

China - Exchange and Trading of Goods by Border Residents

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1 **Administration Rules on the Exchange and Trading of**
2 **Goods by Border Residents**

3 **Article 1**

4 Pursuant to the Customs Law of the People's Republic of China and
5 other related laws and regulations, the present rules are hereby
6 formulated for purposes of promoting a healthy development of the
7 exchange and trading of goods by border residents, making border
8 economy prosperous and enforcing the administration of Customs
9 supervision.

10 **Article 2**

The exchange and trading of goods by border residents is defined
as the activity of exchanging commodities by inhabitants of border
areas in the open-spots or designated fairs approved by the gov-
ernment within 20 kilometers to the land border of China, which
shall not go beyond the limited volume of trade or quantity.

Requirements for carrying out such trade as the exchange of goods
by border residents:

1. The trading place shall be located close to the land border or
boundary river;
2. The trading place shall be approved by the People's Government
of the border province or the autonomous region;
3. Trade areas(spots) for exchanging goods by border residents
shall have a clear boundary line;
4. Facilities for Customs supervision and administration shall meet
the requirements of the Customs.

11 **Article 3**

Inhabitants of border areas in China as well as border residents of
the other country can enter the trade areas (spots)to undertake the
exchange of goods.

Enterprises like shops, supply and marketing cooperatives in the
border areas of China are subject to the management of frontier
trade if they set up a stand in the trade area(spot)of exchanging
goods by border residents and engage in the activity of exchanging
commodities.

12 **Article 4**

When inhabitants of the border area carry goods with them to enter
or exit the trade area(spot)of exchanging goods by border residents
or a border port, they shall declare the variety ,amount and values
of the goods exactly as they are, and shall submit to the supervi-
sion, administration and inspection of the Customs.

13 **Article 5**

Goods taken by one border resident from the border ports or the
area(spot)for exchanging and trading goods by border inhabitants
each day shall be exempt from import duties and taxes if it is less
than RMB 1,000 yuan in value; if the value is between RMB 1,000
and 5,000 yuan, the excess part shall be levied with import duties in
line with regulations described in Provisions of the People's Repub-
lic of China on the Levy of Import Duties on Personal Luggage of
Passengers and Personal Postal Parcels Arriving in China; if the
value is beyond RMB 5,000 yuan, the goods shall be levied with
import duties and taxes in accordance with the Customs Regula-
tions of Import Tariff of the People's Republic of China and shall go
through related formalities as the import and export of goods.

18 **Article 6**

19 Border residents and enterprises engaging in the exchanging of
20 commodities of both countries shall not carry or transport goods
21 which is prohibited by the State to import or export into or out of the
22 area (spot)for exchanging and trading goods by residents of border
23 areas.

24 Commodities which are under the State limit for import and export
25 or are under the license management shall be dealt with according
26 to the State's relevant regulations.

21 **Article 7**

22 In places for the exchange and trading of goods by border residents
23 which can be closed and are linked to the other country, residents
24 of the other country, residents of the other country shall declare to
25 the Customs stationed in area for supervision and administration
26 when they take goods to enter China.

23 **Article 8**

24 If there is no Customs institution locally, related departments
25 can be entrusted by the provincial government or that of the
26 autonomous region after consulting with the directly subordinated
27 Customs to carry out the administration. The local government
28 should strengthen management, formulate detailed regulations for
29 implementation upon agreement after discussing with the Customs.
30 The Customs should give instructions and work jointly with
the local government to check the management irregularly.

25 **Article 9**

26 Customs of all levels shall enforce the management of the exchange
27 and trading of goods by border residents, crack down with
28 severity the illegal activity of smuggling under the cover of exchanging
29 and trading goods by border in habitants. Activities against the
30 Customs Law and regulations of these Rules shall be dealt with by
the Customs in line with the Customs Law and Detailed Implementation
Rules on Administrative Penalties of the Customs Law.

Article 10

27
28 The Customs General Administration shall be responsible for the
29 interpretation of these Rules.

Article 11

29
30 These Rules shall enter into effect on April 1,1996

Metadata

SiSU Metadata, document information

Document Manifest @:

`<http://www.jus.uio.no/lm/china.exchange.and.trading.of.goods.by.border.residents.administration.rules/sisu_manifest.html>`

Title: China - Exchange and Trading of Goods by Border Residents

Creator: MOFTEC

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

Topics Registered: statute:China;import restrictions:China;exports:China

Version Information

Sourcefile: china.exchange.and.trading.of.goods.by.border.residents.-administration.rules.sst

Filetype: SiSU text 2.0

Source Digest: SHA256(china.exchange.and.trading.of.goods.by.border.residents.administration.rules.sst)=ba0af1f1cba4a2f7047a3146c280c331b5741a59-496493dffed4074382088c72

Skin Digest: SHA256(skin_lm.rb)=5acda64a9532f9ef6b71693da2b471d4efac2f23-a8499e68de066eec8ea9b8e9

Generated

Document (dal) last generated: Tue Sep 21 16:13:44 -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]