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| **Administrative Licensing Law of the People's Republic of China** |

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|  | Chapter I General Provisions    Article 1: This Law is formulated on the basis of the Constitution so as to standardize the establishment and implementation of administrative licenses, protect the lawful rights and interests of citizens, legal persons, and other organizations, preserve the public interest and social order, and ensure and supervise the effective implementation of administrative management by administrative organs.  Article 2: "Administrative licensing" as used in this Law refers to the conduct of administrative organs granting citizens, legal persons, or other organizations permission to engage in specific activities upon review in accordance with law on the basis of their applications.  Article 3: This Law applies to the establishment and implementation of administrative licenses.  This Law shall not apply to the examination and approval of personnel, finance, foreign affairs and other matters by relevant administrative organs or of public institutions under their direct management.  Article 4: The establishment and implementation of administrative licenses shall be in accordance with the scope, scope, conditions, and procedures prescribed by law.  Article 5: The establishment and implementation of administrative licenses shall follow the principles of openness, fairness, and justice.  Provisions on administrative licensing shall be published; unpublished, they must not be used as the basis for implementing administrative licensing. The implementation and results of administrative licenses shall be disclosed, except where state secrets, commercial secrets, or personal privacy are involved.  Where legally prescribed requirements and standards are met, the applicant has the equal right to obtain an administrative license in accordance with law, and the administrative organ must not discriminate.  Article 6: The implementation of administrative licensing shall follow the principle of convenience for the people, increase work efficiency, and provide high-quality services.  Article 7: Citizens, legal persons, or other organizations carrying out administrative permits against administrative organs enjoy the right to make representations and defenses; they have the right to apply for administrative reconsideration or raise administrative lawsuits in accordance with law; and where their lawful rights and interests are harmed by administrative organs' unlawful implementation of administrative licenses, they have the right to demand compensation in accordance with law.  Article 8: Administrative licenses lawfully obtained by citizens, legal persons, or other organizations are protected by law, and administrative organs must not change administrative licenses that have already taken effect without authorization.  Where the laws, regulations, or rules on which the administrative license is based are revised or repealed, or where there is a major change in the objective circumstances on which the administrative license is granted, the administrative organ may lawfully modify or withdraw the administrative license that has already taken effect for the purposes of the public interest. Where property losses are caused to citizens, legal persons or other organizations as a result, the administrative organs shall give compensation in accordance with law.  Article 9: Administrative licenses obtained in accordance with law shall not be transferred, except where laws or regulations provide that they may be transferred in accordance with legally prescribed conditions and procedures.  Article 10: People's governments at the county level or above shall establish and complete systems for supervising the implementation of administrative licenses by administrative organs, and strengthen supervision and inspection of administrative organs' implementation of administrative licenses.  Administrative organs shall effectively supervise the activities of citizens, legal persons, or other organizations engaged in administrative licensing matters.  Chapter II: Setting Up Administrative Licenses    Article 11: The establishment of administrative permits shall follow the laws of economic and social development, and are conducive to giving play to the enthusiasm and initiative of citizens, legal persons, or other organizations, preserving the public interest and social order, and promoting the coordinated development of the economy, society, and the ecological environment.  Article 12: Administrative licenses may be set up for the following matters:  (1) Matters directly involving national security, public safety, economic macro-control, ecological environmental protection, and specific activities directly related to personal health, life and property safety, and other such matters that require approval in accordance with legally prescribed conditions;  (2) Matters that require specific rights to be conferred on limited natural resources development and utilization, allocation of public resources, and market access in specific industries directly related to the public interest;  (3) Occupations or industries that provide public services and are directly related to the public interest need to determine matters that have special reputations, special conditions, or special skills, and other qualifications or qualifications;  (4) Matters that need to be examined and approved through inspection, testing, quarantine, or other means such as important equipment, facilities, products, and articles directly related to public safety, personal health, and the safety of life and property;  (5) Matters that require the determination of the qualifications of the subject for the establishment of enterprises or other organizations;  (6) Other matters for which laws or administrative regulations provide that administrative licenses may be established.  Article 13: Where the matters listed in article 12 of this Law can be regulated through the following means, there may be no administrative license:  (1) Citizens, legal persons, or other organizations are able to make decisions on their own;  (2) where the market competition mechanism can be effectively regulated;  (3) Industry organizations or intermediary organizations are able to self-discipline management;  (4) Where administrative organs employ other administrative management methods such as ex post facto supervision to resolve the issue.  Article 14: For matters listed in Article 12 of this Law, the law may establish administrative licenses. Where laws have not yet been formulated, administrative regulations may set administrative licenses.  When necessary, the State Council may set up administrative licenses by issuing decisions. After implementation, except for temporary administrative licensing matters, the State Council shall promptly request the National People's Congress and its Standing Committee to formulate laws, or formulate administrative regulations on their own.  Article 15: Where laws or administrative regulations have not yet been formulated for the matters listed in article 12 of this Law, local regulations may establish administrative licenses; where laws, administrative regulations, or local regulations have not yet been formulated, where it is truly necessary to immediately implement administrative licenses due to the needs of administrative management, the rules of the people's governments of provinces, autonomous regions, or municipalities directly under the Central Government may set up temporary administrative licenses. Where it is necessary to continue to implement a temporary administrative license for one year, it shall be requested that the people's congress at the same level and its standing committee formulate local regulations.  Local regulations and rules of the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government must not set administrative licenses for the qualifications or qualifications of citizens, legal persons, or other organizations that should be uniformly determined by the State; they must not set up registrations for the establishment of enterprises or other organizations and their pre-emptive administrative licenses. The administrative licenses set by them shall not restrict individuals or enterprises from other regions from engaging in production and operation and providing services in their respective regions, and shall not restrict commodities from other regions from entering the local market.  Article 16: Administrative regulations may make specific provisions on the implementation of administrative licenses within the scope of administrative licensing matters set by law.  Local regulations may make specific provisions on the implementation of administrative licenses within the scope of administrative licensing matters set forth by laws or administrative regulations.  Regulations may make specific provisions on the implementation of administrative licensing within the scope of administrative licensing matters set forth in the higher-level law.  Specific provisions made by laws and regulations on the implementation of administrative licenses set forth by higher-level laws must not add administrative licenses; specific provisions on administrative licensing conditions must not add other conditions that violate higher-level laws.  Article 17: Except as provided for in Articles 14 and 15 of this Law, administrative licenses must not be established in other normative documents.  Article 18: The establishment of administrative licenses shall stipulate the organs, conditions, procedures, and time limits for implementing administrative licenses.  Article 19: Where draft laws, draft regulations, and draft rules of the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government are drafted, and administrative licenses are to be established, the drafting unit shall employ forms such as hearings and discussion meetings to hear opinions, and explain to the formulating organ the necessity of setting up such administrative licenses, the possible impact on the economy and society, and the circumstances of hearing and adopting opinions.  Article 20: The organ that sets up administrative licenses shall periodically evaluate the administrative licenses it has set; where it is found that the administrative licenses that have already been set up can be resolved through the methods listed in article 13 of this Law, they shall promptly revise or repeal the provisions on the establishment of such administrative licenses.  The implementing organ of the administrative license may evaluate the implementation of the administrative license that has been set and the necessity of its existence in a timely manner, and report the opinions to the organ that set the administrative license.  Citizens, legal persons, or other organizations may submit opinions and suggestions on the establishment and implementation of administrative licenses to the organs that set up administrative licenses and the organs implementing administrative licenses.  Article 21: Where the people's governments of provinces, autonomous regions, or municipalities directly under the Central Government find that administrative licenses for economic affairs set forth in administrative regulations on economic affairs can be resolved through the methods listed in article 13 of this Law on the basis of the economic and social development of that administrative region, they may, after reporting to the State Council for approval, stop the implementation of the administrative license within that administrative region.  Chapter III: Organs Implementing Administrative Licensing    Article 22: Administrative licensing is to be carried out by administrative organs with administrative licensing powers within the scope of their legally prescribed authority.  Article 23: Organizations authorized by laws or regulations to have the function of managing public affairs carry out administrative licensing in their own name within the scope of legally prescribed authorization. Authorized organizations shall apply the provisions of this Law relating to administrative organs.  Article 24: Within the scope of their legally-prescribed authority, administrative organs may, in accordance with the provisions of laws, regulations, and rules, entrust other administrative organs to carry out administrative licensing. The entrusting organ shall make a public announcement of the content of the entrusted administrative organ and the entrusted administrative license.  Entrusting administrative organs shall be responsible for supervising the entrusted administrative organs' conduct in carrying out administrative licenses, and bear legal responsibility for the consequences of that act.  Within the scope of the entrustment, the entrusted administrative organ shall carry out administrative licensing in the name of the entrusted administrative organ;  Article 25: With the approval of the State Council, the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government may, on the basis of the principles of streamlining, unification, and efficiency, decide that an administrative organ exercises the administrative licensing power of the relevant administrative organ.  Article 26: Where administrative licensing requires multiple bodies within an administrative organ to handle it, that administrative organ shall designate one body to uniformly accept applications for administrative licenses and uniformly deliver administrative licensing decisions.  Where administrative permits are to be carried out separately by two or more departments of a local people's government in accordance with law, the people's government at the same level may designate one department to accept the application for an administrative license and relay it to the relevant departments to separately submit opinions and handle it uniformly, or organize relevant departments to handle it jointly or centrally.  Article 27: Administrative organs carrying out administrative licenses must not submit improper demands to applicants such as purchasing designated goods or receiving paid services.  Administrative organ staff handling administrative permits must not solicit or accept property from applicants, and must not seek other benefits.  Article 28: Inspection, testing, and quarantine of equipment, facilities, products, and articles directly related to public safety, personal health, and the safety of life and property, except where laws or administrative regulations provide that they are to be carried out by administrative organs, shall be gradually organized and implemented by professional and technical organizations that meet legally prescribed requirements. Professional and technical organizations and their relevant personnel shall bear legal responsibility for the inspection, testing and quarantine conclusions carried out.  Chapter IV: Procedures for the Implementation of Administrative Licensing    Section 1: Application and Acceptance  Article 29: Where citizens, legal persons, or other organizations engage in specific activities and need to obtain administrative permits in accordance with law, they shall submit an application to the administrative organs. Where the application needs to be in a format text, the administrative organ shall provide the applicant with the format text of the application for administrative license. The format text of the application must not contain content that is not directly related to the matters concerning the application for administrative licensing.  The applicant may entrust an agent to submit an application for administrative license. However, this is an exception where the applicant shall submit an application for an administrative license to the administrative organ's office in accordance with law.  Applications for administrative licenses may be made by letter, telegram, telex, facsimile, electronic data interchange (EDI) and e-mail.  Article 30: Administrative organs shall publicize the matters, basis, conditions, quantity, procedures, and time limits provided for in laws, regulations, and rules related to administrative licensing, as well as the catalog of all materials that need to be submitted, and the model text of the application, in the office premises.  Where the applicant requests that the administrative organ explain or explain the content of the publicity, the administrative organ shall explain and explain, and provide accurate and reliable information.  Article 31: Applicants applying for administrative licenses shall truthfully submit relevant materials to the administrative organs and reflect the true situation, and be responsible for the authenticity of the substantive content of their application materials. Administrative organs must not require applicants to submit technical materials and other materials unrelated to the administrative licensing matters for which they are applying.  Article 32: Administrative organs shall separately handle applications for administrative licenses submitted by applicants on the basis of the following circumstances:  (1) Where administrative permission is not required for the application in accordance with law, the applicant shall be immediately informed that it is not accepted;  (2) Where the matters to be applied do not fall within the scope of that administrative organ's authority in accordance with law, a decision of inadmissibility shall be made immediately, and the applicant shall be informed to apply to the relevant administrative organ;  (3) Where there are errors in the application materials that can be corrected on the spot, the applicant shall be allowed to correct them on the spot;  (4) Where the application materials are incomplete or do not conform to the legally prescribed form, the applicant shall be informed on the spot or once within five days of all the contents that need to be corrected, and if the application materials are not notified within the time limit, it shall be accepted as of the date of receipt of the application materials;  (5) Where the application matters fall within the scope of that administrative organ's authority, and the application materials are complete and conform to the legally prescribed form, or the applicant submits all the supplementary application materials in accordance with the requirements of that administrative organ, the application for administrative license shall be accepted.  Administrative organs accepting or not accepting applications for administrative permits shall issue written certificates stamped with the special seal of that administrative organ and with a date indicated.  Article 33: Administrative organs shall establish and improve relevant systems, promote e-government, publish administrative licensing matters on the administrative organs' websites, and facilitate applicants to submit applications for administrative licenses by means such as data messages; they shall share relevant administrative licensing information with other administrative organs, increasing the efficiency of handling affairs.  Section 2: Review and Decision  Article 34: Administrative organs shall conduct a review of the application materials submitted by the applicant.  Where the application materials submitted by the applicant are complete and conform to the legally prescribed form, and the administrative organ is able to make a decision on the spot, it shall make a written administrative licensing decision on the spot.  Where it is necessary to verify the substance of the application materials in accordance with legally prescribed conditions and procedures, the administrative organ shall appoint two or more staff members to conduct the verification.  Article 35: Administrative permits that shall be reviewed by the lower-level administrative organ and then reported to the higher-level administrative organ for decision in accordance with law, the lower-level administrative organ shall directly submit the preliminary review opinions and all application materials to the higher-level administrative organ within the legally prescribed time limit. Higher-level administrative organs must not require applicants to provide application materials repeatedly.  Article 36: Where administrative organs conducting a review of an application for administrative licensing, they discover that the administrative licensing matters directly concern the major interests of others, they shall inform the interested party. Applicants and interested parties have the right to make statements and defenses. Administrative organs shall hear the opinions of applicants and interested parties.  Article 37: After administrative organs review an application for administrative licensing, except where an administrative licensing decision is made on the spot, they shall make an administrative licensing decision in accordance with the prescribed procedures within the legally prescribed time limit.  Article 38: Where the applicant's application meets the legally-prescribed requirements and standards, the administrative organ shall make a written decision to grant an administrative license in accordance with law.  Where administrative organs make a written decision not to grant administrative permits in accordance with law, they shall explain the reasons and inform the applicant that he or she has the right to apply for administrative reconsideration or raise an administrative lawsuit in accordance with law.  Article 39: Where an administrative organ makes a decision to grant an administrative license and needs to issue an administrative license, it shall issue the applicant with the following administrative license stamped with the seal of that administrative organ:  (1) Permits, licenses or other permit certificates;  (2) Qualification certificates, qualification certificates or other certificates of conformity;  (3) Approval documents or supporting documents of administrative organs;  (4) Other administrative licenses provided for by laws and regulations.  Where administrative organs carry out inspections, testing, or quarantine, they may affix labels or affix inspection, testing, or quarantine seals to equipment, facilities, products, or articles that have passed inspection, testing, or quarantine.  Article 40: Decisions made by administrative organs to grant administrative licenses shall be made public, and the public has the right to consult them.  Article 41: Where there is no geographical restriction on the scope of application of an administrative license set forth by laws or administrative regulations, the administrative license obtained by the applicant is valid nationwide.  Section 3 Time Limit  Article 42: Except where an administrative licensing decision may be made on the spot, the administrative organ shall make an administrative licensing decision within 20 days of accepting the application for administrative licensing. Where a decision cannot be made within 20 days, it may be extended by 10 days upon approval by the responsible person for that administrative organ, and the applicant shall be informed of the reasons for the extension of the time limit. However, where laws or regulations provide otherwise, follow those provisions.  In accordance with the provisions of article 26 of this Law, where administrative licenses are handled uniformly, jointly, or centrally, the time for handling must not exceed 45 days; where it cannot be completed within 45 days, it may be extended by 15 days upon approval by the responsible person of the people's government at that level, and the applicant shall be informed of the reasons for the extension of the time limit.  Article 43: Where administrative licenses shall be reviewed by the lower-level administrative organs and then reported to the higher-level administrative organs for decision in accordance with law, the lower-level administrative organs shall complete the review within 20 days of their acceptance of the application for administrative licenses. However, where laws or regulations provide otherwise, follow those provisions.  Article 44: Administrative organs making decisions to grant administrative licenses shall issue or serve administrative permits to the applicant within 10 days of making the decision, or affix labels or stamps of inspection, testing, or quarantine.  Article 45: Where administrative organs make administrative licensing decisions and lawfully require hearings, bidding, auctions, inspections, testing, quarantines, appraisals, and expert reviews, the time required is not calculated within the time limit provided for in this section. The administrative organ shall inform the applicant in writing of the time required.  Section 4: Hearings  Article 46: Where laws, regulations, or rules provide that a hearing shall be heard for the implementation of an administrative license, or other major administrative licensing matters that the administrative organ finds it necessary to hear that involves the public interest, the administrative organ shall make an announcement to the public and hold a hearing.  Article 47:Where administrative licensing directly involves a major interest relationship between the applicant and others, the administrative organ shall, before making an administrative licensing decision, inform the applicant or interested party of the right to request a hearing; where the applicant or interested party submits an application for a hearing within 5 days of being informed of the right to a hearing, the administrative organ shall organize a hearing within 20 days.  Applicants and interested parties shall not bear the expenses of administrative organs organizing hearings.  Article 48: Hearings are conducted in accordance with the following procedures:  (1) Administrative organs shall notify the applicant and interested parties of the time and place at which the hearing will be held seven days before the hearing is held, and when necessary, make a public announcement;  (2) Hearings shall be held in public;  (3) Administrative organs shall designate persons other than staff members reviewing the administrative license application as the presiding officer of the hearing, and where the applicant or interested party finds that the presiding officer has a direct interest in the administrative licensing matter, they have the right to apply for recusal;  (4) When holding a hearing, the staff reviewing the administrative license application shall provide evidence and reasons for the review opinion, and the applicant or interested party may submit evidence, and conduct a defense and cross-examination;  (5) A record of the hearing shall be made, and the record of the hearing shall be submitted to the hearing participants for signature or seal after confirmation.  Administrative organs shall make an administrative licensing decision on the basis of the hearing transcript.  Section 5: Changes and Continuations  Article 49:Where a licensee requests a change in administrative licensing matters, it shall submit an application to the administrative organ that made the administrative licensing decision; where legally prescribed requirements or standards are met, the administrative organ shall handle the formalities for the change in accordance with law.  Article 50:Where the licensee needs to extend the validity period of an administrative license obtained in accordance with law, it shall submit an application to the administrative organ that made the administrative licensing decision 30 days before the expiration of the validity period of the administrative license. However, where laws, regulations or rules provide otherwise, follow those provisions.  The administrative organ shall, on the basis of the licensee's application, make a decision on whether to grant the extension before the expiration of the validity period of the administrative license; if no decision is made within the time limit, it shall be deemed to have granted the extension.  Section 6: Special Provisions  Article 51: Where there are provisions in this section on the procedures for carrying out administrative licensing, the provisions of this section apply; where there are no provisions in this section, other relevant provisions of this chapter apply.  Article 52: The State Council's procedures for implementing administrative licensing shall apply the provisions of relevant laws and administrative regulations.  Article 53:Where administrative licenses are implemented for the matters listed in item 2 of article 12 of this Law, the administrative organs shall make a decision through methods such as bidding and auctions through fair competition. However, where laws or administrative regulations provide otherwise, follow those provisions.  The specific procedures for administrative organs to make administrative licensing decisions through methods such as bidding or auctions shall follow the provisions of relevant laws and administrative regulations.  After the administrative organ determines the successful bidder or buyer in accordance with the bidding and auction procedures, it shall make a decision to grant an administrative license, and issue an administrative license to the successful bidder or buyer in accordance with law.  Where administrative organs violate the provisions of this article by not employing bidding or auction methods, or violate bidding or auction procedures, harming the lawful rights and interests of the applicant, the applicant may apply for administrative reconsideration or raise an administrative lawsuit in accordance with law.  Article 54: Where administrative licensing is given to citizens for the implementation of the matters listed in item 3 of article 12 of this Law, and state examinations shall be held in accordance with law, the administrative organ shall make an administrative licensing decision on the basis of the examination results and other legally-prescribed conditions; where a legal person or other organization is given specific qualifications or qualifications, the administrative organ shall make an administrative licensing decision on the basis of the assessment results of the applicant's professional composition, technical conditions, business performance, management level, and so forth. However, where laws or administrative regulations provide otherwise, follow those provisions.  Examinations for citizens' specific qualifications are to be organized and implemented by administrative organs or industries in accordance with law and are held in public. Administrative organs or industry organizations shall announce in advance the registration requirements, application methods, examination subjects, and examination outline for the qualification examination. However, pre-test training for mandatory qualification examinations shall not be organized, and teaching materials or other \*\*\*\* materials shall not be specified.  Article 55: Where administrative licenses are implemented for the matters listed in item 4 of article 12 of this Law, inspections, testing, and quarantine shall be conducted in accordance with technical standards and technical specifications in accordance with law, and administrative organs shall make administrative licensing decisions on the basis of the results of inspection, testing, and quarantine.  Administrative organs carrying out inspections, testing, and quarantine shall, within five days of accepting the application, assign two or more staff members to conduct inspections, tests, and quarantines in accordance with technical standards and technical specifications. Where further technical analysis of inspection, testing, or quarantine results is not required to determine whether equipment, facilities, products, or articles comply with technical standards or technical specifications, the administrative organ shall make an administrative licensing decision on the spot.  Where administrative organs make a decision not to grant an administrative license on the basis of the results of inspection, testing, or quarantine, they shall explain in writing the technical standards and technical specifications on which the administrative license is based.  Article 56: Where the application materials submitted by the applicant are complete and conform to the legally prescribed form for the implementation of administrative permits for the matters listed in item 5 of article 12 of this Law, the administrative organ shall register them on the spot. Where it is necessary to verify the substance of the application materials, the administrative organs are to handle it in accordance with the provisions of paragraph 3 of article 34 of this Law.  Article 57:Where there is a limit on the number of administrative licenses, where the applications of two or more applicants meet the legally prescribed requirements and standards, the administrative organ shall make a decision to grant an administrative license on the basis of the order in which it accepts the application for an administrative license. However, where laws or administrative regulations provide otherwise, follow those provisions.  Chapter V: Fees for Administrative Licensing    Article 58:Administrative organs carrying out administrative licensing and conducting supervision and inspections of administrative licensing matters must not collect any fees. However, where laws or administrative regulations provide otherwise, follow those provisions.  Administrative organs providing the format text of the administrative license application shall not charge fees.  The funds required by administrative organs for the implementation of administrative licenses shall be included in the budget of that administrative organ, and shall be guaranteed by the finance department at the same level, and shall be approved in accordance with the approved budget.  Article 59 Where administrative organs carry out administrative licensing and collect fees in accordance with laws or administrative regulations, they shall collect fees in accordance with the legally prescribed items and standards announced; the fees collected must be handed over to the State Treasury in full, and no organ or individual may in any form intercept, misappropriate, privately divide or covertly divide them privately. Financial departments must not return to administrative organs in any form or covertly return fees collected for the implementation of administrative licenses.  Chapter VI: Supervision and Inspection    Article 60:Higher level administrative organs shall strengthen supervision and inspection of lower level administrative organs' implementation of administrative licenses, promptly correcting illegal conduct in the implementation of administrative licenses.  Article 61: Administrative organs shall establish and complete supervision systems, and perform supervision responsibilities through verification of relevant materials reflecting the circumstances of the licensee's activities in administrative licensing matters.  When administrative organs lawfully supervise and inspect licensees' activities in administrative licensing matters, they shall record the circumstances of supervision and inspection and the results of handling, and have them signed by the supervision and inspection personnel and archived. The public has the right to consult the supervision and inspection records of administrative organs.  Administrative organs shall create conditions to interconnect computer archive systems with licensees and other relevant administrative organs, and verify licensees' engagement in administrative licensing activities.  Article 62 Administrative organs may conduct sampling inspections, inspections and testing of products produced and operated by licensees in accordance with law, and conduct on-site inspections of their production and business sites in accordance with law. During inspections, administrative organs may lawfully consult or require the licensee to submit relevant materials; the licensee shall truthfully provide relevant information and materials.  Administrative organs shall, in accordance with the provisions of laws and administrative regulations, conduct periodic inspections of important equipment and facilities directly related to public safety, personal health, and the safety of life and property. Where the inspection is qualified, the administrative organ shall issue the corresponding supporting documents.  Article 63:Administrative organs carrying out supervision and inspections must not obstruct the licensee's normal production and business activities, must not solicit or accept the licensee's property or property, and must not seek other benefits.  Article 64:Where a licensee illegally engages in administrative licensing activities outside the jurisdiction of the administrative organ that made the administrative licensing decision, the administrative organ at the place where the illegal conduct occurred shall, in accordance with law, copy the facts of the permittor's violation and the results of the handling to the administrative organ that made the administrative licensing decision.  Article 65:Individuals and organizations discovering activities that illegally engage in administrative licensing matters have the right to report to the administrative organs, and the administrative organs shall promptly verify and handle them.  Article 66 Where the licensee fails to perform its obligation to exploit and utilize natural resources in accordance with law or fails to perform its obligation to utilize public resources in accordance with law, the administrative organ shall order corrections within a time limit;  Article 67 Licensees who have obtained market access administrative licenses for specific industries that have a direct bearing on the public interest shall, in accordance with the service standards and tariff standards provided by the State and the conditions prescribed by administrative organs in accordance with law, provide safe, convenient, stable and reasonably priced services to users, and perform the obligation of universal service; without the approval of the administrative organ that made the administrative license decision, they must not suspend or close their business without authorization.  Where the licensee does not perform the obligations provided for in the preceding paragraph, the administrative organ shall order corrections within a time limit, or employ effective measures in accordance with law to urge it to perform its obligations.  Article 68: For important equipment and facilities that are directly related to public safety, personal health, and the safety of life and property, administrative organs shall supervise the design, construction, installation, and use of units to establish corresponding self-inspection systems.  When administrative organs discover that important equipment or facilities directly related to public safety, personal health, or the safety of life and property have potential safety hazards during supervision and inspection, they shall order the construction, installation, and use to be stopped, and order the units that design, construct, install, and use to make corrections immediately.  Article 69:In any of the following circumstances, the administrative organ that made the administrative licensing decision or the administrative organ at the level above it may revoke the administrative license at the request of an interested party or on the basis of authority:  (1) Where administrative organ staff abuse their powers or dereliction of duty in making a decision to grant an administrative license;  (2) Exceeding legally prescribed authority to make a decision to grant an administrative license;  (3) Violating legally prescribed procedures in making a decision to grant an administrative license;  (4) Granting administrative permits to applicants who do not have the qualifications to apply or do not meet the legally prescribed requirements;  (5) Other circumstances where administrative licenses may be revoked in accordance with law.  Where the licensee obtains an administrative license by fraud, bribery or other improper means, it shall be revoked.  Where the revocation of an administrative license in accordance with the provisions of the preceding two paragraphs might cause major harm to the public interest, it shall not be revoked.  Where an administrative license is revoked in accordance with the provisions of paragraph 1 of this article, and the lawful rights and interests of the licensee are harmed, the administrative organ shall give compensation in accordance with law. Where an administrative license is revoked in accordance with the provisions of paragraph 2 of this Article, the interests obtained by the licensee based on the administrative license shall not be protected.  Article 70:In any of the following circumstances, administrative organs shall handle formalities for cancellation of administrative licenses in accordance with law:  (1) Where the validity period of the administrative license expires and is not renewed;  (2) An administrative permit granted to a citizen with specific qualifications, and the citizen dies or becomes incapacitated;  (3) Where legal persons or other organizations are terminated in accordance with law;  (4) Where administrative licenses are revoked or withdrawn in accordance with law, or where administrative permits are revoked in accordance with law;  (5) Where administrative licensing matters cannot be implemented due to force majeure;  (6) Other circumstances provided for by laws or regulations where administrative licenses shall be revoked.  Chapter VII: Legal Liability    Article 71:Where an administrative license established under article 17 of this Law is violated, the relevant organs shall order the organ that created the administrative license to make corrections, or revoke it in accordance with law.  Article 72:Where administrative organs and their staff violate the provisions of this Law, in any of the following circumstances, the administrative organ at the level above them or the Supervision Organ is to order corrections; where the circumstances are serious, the directly responsible managers and other directly responsible personnel are to be given administrative sanctions in accordance with law:  (1) Where an application for an administrative license that meets the legally-prescribed requirements is not accepted;  (2) Not publicizing materials that shall be made public in accordance with law in the office premises;  (3) Failing to perform the legally prescribed obligation to inform the applicant or interested party in the course of accepting, reviewing, or deciding on an administrative license;  (4) The application materials submitted by the applicant are incomplete or do not conform to the legally prescribed form, and the applicant is not informed of all the contents that must be corrected at one time;  (5) Failing to explain in accordance with law the reasons for not accepting an application for administrative license or not granting an administrative license;  (6) Where a hearing should be held in accordance with law but no hearing is held.  Article 73:Where administrative organ staff handle administrative permits, carry out supervision and inspections, solicit or accept other people's property or seek other benefits, and this constitutes a crime, criminal responsibility is to be pursued in accordance with law; where a crime is not yet constituted, administrative sanctions are to be given in accordance with law.  Article 74:Where administrative organs carry out administrative permits in any of the following circumstances, the administrative organ at the level above them or the Supervision Organ is to order corrections, and give administrative sanctions to the directly responsible managers and other directly responsible personnel in accordance with law; where a crime is constituted, criminal responsibility is to be pursued in accordance with law:  (1) Granting an administrative license to an applicant who does not meet the legally-prescribed requirements or making a decision to grant an administrative license beyond the legally prescribed authority;  (2) Not granting administrative licenses to applicants who meet legally-prescribed requirements or not making a decision to grant administrative licenses within the legally prescribed time limit;  (3) Where a decision to grant an administrative license shall be made on the basis of merit in accordance with law on the basis of the results of bidding, auction, or examination, and a decision on granting an administrative license is made without bidding, auction, or examination, or without selecting the best on the basis of the results of bidding, auction, or examination results.  Article 75:Where administrative organs carry out administrative permits, collect fees without authorization, or do not collect fees in accordance with legally prescribed items and standards, the administrative organ at the level above them or the Supervision Organ is to order the refund of the fees illegally collected;  Where fees lawfully collected for the implementation of administrative permits are withheld, misappropriated, privately divided, or covertly privately divided, they are to be recovered; administrative sanctions are to be given to the directly responsible managers and other directly responsible personnel in accordance with law; where a crime is constituted, criminal responsibility is to be pursued in accordance with law.  Article 76:Where administrative organs illegally carry out administrative licenses, causing harm to the lawful rights and interests of the parties, they shall give compensation in accordance with the provisions of the State Compensation Law.  Article 77:Where administrative organs fail to perform their supervisory duties in accordance with law or supervision is ineffective, causing serious consequences, the administrative organ at the level above them or the Supervision Organ is to order corrections, and give administrative sanctions to the directly responsible managers and other directly responsible personnel in accordance with law;  Article 78:Where an applicant for an administrative license conceals relevant circumstances or provides false materials to apply for an administrative license, the administrative organ will not accept or grant the administrative license, and give a warning; where the application for an administrative license is a matter directly related to public safety, personal health, or the safety of life and property, the applicant must not apply for the administrative license again within one year.  Article 79:Where a licensee obtains an administrative license by fraud, bribery, or other improper means, the administrative organ shall give an administrative punishment in accordance with law; where the administrative license obtained is a matter directly related to public safety, personal health, or the safety of life and property, the applicant must not apply for the administrative license again within three years; where a crime is constituted, criminal responsibility is to be pursued in accordance with law.  Article 80:Where the licensee commits any of the following conduct, the administrative organ shall give an administrative punishment in accordance with law; where a crime is constituted, criminal responsibility is to be pursued in accordance with law:  (1) Altering, reselling, leasing, or lending administrative licenses, or illegally transferring administrative licenses in other forms;  (2) Carrying out activities beyond the scope of administrative licensing;  (3) Concealing relevant circumstances from the administrative organ responsible for supervision and inspection, providing false materials, or refusing to provide truthful materials reflecting the circumstances of their activities;  (4) Other illegal conduct provided for by laws, regulations, or rules.  Article 81:Where citizens, legal persons, or other organizations engage in activities that should lawfully obtain an administrative license without administrative permission, the administrative organs shall employ measures to stop them in accordance with law and give them an administrative punishment in accordance with law;  Chapter VIII Supplementary Provisions    Article 82: The period for administrative organs provided for in this Law to carry out administrative licenses is calculated on working days, excluding statutory holidays.  Article 83 This Law shall enter into force on July 1, 2004. |  |

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