Regulations on the Quality Management of Construction Projects

Decree No. 279 of the State Council of the People's Republic of China

The Regulations on the Quality Management of Construction Projects were adopted at the 25th executive meeting of the State Council on January 10, 2000, and are hereby promulgated and shall come into force on the date of promulgation.

Premier Zhu Rongji

January 30, 2000

Chapter I General Provisions

Article 1 These Regulations are formulated in accordance with the Construction Law of the People's Republic of China in order to strengthen the management of the quality of construction projects, ensure the quality of construction projects, and protect the safety of people's lives and property.

Article 2 Anyone who engages in new construction, expansion, reconstruction and other related activities of construction projects within the territory of the People's Republic of China and implements the supervision and management of the quality of construction projects must comply with these Regulations. "Construction projects" as used in these Regulations refers to civil engineering, construction projects, line pipes and equipment installation works and decoration works.

Article 3 Construction units, survey units, design units, construction units and project supervision units shall be responsible for the quality of construction projects in accordance with law.

Article 4 The competent administrative departments for construction of people's governments at or above the county level and other relevant departments shall strengthen the supervision and management of the quality of construction projects.

Article 5 In engaging in construction project activities, it is necessary to strictly implement the basic construction procedures and adhere to the principle of first surveying, then designing, and then construction. People's governments at the county level or above and their relevant departments must not exceed their authority in examining and approving construction projects or simplifying capital construction procedures without authorization.

Article 6 The State encourages the adoption of advanced scientific and technological and management methods to improve the quality of construction projects. Chapter II Quality Responsibilities and Obligations of Construction Units.

Article 7 Construction units shall contract projects to units with corresponding qualification levels. The construction unit shall not dismember the construction project and issue the contract.

Article 8 The construction unit shall, in accordance with law, bid for the survey, design, construction and supervision of the project construction project and the procurement of important equipment and materials related to the construction of the project.

Article 9 The construction unit shall provide the original materials related to the construction project to the relevant survey, design, construction, project supervision and other units. The source material must be true, accurate and complete.

Article 10 The contracting unit for construction projects shall not force the contracting party to bid at a price lower than the cost, and shall not arbitrarily compress a reasonable construction period. The construction unit shall not explicitly or implicitly indicate or imply that the design unit or construction unit has violated the mandatory standards for engineering construction and reduced the quality of the construction project.

Article 11 The construction unit shall report the construction drawing design documents to the competent administrative department for construction of the people's government at the county level or above or other relevant departments for examination. The specific measures for the review of construction drawing design documents shall be formulated by the competent administrative department for construction under the State Council in conjunction with other relevant departments of the State Council. Construction drawing design documents shall not be used without examination and approval.

Article 12 For construction projects under supervision, the construction unit shall entrust a project supervision unit with the corresponding qualification level to supervise, and may also entrust the design unit of the project with the corresponding qualification level of project supervision and the construction contracting unit of the project under supervision that has no affiliation or other interests in the project under supervision. The following construction projects must be supervised: (1) key national construction projects; (2) large and medium-sized public utility projects; (3) residential community projects developed and constructed in pieces; (4) projects using loans and assistance funds from foreign governments or international organizations; (5) other projects that the state stipulates must be supervised.

Article 13 Before receiving the construction permit or the commencement report, the construction unit shall go through the formalities for project quality supervision in accordance with the relevant provisions of the State.

Article 14 Where the construction unit purchases building materials, building components and equipment in accordance with the contract, the construction unit shall ensure that the building materials, building components and equipment comply with the design documents and contract requirements.

The construction unit shall not expressly or implicitly indicate that the construction unit uses unqualified building materials, building structure accessories and equipment.

Article 15 For decoration projects involving changes in the main body of the building and the load-bearing structure, the construction unit shall entrust the original design unit or the design unit with the corresponding qualification level to propose a design plan before construction; if there is no design plan, it shall not be constructed. During the renovation process, the user of the house building shall not change the main body and load-bearing structure of the house without authorization.

Article 16 After the construction unit receives the completion report of the construction project, it shall organize the design, construction, project supervision and other relevant units to carry out the completion acceptance. The completion and acceptance of the construction project shall meet the following conditions: (1) complete the construction project design and the various contents agreed in the contract; (2) have complete technical files and construction management materials; (3) have the main building materials, building structure accessories and equipment used in the project; (4) have the quality documents signed by the survey, design, construction, project supervision and other units; (5) have the project warranty signed by the construction unit. Only when the construction project experience is qualified can it be delivered for use.

Article 17 The construction unit shall, in strict accordance with the relevant provisions of the State on the management of archives, promptly collect and sort out the documents and materials of each link of the construction project, establish and improve the construction project archives, and after the completion and acceptance of the construction project, promptly transfer the construction project files to the competent administrative department for construction or other relevant departments. Chapter III Quality Responsibilities and Obligations of Survey and Design Units

Article 18 Units engaged in the survey and design of construction projects shall obtain qualification certificates of the corresponding level in accordance with law and undertake projects within the scope permitted by their qualification levels. It is forbidden for surveying or designing units to exceed the scope permitted by their qualification levels or to contract projects in the name of other surveying and designing units. It is forbidden for surveying and designing units to allow other units or individuals to contract projects in the name of their own units. Survey and design units shall not subcontract or illegally subcontract the projects undertaken.

Article 19 Survey and design units shall conduct survey and design in accordance with the mandatory standards for project construction and shall be responsible for the quality of their survey and design. Registered practitioners such as registered architects and registered structural engineers shall sign the design documents and be responsible for the design documents.

Article 20 The geological, surveying, hydrological and other survey results provided by the survey units must be true and accurate.

Article 21 The design unit shall carry out the design of the construction project on the basis of the survey results documents. The design documents shall meet the design depth requirements stipulated by the state and indicate the reasonable use period of the project.

Article 22 The building materials, building components and equipment selected by the design unit in the design documents shall indicate the specifications, models, performance and other technical indicators, and their quality requirements must comply with the standards stipulated by the State. Except for building materials, special equipment, process production lines, etc. with special requirements, the design unit shall not designate production plants and suppliers.

Article 23 The design unit shall give a detailed explanation to the construction unit on the design documents of the construction drawings that have passed the examination.

Article 24 The design unit shall participate in the analysis of the quality accident of the construction project and propose the corresponding technical treatment plan for the quality accident caused by the design. Chapter IV Quality Responsibilities and Obligations of Construction Units

Article 25 Construction units shall obtain qualification certificates of the corresponding level in accordance with the law and undertake projects within the scope permitted by their qualification levels. It is forbidden for the construction unit to exceed the business scope permitted by the qualification level of the unit or to contract the project in the name of other construction units. It is forbidden for construction units to allow other units or individuals to contract projects in the name of their own units. Construction units shall not subcontract or illegally subcontract projects.

Article 26 The construction unit shall be responsible for the construction quality of the construction project. The construction unit shall establish a quality responsibility system and determine the project manager, technical person in charge and construction management person in charge of the project. Where a general contracting project is carried out, the general contracting unit shall be responsible for the quality of all construction projects;

Where one or more items of survey, design, construction or equipment procurement are subject to general contracting, the general contracting unit shall be responsible for the quality of the construction projects contracted or the equipment purchased.

Article 27 Where the general contracting unit subcontracts the construction project to another unit in accordance with the law, the subcontracting unit shall be responsible to the general contracting unit for the quality of the subcontracted project in accordance with the provisions of the subcontract, and the general contracting unit and the subcontracting unit shall bear joint and several liability for the quality of the subcontracted project.

Article 28 The construction unit shall carry out construction in accordance with the engineering design drawings and construction technical standards, shall not modify the engineering design without authorization, and shall not cut corners. If the construction unit finds errors in the design documents and drawings during the construction process, it shall promptly submit opinions and suggestions.

Article 29 The construction unit shall, in accordance with the engineering design requirements, construction technical standards and contractual agreements, inspect the building materials, building components, equipment and commodity concrete, and the inspection shall have a written record and a special signature; if it is not inspected or the inspection is unqualified, it shall not be used.

Article 30 The construction unit must establish and improve the inspection system for construction quality, strictly manage the process, and make quality inspections and records of hidden projects. Before the concealment of the project, the construction unit shall notify the construction unit and the construction project quality supervision agency.

Article 31 The construction personnel shall take samples on the spot under the supervision of the construction unit or the project supervision unit under the supervision of the test blocks, specimens and related materials involved in structural safety, and send them to the quality inspection unit with the corresponding qualification level for testing.

Article 32 The construction unit shall be responsible for the repair of construction projects with quality problems in construction or construction projects that fail to pass the completion acceptance inspection.

Article 33 Construction units shall establish and improve education and training systems to strengthen education and training for employees; personnel who have not been educated or trained or who have failed to pass the assessment shall not be allowed to work on the job. Chapter V Quality Responsibilities and Obligations of Project Supervision Units

Article 34 Project supervision units shall obtain qualification certificates of the corresponding level in accordance with law and undertake project supervision business within the scope permitted by their qualification levels. It is forbidden for project supervision units to exceed the scope permitted by their own qualification level or to undertake project supervision business in the name of other project supervision units. It is forbidden for project supervision units to allow other units or individuals to undertake project supervision business in the name of their own units. The project supervision unit shall not transfer the project supervision business.

Article 35 Where a project supervision unit and the construction contracting unit of the project under supervision, as well as the unit supplying building materials, building structure accessories and equipment, shall not have an affiliation or other interests, it shall not undertake the supervision business of the construction project.

Article 36 The project supervision unit shall, in accordance with laws and regulations, relevant technical standards, design documents and construction project contracting contracts, supervise the construction quality on behalf of the construction unit and assume the responsibility for supervision over the construction quality.

Article 37 The project supervision unit shall select the chief supervision engineer and the supervision engineer with corresponding qualifications to enter the construction site. Without the signature of the supervising engineer, building materials, building components and equipment shall not be used or installed in the project, and the construction unit shall not carry out the construction of the next process. Without the signature of the supervising engineer, the construction unit does not allocate the project payment and does not carry out the completion acceptance.

Article 38 The supervising engineer shall, in accordance with the requirements of the project supervision specifications, supervise the construction project in the form of side stations, inspections and parallel inspections. Chapter VI Quality Warranty for Construction Projects

Article 39 A quality warranty system shall be implemented for construction projects. When submitting the project completion acceptance report to the construction unit, the construction project contracting unit shall issue a quality warranty letter to the construction unit. The warranty of the construction project shall be clearly defined in the warranty scope, warranty period and warranty responsibility.

Article 40 Under normal conditions of use, the minimum warranty period for construction projects is: (1) infrastructure engineering, foundation engineering and main structure engineering of housing construction, which are the reasonable use period of the project specified in the design documents; (2) anti-leakage of roof waterproofing projects, bathrooms, rooms and external walls with waterproof requirements, for 5 years; (3) heating and cooling systems, which are 2 heating periods and cooling periods; (4) electrical pipelines, water supply and drainage pipelines, equipment installation and decoration works, for 2 years. The warranty period for other projects shall be agreed upon between the contracting party and the contracting party. The warranty period of the construction project shall be calculated from the date of completion and acceptance.

Article 41 If a quality problem occurs within the scope of the warranty and the warranty period of the construction project, the construction unit shall perform the warranty obligation and bear the liability for compensation for the losses caused.

Article 42 Where a construction project needs to continue to be used after exceeding the reasonable period of use, the property owner shall entrust a survey and design unit with the corresponding qualification level to conduct an appraisal, and on the basis of the appraisal results, take measures such as reinforcement and maintenance to redefine the period of use. Chapter VII Supervision and Management.

Article 43 The State implements a system of quality supervision and management of construction projects. The competent administrative department for construction under the State Council shall exercise unified supervision and management over the quality of construction projects throughout the country. The relevant departments of railways, transportation, water conservancy and other relevant departments under the State Council shall, in accordance with the division of duties stipulated by the State Council, be responsible for the supervision and management of the quality of relevant professional construction projects throughout the country. The competent administrative departments for construction of local people's governments at or above the county level shall supervise and manage the quality of construction projects within their respective administrative areas. The relevant departments of transportation, water conservancy and other relevant departments of local people's governments at or above the county level shall, within the scope of their respective duties, be responsible for the supervision and management of the quality of professional construction projects within their respective administrative areas.

Article 44 The competent administrative department for construction under the State Council and the relevant departments of railways, transportation, water conservancy and other relevant departments under the State Council shall strengthen supervision and inspection of the implementation of laws, regulations and mandatory standards on the quality of construction projects.

Article 45 The development planning department under the State Council shall, in accordance with the duties prescribed by the State Council, organize special inspectors to supervise and inspect major state-funded construction projects. The competent department of economy and trade under the State Council shall, in accordance with the duties prescribed by the State Council, supervise and inspect major national technological transformation projects.

Article 46 The quality supervision and management of construction projects may be specifically implemented by the construction project quality supervision institution entrusted by the competent administrative department for construction or other relevant departments. Institutions engaged in quality supervision of housing construction projects and municipal infrastructure projects must be assessed by the competent administrative department for construction under the State Council or the competent administrative department for construction of the people's government of provinces, autonomous regions, and municipalities directly under the Central Government in accordance with the relevant provisions of the State; institutions engaged in quality supervision of professional construction projects must be assessed by the relevant departments of the State Council or the relevant departments of the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government in accordance with the relevant provisions of the State. After passing the assessment, quality supervision can be implemented.

Article 47 The competent administrative departments for construction of local people's governments at or above the county level and other relevant departments shall strengthen supervision and inspection of the implementation of laws, regulations and mandatory standards related to the quality of construction projects.

Article 48 When performing their supervision and inspection duties, the competent administrative departments for construction of the people's governments at or above the county level and other relevant departments shall have the right to take the following measures: (1) require the unit being inspected to provide documents and materials on the quality of the project; (2) enter the construction site of the unit under inspection for inspection; (3) Order corrections when problems affecting the quality of the project are discovered.

Article 49 The construction unit shall, within 15 days from the date of completion and acceptance of the construction project, report the completion acceptance report of the construction project and the approval documents or approval documents issued by the planning, public security, fire protection, environmental protection and other departments to the competent administrative department for construction or other relevant departments for the record. If the competent administrative department of construction or other relevant departments discovers that the construction unit has violated the state's regulations on the quality management of construction projects in the process of completion and acceptance, it shall be ordered to stop using it and reorganize the completion and acceptance inspection.

Article 50 Relevant units and individuals shall support and cooperate with the supervision and inspection conducted by the competent administrative departments for construction of people's governments at the county level or above and other relevant departments, and shall not refuse or obstruct the quality supervision and inspection personnel of construction projects from performing their duties in accordance with law.

Article 51 Departments or units such as for water supply, power supply, gas supply, and public security and fire fighting shall not expressly or implicitly indicate or imply that construction units or construction units purchase building materials, building structure accessories and equipment from production and supply units designated by them.

Article 52 In the event of a quality accident in a construction project, the relevant unit shall report to the local competent administrative department for construction and other relevant departments within 24 hours. For major quality accidents, the competent administrative department for construction and other relevant departments at the place where the accident occurred shall report to the local people's government, the competent administrative department for construction at a higher level and other relevant departments in accordance with the type and level of the accident. The investigation procedures for particularly major quality accidents shall be handled in accordance with the relevant provisions of the State Council.

Article 53 Any unit or individual has the right to report, accuse or complain about quality accidents and quality defects in construction projects. Chapter VIII Penalties

Article 54 Where, in violation of the provisions of these Regulations, a construction unit contracts a construction project to a survey, design, or construction unit that does not have the corresponding qualification level, or entrusts it to a project supervision unit that does not have the corresponding qualification level, it shall be ordered to make corrections and shall be fined between 500,000 and 1 million yuan.

Article 55 Where, in violation of the provisions of these Regulations, the construction unit dismembers the construction project and issues the contract, it shall be ordered to make corrections and shall be punished with the contract price of 0. Fines of 5% to 1% or less; for projects that use state-owned funds in whole or in part,

And can suspend project execution or suspend the allocation of funds.

Article 56 Where a construction unit violates the provisions of these Regulations and commits any of the following acts, it shall be ordered to make corrections and shall be fined not less than 200,000 yuan but not more than 500,000 yuan: (1) forcing the contracting party to bid at a price lower than the cost; (2) arbitrarily compressing a reasonable construction period; (3) explicitly or implicitly indicating or implying that the design unit or construction unit violates the mandatory standards for project construction and reduces the quality of the project; (4) The construction drawing design documents are not examined or unqualified for examination, and the construction is carried out without authorization; (5) Where the construction project must be supervised but no project supervision is carried out; (6) the formalities for the supervision of the quality of the project are not carried out in accordance with the provisions of the State; (7) the construction unit explicitly or implicitly uses unqualified building materials, building components and equipment; (8) the completion acceptance report, relevant approval documents or permitted use documents are not submitted for the record in accordance with the provisions of the State.

Article 57 Where, in violation of the provisions of these Regulations, the construction unit fails to obtain a construction permit or the commencement report is not approved, and carries out construction without authorization, it shall be ordered to stop construction, make corrections within a time limit, and impose a fine of not less than 1% but not more than 2% of the contract price of the project.

Article 58 Where a construction unit violates the provisions of these Regulations and commits any of the following acts, it shall be ordered to make corrections and shall be fined not less than 2% but not more than 4% of the contract price of the project; if it causes losses, it shall bear the liability for compensation in accordance with law: (1) failure to organize the acceptance of completion and acceptance, and delivery for use without authorization; (2) the acceptance of unqualified construction projects shall be delivered for use without authorization; (3) the unqualified construction project shall be inspected and accepted according to qualified projects.

Article 59 Where, in violation of the provisions of these Regulations, after the completion and acceptance of a construction project, the construction unit fails to hand over the construction project file to the competent administrative department for construction or other relevant departments, it shall be ordered to make corrections and shall be fined not less than 10,000 yuan but not more than 100,000 yuan.

Article 60 In violation of the provisions of these Regulations, the survey, design, construction and project supervision units shall exceed the funds of their own units

Where a project is contracted with a quality level, it shall be ordered to stop the illegal conduct and shall be fined not less than 1 times but not more than 2 times the survey fee, design fee or supervision remuneration agreed upon in the contract by the survey or design unit or the project supervision unit; a fine of between 2% and 4% of the contract price of the project contracted by the construction unit may be ordered to stop business for rectification and lower the qualification level; if the circumstances are serious, the qualification certificate shall be revoked; and if there are illegal gains, it shall be confiscated. Where a project contracted without a qualification certificate has not been obtained, it shall be banned and fined in accordance with the provisions of the preceding paragraph; where there are illegal gains, it shall be confiscated. Whoever fraudulently obtains a qualification certificate to contract a project shall have the qualification certificate revoked and shall be fined in accordance with the provisions of the first paragraph of this Article;

Article 61 Where, in violation of the provisions of these Regulations, a survey, design, construction or project supervision unit allows other units or individuals to contract a project in the name of that unit, it shall be ordered to make corrections, confiscate the illegal gains, and impose a fine of not less than 1 times but not more than 2 times the survey fee, design fee and supervision remuneration agreed upon in the contract between the survey and design unit and the project supervision unit; a fine of not less than 2% but not more than 4% of the project contract price of the construction unit; it may be ordered to stop business for rectification and lower the qualification level; if the circumstances are serious, the qualification certificate shall be revoked.

Article 62 Where, in violation of the provisions of these Regulations, the contracting unit subcontracts or illegally subcontracts the contracted project, it shall be ordered to make corrections, confiscate the illegal gains, and impose a fine of not less than 25% but not more than 50% of the survey fees and design fees agreed upon in the contract; Fines of 5% to 1% may be ordered to stop business for rectification and lower the qualification level; if the circumstances are serious, the qualification certificate may be revoked. Where a project supervision unit transfers the project supervision business, it shall order corrections, confiscate the illegal gains, and impose a fine of not less than 25% but not more than 50% of the supervision remuneration agreed in the contract; it may order the suspension of business for rectification and lower the qualification level; if the circumstances are serious, the qualification certificate shall be revoked.

Article 63 Whoever violates the provisions of these Regulations and commits any of the following acts shall be ordered to make corrections and shall be fined not less than 100,000 yuan but not more than 300,000 yuan: (1) The survey unit fails to conduct the survey in accordance with the mandatory standards for engineering construction; (2) the design unit fails to carry out engineering design according to the survey results documents; (3) the design unit designates a production plant or supplier of building materials and building structure accessories; (4) the design unit fails to design in accordance with the mandatory standards for project construction. Where there are acts listed in the preceding paragraph that cause major project quality accidents, they shall be ordered to stop business for rectification and lower their qualification levels; if the circumstances are serious, the qualification certificates shall be revoked; and those who cause losses shall bear the liability for compensation in accordance with law.

Article 64 Where a construction unit, in violation of the provisions of these regulations, steals work and materials, uses unqualified materials, building components, fittings and equipment, or commits other acts of construction not in accordance with the engineering design drawings or construction technical standards, it shall be ordered to make corrections and be fined not less than 2% but not more than 4% of the project contract price; If the quality of the construction project does not meet the specified quality standards, it shall be responsible for rework and repair, and compensate for the losses caused thereby; If the circumstances are serious, it shall be ordered to suspend business for rectification, reduce its qualification level or revoke its qualification certificate.

Article 65 if a construction unit, in violation of the provisions of these regulations, fails to inspect building materials, building components and fittings, equipment and commercial concrete, or fails to sample and test test test blocks, test pieces and relevant materials related to structural safety, it shall be ordered to make corrections and fined not less than 100000 yuan but not more than 200000 yuan; If the circumstances are serious, it shall be ordered to suspend business for rectification, reduce the qualification level or revoke the qualification certificate; If losses are caused, it shall be liable for compensation according to law.

Article 66 If the construction unit fails to perform the warranty obligations or delays the performance of the warranty obligations in violation of the provisions of these regulations, it shall be ordered to make corrections, fined not less than 100000 yuan but not more than 200000 yuan, and shall be liable for compensation for the losses caused by quality defects during the warranty period.

Article 67 If a project supervision unit commits any of the following acts, it shall be ordered to make corrections, fined not less than 500000 yuan but not more than 1 million yuan, reduced its qualification level or revoked its qualification certificate; If there are illegal gains, they shall be confiscated; If losses are caused, it shall bear joint and several liability for compensation: (1) colluding with the construction unit or construction unit to practice fraud and reduce the quality of the project; （2） Unqualified construction projects, building materials, building components, fittings and equipment shall be signed as qualified.

Article 68 If a project supervision unit, in violation of the provisions of these regulations, has a subordinate relationship or other interest with the construction contractor of the project under supervision and the supplier of building materials, building components and equipment, and undertakes the supervision business of the construction project, it shall be ordered to make corrections, fined not less than 50000 yuan but not more than 100000 yuan, reduced its qualification level or revoked its qualification certificate; Any illegal gains shall be confiscated.

Article 69 Whoever, in violation of the provisions of these regulations, constructs a decoration project involving changes in the main body or load-bearing structure of the building without a design scheme shall be ordered to make corrections and fined not less than 500000 yuan but not more than 1 million yuan; If a building user changes the main body and load-bearing structure of the building without authorization in the process of decoration, he shall be ordered to make corrections and be fined not less than 50000 yuan but not more than 100000 yuan. Whoever commits any of the acts listed in the preceding paragraph and causes losses shall be liable for compensation according to law.

Article 70 Where a major project quality accident occurs, concealment, misrepresentation or delay in the reporting period, the person in charge and other persons directly responsible shall be given administrative sanctions according to law.

Article 71 If, in violation of the provisions of these regulations, the departments or units of water supply, power supply, gas supply, public security and fire control express or imply that the construction unit or the construction unit purchases the building materials, building components, fittings and equipment of the production and supply unit designated by it, they shall be ordered to make corrections.

Article 72 those who violate the provisions of these regulations and cause quality accidents due to the fault of registered practitioners such as registered architects, registered structural engineers and supervision engineers shall be ordered to stop practicing for one year; If a major quality accident is caused, the practice qualification certificate shall be revoked and the registration shall not be granted within 5 years; If the circumstances are particularly bad, they will not be registered for life.

Article 73 Where a unit is fined in accordance with the provisions of these regulations, the persons directly in charge and other persons directly responsible of the unit shall be fined not less than 5% but not more than 10% of the amount of the unit's fine.

Article 74 Where a construction unit, design unit, construction unit or project supervision unit violates the provisions of the state, lowers the quality standards of the project, causes a major safety accident and constitutes a crime, the person directly responsible shall be investigated for criminal responsibility according to law.

Article 75 the administrative penalties for ordering the suspension of business for rectification, lowering the level of qualification and revoking the qualification certificate stipulated in these Regulations shall be decided by the organ issuing the qualification certificate; Other administrative penalties shall be decided by the competent construction administrative department or other relevant departments in accordance with their statutory functions and powers. If the qualification certificate is revoked in accordance with the provisions of these regulations, the administrative department for Industry and Commerce shall revoke its business license.

Article 76 any functionary of a state organ who neglects his duty, abuses his power or engages in malpractices for personal gain in the supervision and administration of construction project quality, which constitutes a crime, shall be investigated for criminal responsibility according to law; If it does not constitute a crime, it shall be given administrative sanctions according to law.

Article 77 If a staff member of a construction, survey, design, construction or project supervision unit leaves the unit due to job transfer, retirement or other reasons and is found to have violated the relevant state regulations on construction project quality management during his work in the unit, resulting in a major project quality accident, he shall still be investigated for legal responsibility according to law. Chapter IX Supplementary Provisions

Article 78 for the purposes of these regulations, dismemberment of contract awarding refers to the act of the construction unit dividing the construction project that should be completed by one contractor into several parts and awarding them to different contractors. The illegal subcontracting mentioned in these Regulations refers to the following acts: (1) the general contractor subcontracts the construction project to a unit that does not have the corresponding qualifications; （2） Without agreement in the general contract of construction project and approval by the construction unit, the contractor entrusts part of the construction project contracted to other units for completion; （3） The general contractor subcontracts the construction of the main structure of the construction project to other units; （4） A subcontractor subcontracts its contracted construction project again.

The term "subcontracting" as mentioned in these Regulations refers to the act of a contracting unit contracting a construction project, failing to perform the responsibilities and obligations agreed in the contract, transferring all the construction projects it contracted to others, or dismembering all the construction projects it contracted to other units in the name of subcontracting.

Article 79 all fines and confiscated illegal gains stipulated in these regulations must be turned over to the state treasury.

Article 80 these Regulations shall not apply to the construction of emergency rescue and disaster relief and other temporary houses and low-rise houses built by farmers themselves.

Article 81 The Administration of military construction projects shall be carried out in accordance with the relevant provisions of the Central Military Commission.

Article 82 these Regulations shall enter into force as of January 30, 2000.

Attached Relevant Provisions of the Criminal Law

Article 137 where a construction unit, design unit, construction unit or project supervision unit violates the provisions of the state, lowers the quality standards of the project and causes a major safety accident, the person directly responsible shall be sentenced to fixed-term imprisonment of not more than five years or criminal detention and be fined; If the consequences are especially serious, he shall be sentenced to fixed-term imprisonment of not less than five years but not more than 10 years and shall also be fined.