

China -Administrative Rules on Importation of Audio and Video Products, 1996

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Administrative Rules on Importation of Audio and Video Products (Promulgated by Decree No.5 of the State Press and Publishing Administration on February 1, 1996)

Article 1

The Rules are formulated in order to enrich the cultural life of the masses of the people and strengthen the administration on importation of Audio and Video Products in compliance with the Regulations on Administration of Audio and Video Products.

Article 2

The Rules are applicable to the following activities:

1. Publication of imported audio and video products by audio and video publishing organizations;
2. Importation of audio and video products;
3. Importation of audio and video products for the reference purpose of research and education.

Article 3

The State Press and Publishing Administration is in charge of importation of audio and video products nationwide while the administrative departments of the people's governments of provinces, autonomous regions and municipalities are responsible for importation of audio and video products in their own respective administrative regions.

Article 4

The following conditions must be met if an audio and video publishing organization is in the business of publishing imported audio and video products:

1. In conformity with the initial principal aims and business scope of the publishing organization;
2. With outstanding achievements in producing and publishing domestic audio and video products;
3. With a proper team of skilled editing technicians and distributing capability.

Article 5

Organization which applies for publishing imported audio and video products shall be

approved by the State Press and Publishing Administration after agreed by the competent administrative departments for audio and video products of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government.

Article 6

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The contents of audio and video products to be imported for publishing and selling must submitted to the content examination organization for examination and verification.

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Article 7

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Issues concerning copyright of audio and video products imported for publishing must be reported to the State Copyright Administration for registration.

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Article 8

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Organizations engaged in importation of audio and video products must meet the following conditions:

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1. Engaged in importation and exportation cultural and education publications;
2. With outstanding achievements in exporting domestic audio and video products;
3. With proper capitals and professionals

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Article 9

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Organizations which apply for importation of audio and video products shall go through the approving procedures of Article 5 of the rules.

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Article 10

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In connection with importation of audio and video products for publishing and selling, the State Press and Publishing Administration is responsible for macro control and adjustment on the basis of examination comments made by the content examination organization and releasing the list of audio and video products to be imported. The Ministry of Culture and the Ministry of Broadcast, Film and Television will issue the Distribution License of audio and Video Products based on their own responsibility.

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The Distribution License of Audio and Video Products issued by the Ministry of Culture and the Ministry of broadcast, Film and Television shall be reported to the State Press and Publishing Administration for record. Publishing, copying and selling of imported audio and video products are not allowed without the Distribution License of audio products.

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Article 11 32

No unauthorized organization or individual is allowed to import audio and video products. 33

Article 12 34

the organizations which are authorized to import audio and video products must formulate an annual plan of audio and video products to be imported and report to the State Press and Publishing Administration for record. 35

To host international exhibition of audio and video products shall be submitted to the State Press and Publishing Administration for approval after examined and agreed by the concerned administrative departments for audio and video products of local provinces, autonomous regions and municipalities directly under central Government. 36

Article 13 37

Organizations which apply for importation of audio and video products for reference of research and education shall be submitted to the State Press and Publishing Administration for approval after examined and agreed by the administrative departments for audio and video products of local provinces, autonomous regions and municipalities directly under the Central Government. The rules for approval shall be separately formulated by the State Press and Publishing Administration. 38

Article 14 39

The audio and video products imported for reference of research and education shall not v used for copying, wholesale, retail, rental and commercial playing. 40

Article 15 41

Organizations engaged in importation of audio and video products shall go through the procedure of registration for examination biennially. 42

Article 16 43

Unauthorized organizations or individuals which arbitrarily imported audio and video products shall be administratively punished by the State Press and Publishing Administration or the administrative departments for audio and video products above country level based on the seriousness of the case in the following forms: 44

1. Warning; 45
2. Suspending publishing and distributing; 46

3. Confiscating the illegal earnings; 47

4. Imposing a fine of 5-10 times of the illegal earnings. 48

Article 17 49

The Rules shall be interpreted by the State Press and Publishing Administration 50

Article 18 51

The Rules shall become effective from the date of promulgation. Other provisions on audio and video products formulated before the date of the promulgation of the rules and which are against the Rules shall be subject to the current Rules. 52

Metadata

SiSU Metadata, document information

Document Manifest @:

<http://www.jus.uio.no/lm/china.administrative.rules.on.importation.of.audio.and.video.products/sisu_manifest.html>

Title: China -Administrative Rules on Importation of Audio and Video Products, 1996

Creator: MOFTEC

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Publisher: SiSU <<http://www.jus.uio.no/sisu>> (this copy)

Date: 1996-02-01

Topics Registered: statute:China;import regulation:China

Version Information

Sourcefile: china.administrative.rules.on.importation.of.audio.and.video.products.sst

Filetype: SiSU text 2.0

Source Digest: SHA256(china.administrative.rules.on.importation.of.audio.and.video.products.sst)=13eac38e-91ad393a86a0099aba6802112ea5ff5b85db0e10908c8d635a303ed9

Skin Digest: SHA256(skin_lm.rb)=5acda64a9532f9ef6b71693da2b471d4efac2f23a8499e68de066eec8ea9b8e9

Generated

Document (dal) last generated: Tue Sep 21 16:00:22 -0400 2010

Generated by: SiSU 2.6.3 of 2010w30/3 (2010-07-28)

Ruby version: ruby 1.8.7 (2010-08-16 patchlevel 302) [i486-linux]