Regulations on News Coverage by Permanent Offices of Foreign News Agencies and Foreign Journalists of China (the PRC)

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

Adopted at the 31st Executive Meeting of the State Council on October 17, 2008, promulgated by Order No. 537 of the State Council of the People's Republic of China on October 17, 2008, and effective as of October 17, 2008

Article 1 — These Regulations are formulated to facilitate the lawful news coverage and reporting activities of permanent offices of foreign news agencies and of foreign journalists within the territory of the People's Republic of China, and to promote international exchanges and the dissemination of information.

Article 2 — For the purposes of these Regulations, "permanent offices of foreign news agencies" means branch offices established within China by foreign news agencies to conduct news coverage and reporting business.

For the purposes of these Regulations, "foreign journalists" includes permanent foreign journalists and foreign journalists on short-term coverage assignments. A "permanent foreign journalist" means a professional journalist dispatched by a foreign news agency to be stationed within China for more than six months to conduct news coverage and reporting business; a "foreign journalist on a short-term coverage assignment" means a professional journalist who stays within China for no more than six months to conduct news coverage and reporting business.

Article 3 — China pursues the fundamental state policy of opening up to the outside world, protects the lawful rights and interests of permanent offices of foreign news agencies and of foreign journalists in accordance with the law, and provides convenience for their lawful conduct of news coverage and reporting business.

Article 4 — Permanent offices of foreign news agencies and foreign journalists shall abide by the laws, regulations and rules of China, observe professional ethics of journalism, conduct coverage and reporting objectively and impartially, and shall not engage in activities inconsistent with the nature of their institutions or their status as journalists.

Article 5 — The Ministry of Foreign Affairs of the People's Republic of China (hereinafter referred to as the "Ministry of Foreign Affairs") is the competent authority for the affairs of permanent offices of foreign news agencies and of foreign journalists. The Information Office of the State Council and other departments are responsible, within the scope of their respective duties, for the affairs of permanent offices of foreign news agencies and of foreign journalists.

Foreign affairs departments of local people's governments shall, as entrusted by the Ministry of Foreign Affairs, handle the affairs of permanent offices of foreign news agencies and of foreign journalists within their respective administrative regions. Information offices of local people's governments and other departments are responsible, within the scope of their respective duties, for the affairs of permanent offices of foreign news agencies and of foreign journalists within their respective administrative regions.

Article 6 — The establishment of a permanent news agency within China by a foreign news agency, and the dispatch of permanent foreign journalists to China by a foreign news agency, shall be subject to the approval of the Ministry of Foreign Affairs.

Article 7 — To apply for the establishment of a permanent news agency within China, a foreign news agency shall submit the following materials to the Ministry of Foreign Affairs directly or through a Chinese embassy

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or consulate abroad:

(1) a written application signed by the principal person in charge of the headquarters of the news agency;

(2) an introduction to the news agency;

(3) an introduction to the person in charge of the proposed office and to the permanent foreign journalists and staff members proposed to be dispatched; and

(4) a copy of the document certifying the establishment of the news agency in the country where it is located.

Article 8 — After an application for the establishment of a permanent news agency within China is approved, the person in charge of the permanent news agency shall, within seven working days from the date of his or her arrival in China, present his or her passport to the Ministry of Foreign Affairs to apply for a certificate of a permanent office of a foreign news agency; where the permanent news agency is located in a region other than Beijing, its person in charge shall, within seven working days from the date of his or her arrival in China, present his or her passport to the foreign affairs department of the local people's government entrusted by the Ministry of Foreign Affairs to apply for the certificate.

Article 9 — To apply for the dispatch of permanent foreign journalists to China, a foreign news agency shall submit the following materials to the Ministry of Foreign Affairs directly or through a Chinese embassy or consulate abroad:

(1) a written application signed by the person in charge of the headquarters of the news agency;

(2) an introduction to the journalists proposed to be dispatched; and

(3) a copy of the document certifying the professional activities of the proposed journalists in the country where they are located.

Where two or more foreign news agencies dispatch the same permanent foreign journalist, each shall go through the application procedures separately in accordance with the preceding paragraph, and shall state in its respective written application the other foreign news agency for which the journalist serves concurrently.

Article 10 — After an application for the dispatch of permanent foreign journalists to China is approved, the dispatched foreign journalists shall, within seven working days from the date of their arrival in China, present their passports to the Ministry of Foreign Affairs to apply for permanent foreign journalist cards; where they are stationed in a region other than Beijing, they shall, within seven working days from the date of their arrival in China, present their passports to the foreign affairs department of the local people's government entrusted by the Ministry of Foreign Affairs to apply for the cards.

After obtaining a permanent foreign journalist card, a foreign journalist shall apply to the public security organ at the place of residence for a residence permit.

Article 11 — Where a permanent office of a foreign news agency changes its name, the region where it is stationed, or other matters, it shall submit a written application to the Ministry of Foreign Affairs and go through the procedures for the change after approval.

Where a permanent office of a foreign news agency changes its person in charge, office address, or other matters, it shall notify the Ministry of Foreign Affairs in writing within seven working days after the change; where the permanent news agency is located in a region other than Beijing, it shall notify the foreign affairs department of the local people's government entrusted by the Ministry of Foreign Affairs in writing within seven working days after the change.

Article 12 — Where a permanent foreign journalist card needs to be renewed upon expiration of its validity period, the permanent foreign journalist shall apply in advance to the Ministry of Foreign Affairs or the foreign affairs department of the local people's government entrusted by the Ministry of Foreign Affairs to go through the renewal procedures; where renewal is not handled within the prescribed time limit, it shall be deemed

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that the journalist has voluntarily relinquished his or her qualification as a permanent foreign journalist, and the permanent foreign journalist card shall be cancelled.

Article 13 — Where a permanent office of a foreign news agency intends to terminate its business, it shall notify the Ministry of Foreign Affairs 30 days before the termination, and shall, within seven working days from the date of termination of its business, go through the cancellation procedures for its certificate and for the permanent foreign journalist cards of its permanent journalists with the Ministry of Foreign Affairs or the foreign affairs department of the local people's government entrusted by the Ministry of Foreign Affairs.

Where a permanent office of a foreign news agency has had no permanent foreign journalist for ten or more consecutive months, it shall be deemed to have automatically terminated its business, and its certificate shall be cancelled.

Where a permanent foreign journalist resides within China for a cumulative total of less than six months each year, his or her permanent foreign journalist card shall be cancelled.

A permanent office of a foreign news agency shall, before the departure of its permanent foreign journalist, go through the cancellation procedures for the journalist's permanent foreign journalist card with the Ministry of Foreign Affairs or the foreign affairs department of the local people's government entrusted by the Ministry of Foreign Affairs.

Article 14 — After a certificate of a permanent office of a foreign news agency or a permanent foreign journalist card is cancelled, the cancellation shall be announced to the public.

For a journalist whose permanent foreign journalist card has been cancelled, his or her journalist visa shall automatically become invalid ten days after the date of cancellation.

A journalist whose permanent foreign journalist card has been cancelled shall, within ten days from the date of cancellation of the card, present the relevant documents to the public security organ at the place of residence to apply for a change of registration of his or her visa or residence permit.

Article 15 — Foreign journalists stationed in China or conducting short-term coverage assignments shall apply to a Chinese embassy or consulate abroad or a visa-issuing institution authorized by the Ministry of Foreign Affairs for a journalist visa.

Article 16 — Foreign journalists visiting China in the entourage of a head of state, head of government, speaker of parliament, member of a royal family, or senior government official shall have their journalist visas applied for in a unified manner by the foreign ministry or the relevant department of their country through a Chinese embassy or consulate abroad or a visa-issuing institution authorized by the Ministry of Foreign Affairs.

Article 17 — Foreign journalists conducting coverage within China shall obtain the consent of the units and individuals to be interviewed.

When conducting coverage, foreign journalists shall carry and present their permanent foreign journalist cards or their short-term coverage journalist visas.

Article 18 — Permanent offices of foreign news agencies and foreign journalists may employ Chinese citizens to do auxiliary work through foreign affairs service units. Foreign affairs service units shall be designated by the Ministry of Foreign Affairs or the foreign affairs departments of local people's governments entrusted by the Ministry of Foreign Affairs.

Article 19 — Permanent offices of foreign news agencies and foreign journalists may, for the needs of news coverage and reporting, temporarily import, install and use radio communications equipment after going through the examination and approval procedures in accordance with the law.

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Article 20 — Where a foreigner who has not obtained, or does not hold, a valid permanent foreign journalist card or a short-term coverage journalist visa conducts news coverage and reporting activities within China, the public security organ shall order him or her to cease the news coverage and reporting activities and deal with the matter in accordance with the relevant laws.

Article 21 — Where a permanent office of a foreign news agency or a foreign journalist violates these Regulations, the Ministry of Foreign Affairs shall give a warning and order the suspension or termination of its or his or her business activities; where the circumstances are serious, the certificate of the permanent office of the foreign news agency, the permanent foreign journalist card or the journalist visa shall be revoked.

Article 22 — Where a permanent office of a foreign news agency or a foreign journalist violates other laws, regulations or rules of China, it or he or she shall be dealt with in accordance with the law; where the circumstances are serious, the Ministry of Foreign Affairs shall revoke its certificate, his or her permanent foreign journalist card or journalist visa.

Article 23 — These Regulations shall come into force as of October 17, 2008. The Regulations on the Administration of Foreign Journalists and Permanent Offices of Foreign News Agencies promulgated by the State Council on January 19, 1990 shall be repealed simultaneously.

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