department shall not return, or return in a disguised form in any manner, the fees collected to them.

Article 68 — Where necessary, the competent departments of industrial product production licenses of provinces, autonomous regions and municipalities directly under the Central Government may be responsible for the examination and issuance of production licenses for some products included in the Catalogue, and the specific measures shall be separately formulated by the competent department of industrial product production licenses under the State Council.

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Article 69 — Individual industrial and commercial households that produce or sell products included in the Catalogue shall implement these Regulations.

Article 70 — These Regulations shall be implemented as of September 1, 2005. The Trial Regulations on Industrial Product Production Licenses promulgated by the State Council on April 7, 1984 shall be repealed simultaneously.

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