

Regulations on the Administration of Publications

Full text

Article 1

These Regulations are formulated in accordance with the Constitution for the purpose of strengthening the administration of publishing activities, developing and promoting the socialist publishing cause with Chinese characteristics, safeguarding the lawful exercise by citizens of their right of freedom of the press, and promoting the construction of socialist spiritual and material civilizations.

Article 2

These Regulations shall apply to the publishing activities conducted in the territory of the People's Republic of China.

Publishing activities referred to in these Regulations include the publishing, printing or reproduction, importation and distribution of publications.

Publications referred to in these Regulations mean newspapers, periodicals, books, audiovisual products, electronic publications, etc.

Article 3

The publishing cause shall persist in the direction of serving the people and socialism, uphold Marxism-Leninism, Mao Zedong Thought and Deng Xiaoping Theory as its guiding ideology, disseminate and accumulate all the scientific, technological and cultural knowledge that is beneficial to the improvement of national quality, the development of the economy and the all-round progress of the society, carry forward the splendid accomplishments of national culture, facilitate international cultural exchanges, enrich and improve the cultural life of the people.

Article 4

In conducting publishing activities, social benefits shall be given first priority, and a combination of social benefits and economic returns shall be achieved.

Article 5

Where a citizen exercises the right of freedom of the press according to law, the people's governments at all levels shall provide protection and guarantee.

A citizen, when exercising the right of freedom of the press, shall abide by the Constitution and the law, and shall not oppose the basic principles established by the Constitution or prejudice the interests of the

State, the society or the collective, or the lawful freedom and rights of other citizens.

Article 6

The publication administration department of the State Council shall be responsible for the supervision and administration of publishing activities nationwide. Other relevant departments of the State Council shall be responsible for the supervision and administration of relevant publishing activities within the limits of their respective functions and responsibilities stipulated by the State Council.

The publication administration department of the local people's government at or above county level (hereinafter referred to as publication administration department) shall be responsible for the supervision and administration of publishing activities within its own administrative area. Other administrative departments of the local people's government at or above county level shall be responsible for the supervision and administration of relevant publishing activities within the limits of their respective functions and responsibilities.

Article 7

A publication administration department may, when investigating and dealing according to the obtained evidence or the report for suspicion with suspected illegal activities engaged in publication, printing or reproduction, importation and distribution of the publications, check the articles relating to the illegal activities; if there is evidence to prove the articles relate to the illegal activities, it may seal up or detain them.

Article 8

The social organization of the publishing industry shall carry out self-regulation in conformity with the articles of association and under the guidance of the publication administration department.

Chapter II Establishment and Administration of Publishing Units

Article 9

Newspapers, periodicals, books, audiovisual products, electronic publications, etc. shall be published by publishing units.

Publishing units referred to in these Regulations include newspaper offices, periodical offices, book publishing houses, audiovisual publishing houses, publishing houses of electronic publications, etc.

Where a legal person publishes a newspaper or a periodical without setting up a newspaper office or periodical office, the editorial department established by the legal person for the newspaper or periodical shall be deemed to be a publishing unit.

Article 10

The publication administration department of the State Council shall make plans for the total number, structure and distribution of publishing units nationwide and guide and coordinate the development of the publishing endeavor.

Article 11

For establishment, a publishing unit shall meet the following conditions:

- (1) possess a name and the articles of association of the publishing unit;
- (2) possess a sponsoring unit which is recognized by the publication administration department of the State Council, and the competent agency at the higher level;
- (3) possess a well-defined scope of business;
- (4) possess a registered capital of more than 300,000 yuan and a fixed premise;
- (5) possess an organizational structure which meets the needs of its scope of business and editorial and publishing professionals conforming to qualifications stipulated by the State; and
- (6) other requirements prescribed by the laws and administrative regulations.

In addition to the conditions listed in the preceding paragraph, the approval of the establishment of a publishing unit shall also accord with the plan of the State for the total number, structure and distribution of publishing units.

Article 12

To establish a publishing unit, the sponsoring unit shall make a application to the publication administration department of the people's government of the province, autonomous region or municipality directly under the Central Government where it is located; the said publication administration department shall, upon examination and consent, submit it to the publication administration department of the State Council for examination and approval.

Article 13

The application for the establishment of a publishing unit shall specify the following items:

- (1) the name and address of the publishing unit;
- (2) the names and addresses of the sponsoring unit of the publishing unit and of the competent agency at the higher level;

(3) the name, address and qualification documents of the legal representative or major responsible person of the publishing unit; and

(4) the source and amount of funds of the publishing unit.

Where a newspaper office, periodical office or an editorial department for a newspaper or periodical is to be set up, the application shall also specify the name, number of issues, format or size of the newspaper or periodical and the printing place of the newspaper or periodical.

The application shall also contain articles of association of the publishing unit and relevant certification documents from the sponsoring unit which will establish the publishing unit and its competent agency at the higher level.

Article 14

The publication administration department of the State Council shall make a decision of approval or disapproval within 90 days from the date of receipt of the application for the establishment of a publishing unit, and the publication administration department of the people's government of the province, autonomous region or municipality directly under the Central Government shall inform the sponsoring unit of the decision in writing; reasons shall be given where a decision of disapproval is made.

Article 15

The sponsoring unit establishing a publishing unit shall, within 60 days from the date of receipt of the information on the approval decision of the publication administration department of the State Council, register with the publication administration department of the people's government of the province, autonomous region or municipality directly under the Central Government where it is located to obtain a publishing permit. Items of registration shall be stipulated by the publication administration department of the State Council.

Having thus been registered, the publishing unit shall, on the basis of its publishing permit, apply to the administrative department for industry and commerce for a business license.

Article 16

A newspaper office, periodical office, book publishing house, audiovisual publishing house or publishing house of electronic publications, etc. shall satisfy the requisite conditions of a legal person, obtain the qualifications of a legal person through verification and registration, and undertake civil liabilities independently with all its legal person property.

The editorial department for a newspaper or a periodical which is deemed to be a publishing unit in accordance with the provisions of the third paragraph of Article 9 of these Regulations does not have the

qualifications of a legal person, and its civil liabilities shall therefore be undertaken by its sponsoring unit.

Article 17

Where a publishing unit changes its name, sponsoring unit or competent agency at the higher level, scope of business, carries out merger or separation, or publishes a new newspaper or a new periodical, or where a newspaper or a periodical changes its name or number of issues, it shall go through the procedures of examination and approval again in accordance with the provisions of Articles 12 and 13 of these Regulations, and go through the procedures of registration at the administrative department for industry and commerce where the original registration was conducted.

Where a publishing unit changes items other than the ones listed in the preceding paragraph, it shall, upon examination and content of its sponsoring unit and the competent agency at the higher level, apply for registration of the change(s) to the publication administration department of the people's government of the province, autonomous region or municipality directly under the Central Government where it is located, making a report to the publication administration department of the State Council for the record, and go through registration of change(s) at the administrative department for industry and commerce where the original registration was conducted.

Article 18

Where a publishing unit terminates its publishing activities, it shall go through registration of cancellation at the publication administration department of the people's government of the province, autonomous region or municipality directly under the Central Government where it is located, making a report to the publication administration department of the State Council for the record, go through registration of cancellation at the administrative department for industry and commerce where the original registration was conducted

Article 19

Where a book publishing house, audiovisual publishing house or publishing house of electronic publications has not carried out any publishing activities within 180 days from the date of registration, or where a newspaper office or a periodical office has not published any newspaper or periodical within 90 days from the date of registration, the registration organ shall cancel the registration and make a report to the publication administration department of the State Council for the record.

Where the situation listed in the preceding paragraph is due to force majeure or for other justified reasons, the publishing unit may apply to the registration agency for an extension of the said time limit.

Article 20

Where the important subjects in the areas such as national security or social stability are involved in the annual publishing plan of a book publishing house, audiovisual publishing house or publishing house of electronic publications, the plan shall be reported to the publication administration department of the State Council for the record after it has been examined by the publication administration department of

the people's government of the province, autonomous region or municipality directly under the Central Government where it is located. No publications involving the important subjects may be published before they are reported for the record. The specific measures thereof shall be formulated by the publication administration department of the State Council.

For the important subjects of a periodical office, it shall go through the procedure of reporting for the record according to the provisions in the preceding paragraph.

Article 21

Publication administration departments shall strengthen the routine supervision and administration of the publishing activities of publishing units within their administrative areas.

Publishing units shall submit written reports on their publishing activities to the publication administration departments in accordance with the provisions of the publication administration department of the State Council.

Article 22

A publishing unit shall not sell or transfer in any other manner its name, book number, periodical number or edition number, edition layout to any unit or individual, and shall not rent out its name or periodical number.

Article 23

Before distributing its publications, a publishing unit shall send free sample copies to the National Library of China, China Library of Editions and the publication administration department of the State Council in accordance with the relevant provisions of the State.

Chapter III Publishing of Publications

Article 24

A citizen may, in accordance with the provisions of these Regulations, freely express in publications his or her own views and wishes regarding State affairs, economic and cultural developments and social affairs, and freely publish the results of his or her scientific research, literary and artistic creation, and of other cultural activities.

Lawful publications shall be protected by law. No organization or individual shall illegally interfere with, prevent or disrupt the publishing of publications.

Article 25

A publishing unit shall adopt a system of editor's responsibility to ensure that the contents of its

publications conform to the provisions of these Regulations.

Article 26

No publication shall contain the following contents:

- (1) those opposing the basic principles established in the Constitution;
- (2) those endangering the unification, sovereignty and territorial integrity of the State;
- (3) those divulging secrets of the State, harming national security, or impairing the honor and interests of the State;
- (4) those inciting the enmity, discrimination of nationalities, jeopardizing the unity among the various ethnic groups, or violating the customs and habits of minority nationalities;
- (5) those spreading cults or superstitions;
- (6) those disturbing social order and destroying social stability;
- (7) those inciting pornography, gambling, violence or instigating a crime;
- (8) those insulting or libeling others, violating the lawful rights and interests of others; or
- (9) those endangering social moralities or fine national cultural traditions;
- (10) other contents which are prohibited by laws and administrative regulations or by the State.

Article 27

Publications targeting minors shall not contain contents which induce minors to imitate behaviors contravening social ethics, violating laws or committing a crime, or contain horror and cruelty which harm the physical and mental health of minors.

Article 28

Where the lawful rights and interests of a citizen, a legal person or some other organizations are infringed upon due to the untruthfulness or unfairness of the contents of a publication, its publishing unit shall make public corrections, eliminate the effects, and bear civil liabilities.

Where the lawful rights and interests of a citizen, a legal person or some other organizations are infringed upon due to the untruthfulness or unfairness of the contents of the works published in a newspaper or a periodical, the party concerned shall have the right to require to make corrections or make a reply, and the relevant publishing unit shall publish the corrections or reply in the latest issue of its newspaper or periodical; in case of refusal to make publication, the party concerned may bring a suit

in a people's court.

Article 29

A publication shall, in accordance with the relevant provisions of the State, clearly indicate the names and addresses of the relevant author, publisher, printer, or reproducer, distributor, book number, periodical number or edition number, date of publication, number of issue and other relevant items.

The specifications, size, format, binding and layout, and proofreading of a publication shall accord with the standards and norms of the State to ensure its quality.

Article 30

No unit or individual shall forge or counterfeit the name of a publishing unit, or of a newspaper or a periodical to publish publications.

Article 31

Textbooks for middle schools and primary schools shall be examined and approved, or the examination and approval shall be organized by, the education administration department of the State Council. The publishing, printing and distribution units of these textbooks shall be determined, through bidding or other open and fair manners, by the publication administration department, jointly with education administration department and pricing administration department of the people's government of at or above province level, no other unit or individual may be engaged in the publishing, printing and distribution of the textbooks for middle schools and primary schools. The specific measures and their implementation procedures shall be formulated by the publication administration department jointly with the education administration department and pricing administration department of the State Council.

Chapter IV Printing or Reproduction and Distribution of Publications

Article 32

A unit which wishes to engage in the printing or reproduction business of publications shall apply to the publication administration department of the people's government of the province, autonomous region or municipality directly under the Central Government where it is located, and only upon examination and permission and after registering itself, in accordance with the relevant provisions of the State, with the public security department and the administrative department for industry and commerce, may engage in the printing or reproduction of publications.

No unit shall print newspapers, periodicals or books, or reproduce audiovisual products or electronic publications without permission and without registration according to law.

Article 33

A publishing unit may not commission a unit without obtaining the permission for printing or reproduction

to print or reproduce the publications.

Where a publishing unit commissions a printing or reproducing unit to print or reproduce publications, it must provide relevant publications printing or reproduction certificates which are in conformity with the provisions of the State, and shall sign a contract with the printing or reproduction unit according to law.

A printing or reproducing unit shall not accept commissions from non-publishing units or individuals to print newspapers, periodicals or books, or reproduce audiovisual products or electronic publications, nor print or distribute newspapers, periodicals or books, or reproduce or distribute audiovisual products or electronic publications without authorization.

Article 34

Upon the approval of the publication administration department of the people's government of the province, autonomous region or municipality directly under the Central Government where it is located, a printing or reproducing unit may undertake the printing or reproduction business of overseas publications; however, such publications printed or reproduced shall all be transported overseas and shall not be distributed within the territory.

The contents of the publications to be printed or reproduced under commission from overseas shall be checked by the publication administration department of the people's government of the province, autonomous region or municipality directly under the Central Government. The commissioner shall hold a letter of authorization from the copyright owner, and register with the copyright administration department.

Article 35

A printing or reproducing unit shall reserve a sample copy of the publication printed or reproduced for inspection within a period of two years from the date of completion of the printing or reproduction.

Article 36

A unit which wishes to engage in a chain business of newspapers, periodicals and books nationwide shall, after being examined and permitted by the publication administration department of the people's government of the province, autonomous region or municipality directly under the Central Government where its head office is located for examination and permission, report to the publication administration department of the State Council for examination and approval, and then obtain a business license from the administrative department for industry and commerce according to law.

A distributing unit which wishes to engage in the general distribution business of newspapers, periodicals and books may conduct such business only upon examination and permission of the publication administration department of the State Council and after obtaining a business license from the administrative department for industry and commerce according to law.

A distributing unit which wishes to engage in the wholesale business of newspapers, periodicals and

books may conduct such business only upon examination and permission of the publication administration department of the people's government of the province, autonomous region or municipality directly under the Central Government and obtaining a business license from the administrative department for industry and commerce according to law.

The distribution of newspapers and periodicals by postal enterprises shall be handled in accordance with the provisions of the Postal Law.

Article 37

Units or individuals which wish to engage in the retail business of newspapers, periodicals and books may conduct the retail business of publications only after obtaining the approval from the publication administration department of the people's government at the county level and obtaining business licenses from the administrative department for industry and commerce according to law.

Article 38

A publishing unit may distribute publications published by itself, but shall not distribute publications published by other publishing units.

Article 39

The State allows establishing Chinese-foreign equity joint ventures, Chinese-foreign contractual joint ventures or foreign-capital enterprises to engage in the distribution business of books, newspapers and periodicals. The specific measures and their implementation procedures shall be formulated by the publication administration department of the State Council jointly with the competent foreign trade and economic cooperation department of the State Council in accordance with the relevant provisions.

Article 40

A printing or reproducing unit or a distributing unit shall not print, reproduce or distribute any of the publications under the following circumstances:

- (1) those containing contents prohibited under Articles 26 and 27 of these Regulations;
- (2) those illegally imported;
- (3) those forging or counterfeiting the name of a publishing unit or the name of a newspaper or a periodical;
- (4) those not indicating the name of the publishing unit;
- (5) those textbooks for middle school or primary school having not being examined and approved according to law; or

- (6) those infringing upon copyrights of other persons.

Chapter V Importation of Publication

Article 41

The publications importation business shall be conducted by the publication importation units, and those engaged in the importation of newspapers or periodicals shall be designated by the publication administration department of the State Council.

No unit or individual may, without approval, engage in the publications importation business; no unit or individual may, without being designated, engage in the importation of newspapers or periodicals.

Article 42

For establishment, a publications importation unit shall meet the following conditions:

- (1) possess a name and articles of association of the publications importation unit;
- (2) is a wholly State-owned enterprise and possess a sponsoring unit which is recognized by the publication administration department of the State Council, and the competent agency at the higher level;
- (3) possess a well-defined scope of business;
- (4) possess an organizational structure which meets the needs of its scope of publications importation business and professionals who have the necessary job qualifications stipulated by the State; ;
- (5) possess the fund which meets the needs of its scope of publications importation business;
- (6) possess a fixed premise; and
- (7) other requirements prescribed by the laws and administrative regulations and by the State.

In addition to the conditions listed in the preceding paragraph, the approval of the establishment of a publishing unit shall also accord with the plan for the total number, structure and distribution of the publications importation units.

Article 43

Anyone who wishes to establish a publications importation unit shall apply to the publication administration department of the State Council, upon examination and consent, after obtaining a license for the publications importation issued by the publication administration department of the State Council, he/she shall, with a license, obtain a business license from the administrative department for industry

and commerce according to law.

Anyone who wishes to establish a publications importation unit shall also go through the relevant formalities according to the provisions of the laws and administrative regulations relating on foreign trade.

Article 44

Any publications imported by a publications importation unit shall not contain the contents prohibited under Articles 26 and 27 of these Regulations.

The publications importation unit shall be responsible for the content examination of its imported publications. The publication administration department of the people's government at or above the province level may directly carry out the content examination of the imported publications. If it is not sure whether or not its imported publications contain the contents prohibited under Articles 26 and 27 of these Regulations, the publication importation unit may request the publication administration department of the people's government at or above the province level to carry out the content examination. Where, upon the request by a publications importation unit, carrying out the content examination of the publications imported by such publications importation unit, the publication administration department of the people's government at or above the province level may collect charges according to the standard approved by the pricing administration department of the State Council.

The publication administration department of the State Council may prohibit the importation of the particular publications.

Article 45

A publications importation unit shall, before its importation of publications, report the catalogue of the publications to be imported to the publication administration department of the people's government at or above the province level for the record; where the publication administration department of the people's government at or above the province level finds any publications under import prohibition or provisional postponement, it shall make a notice to the publications importation unit in time and notifying the customs. For those publications which are prohibited or postponed for importation in the notification, the publications importation unit may not import and the customs may not release them.

The specific measures for reporting the publications for the record shall be formulated by the publication administration department of the State Council.

Article 46

Anyone who engages in the distribution of the imported publications shall stock with the goods from the publications importation units established according to law; those who engage in the distribution of the imported newspapers or periodicals shall stock with the goods from the publications importation units designated by the publication administration department of the State Council.

Article 47

A publications importation unit which wishes to hold, within the territory, an exhibition on the overseas publications shall report to the publication administration department of the State Council for approval. No unit or individual may hold an exhibition on the overseas publications without approval.

If it necessary to sell the overseas publications on an exhibition held according to the provisions in the preceding paragraph, the relevant formalities shall be gone through according to the relevant provisions by the State.

Chapter VI Safeguards and Awards

Article 48

The State shall formulate relevant policies to safeguard and promote the development and flourishing of the publishing cause.

Article 49

The State supports and encourages the publication of the following outstanding and key publications:

- (1) those playing a significant role in the exposition and dissemination of the basic principles established by the Constitution;
- (2) those having great significance in educating the people in patriotism, collectivism and socialism, and in developing social morality, professional ethics and family virtue;
- (3) those making great contribution to the enhancement of the essence of national culture and the timely reflection of the latest scientific and cultural achievements both at home and abroad; and
- (4) those with important ideological, scientific, cultural or artistic values.

Article 50

The State shall provide safeguards for the publication and distribution of textbooks.

The State shall support the publication and distribution of publications in minority nationality languages and in Braille.

The State shall implement favorable policies towards the distribution of publications in the minority nationality regions, border areas, economically-underdeveloped areas and in the rural areas.

Article 51

The postal enterprises shall ensure promptness and accuracy where they are entrusted with the

distribution of newspapers and periodicals.

Transportation enterprises which undertake the transportation of publications shall provide conveniences for the transportation of publications.

Article 52

The State shall reward the units and individuals who have made contribution to the development and flourishing of the publishing.

Article 53

Publication administration departments of the people's government at or above the county level and relevant departments shall take prompt measures to stop the acts which illegally interfere with, prevent or disrupt the publication, printing or reproduction, importation, or distribution of publications.

Chapter VII Legal Liability

Article 54 Where any staff members of the publication administration department and other relevant departments take advantages of their duties accepting properties or other benefits from others to approve the establishment of a unit of publication, production, reproduction, importation or distribution which is not satisfied with the legal conditions, or fail to perform their supervisory duties or fail to investigate and deal with illegal activities found, causing serious results, they shall be investigated for the criminal liability, in accordance with the provisions on crimes of acceptance of bribes, abuse of power, neglect of duties or other crimes in the Criminal Law; if it is not enough for criminal punishment, administrative sanction of demotion or removal from their posts shall be imposed.

Article 55

Without approval, any unauthorized establishment of a unit of publication, printing or reproduction, importation or distribution of publications, or any activity to engage in the unauthorized publication, printing or reproduction, importation or distribution of publications, or to forge or counterfeit the name of a publishing unit, or of a newspaper or a periodical to publish publications, shall be banned by the publication administration department and the administrative department for industry and commerce according to their legal duties; the criminal liability shall be investigated in accordance with the relevant provision on illegal business operation in the Criminal Law; if it is not enough for criminal punishment, the publications, illegal income and the special devices, equipment mainly and special used for illegal business shall be confiscated, if the illegal business amount is more than 10000 yuan, a fine of more than 5 times and less than 10 times of illegal business amount shall be imposed concurrently; if the illegal business amount is less than 10000 yuan, a fine of more than 10000 yuan and less than 50000 yuan shall be imposed concurrently; where the rights or interests of others are infringed upon, in infringer shall bear the civil liability according to law.

Article 56

Where anyone who, in violation of the Criminal Law, commits one of the following acts, the criminal liability shall be investigated according to the relevant provisions of the Criminal Law; if it is not enough for criminal punishment, the publication administration department shall order to suspend business for rectification within the specified time limit and confiscate the publications and illegal income; if the illegal business amount is more than 10000 yuan, impose a fine of more than 5 times and less than 10 times of illegal business amount concurrently; if the illegal business amount is less than 10000 yuan, impose a fine of more than 10000 yuan and less than 50000 yuan concurrently; if the case is serious, the original issuing department shall revoke the license:

- (1) publishing or importing the publications which contain the contents prohibited in Articles 26 and 27 of these Regulations;
- (2) printing or reproducing, or distributing the publications while clearly knowing the that the publication contain the contents prohibited in Articles 26 and 27 of these Regulations; or
- (3) selling or transferring in any other manner the name, book number, periodical numbers, edition numbers or layout or renting out the name or periodical numbers, of a publishing unit, while clearly knowing that the publications to be published by others contain the contents prohibited in Articles 26 and 27 of these Regulations.

Article 57

Where anyone who commits one of the following acts, the publication administration department shall order to stop illegal act, confiscate the publications and the illegal income, if the illegal business amount is more than 10000 yuan, impose a fine of more than 5 times and less than 10 times of illegal business amount concurrently; if the illegal business amount is less than 10000 yuan, impose a fine of more than 10000 yuan and less than 50000 yuan concurrently; if the case is serious, order to suspend business for rectification within specified time limit or the original issuing department shall revoke the license:

- (1) importing, printing or reproducing, or distributing the publications of which importation is prohibited by the publication administration department of the State Council;
- (2) printing or reproducing smuggled overseas publications; or
- (3) failing, when distributing the imported publications, to stock with the goods from the publications importation units specified in these Regulations.

Article 58

Where anyone smuggles publications, the criminal liability shall be investigated and pursued in accordance with the crime of smuggling in the Criminal Law; if is not enough for criminal punishment, administrative punishments shall be imposed by the Customs.

Article 59

Where anyone who commits one of the following acts, the publication administration department shall confiscate the publications and the illegal income confiscated, if the illegal business amount is more than 10000 yuan, impose a fine of more than 5 times and less than 10 times of illegal business amount concurrently; if the illegal business amount less than 10000 yuan, impose a fine of more than 10000 yuan and less than 50000 yuan concurrently; if the case is serious, order to suspend business for rectification within the specified time limit or the original issuing department shall revoke the license:

- (1) where a printing or reproduction unit prints or reproduces publications without obtaining permission for printing or reproduction;
- (2) where a printing or reproduction unit accepts a commission from non-publishing units or individuals to print or reproduce publications;
- (3) where a printing or reproduction unit without following the legal procedures prints or reproduces overseas publications, the printed or reproduced overseas publications are not transported overseas;
- (4) where a printing or reproducing, distribution unit or individual distributes publications without the name of the publishing unit; or
- (5) where a publishing, printing or distributing unit publishes, prints or distributes the textbooks for middle schools and primary schools which are not examined and approved according to law or the unites which are nor determined according to these Regulations engage in publication, printing or distribution of textbooks for middle school and primary schools.

Article 60

Where a publishing unit sells or transfers in any other manner its name, book numbers, periodical numbers, edition numbers or edition layout or renting out its name or periodical numbers, the publication administration department shall order it to stop illegal acts, give a warning, confiscate publications for illegal business and illegal income, if the illegal business amount is more than 10000 yuan, impose a fine of more than 5 times and less than 10 times of illegal business amount concurrently; if the illegal business amount is less than 10000 yuan, impose a fine of more than 10000 yuan and less than 50000 yuan concurrently; if the case is serious, order to suspend business for rectification within the specified time limits or the original issuing department shall revoke the license:

Article 61

Where anyone commits one of the following acts, the publication administration department shall order to make correction and give a warning; if the case is serious, order to suspend business for rectification within the specified time limit or the original issuing department shall revoke the license:

- (1) a publishing unit fails to go through the formalities of examination and approval or registration of

change at the publication administration department according to the provisions of these Regulations when it changes its name, sponsoring unit or the competent agency at higher level or its scope of business, carries out merger or separation, publishes a new newspaper, periodical, changes the name or the number of issues of a newspaper or periodical, or changes other items;

- (2) a publishing unit fails to report its annual publication plan and the important subjects involving national security and social stability for the record;
- (3) a publishing unit fails to submit sample copies of publications according to these Regulations;
- (4) a printing or reproduction unit fails to preserve the materials for potential examination in accordance with these Regulations; or
- (5) a publications importation unit fails to report its catalogue of the publications to be imported for the record according to the provisions of these Regulations.

Article 62

Where anyone holds an exhibition on overseas publications without approval the publication administration department shall order to stop from illegal acts, confiscate the publications and the illegal income; if the case is serious, order to suspend business for rectification within specified time limit or the original issuing department shall revoke the license.

Article 63

Where anyone prints or reproduces, wholesales, retails, rents out or spreads the publications which contain the contents prohibited in Articles 26 and 27 of these Regulations or other illegal publications, the party can make an explanation and indication on the source of the illegal publications, which has been proved true after investigation, the publications and illegal income shall be confiscated and other administrative punishment may be reduced or exempted.

Article 64

Any unit which has received an administrative punishment of license revoking for violating these Regulations shall go through the formalities of changing registration or canceling registration; if it fails to go through such formalities when the time limit expires, the business license shall be revoked by the administrative department for industry and commerce.

Article 65

Where a unit which has received an administrative punishment of license revoking for violating these Regulations, its legal representative or the major responsible person shall not act, within 10 years from the date of revocation of the license, as legal representative or the major responsible person of a unit

engaged in the publication, printing or reproduction, importation or distribution.

Article 66

Where a fine as an administrative punishment is imposed according to these Regulations, the decision-making of the fine shall be separated from the collection of the fine in accordance with the provision of the relevant laws and administrative regulations. All the fines collected shall be submitted to the State treasury.

Chapter VIII Supplementary Provisions

Article 67

Where administrative regulations have other provisions concerning the publication, reproduction, importation and distribution of audiovisual products, those provisions shall prevail.

The measures for administration of acceptance of the publications given as a gift by an overseas organization or individual, the measures for administration of subscription of the overseas publications by a subscriber, the measures for administration of the publication via internet and the measures for administration of the electronic publications shall be formulated by the publication administration department of the State Council in accordance with the principles of these Regulations.

Article 68

These Regulations shall be effective as of February 1, 2002. The Regulations on Publication Administration promulgated by the State Council on January 2, 1997 shall be repealed simultaneously.)