
REGULATIONS OF THE PEOPLE'S REPUBLIC OF CHINA ON THE ADMINISTRATION OF IMPORT AND EXPORT OF GOODS

(Promulgated by Decree No. 332 of the State Council of the People's Republic of China on December 10, 2001, revised in accordance with the Decision of the State Council on Amending and Repealing Certain Administrative Regulations on March 10, 2024)



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Chapter I General Provisions

Article 1

These Regulations are formulated in accordance with the relevant provisions of the Foreign Trade Law of the People's Republic of China (hereinafter referred to as the Foreign Trade Law) for the purpose of regulating the administration of import and export of goods, maintaining the order of import and export of goods, and promoting the healthy development of foreign trade.

Article 2

Trade activities involving the import of goods into the customs territory of the People's Republic of China or the export of goods out of the customs territory of the People's Republic of China shall comply with these Regulations.

Article 3

The State implements a unified administration system for the import and export of goods.

Article 4

The State permits the free import and export of goods, and safeguards fair and orderly trade in import and export of goods in accordance with the law. Unless explicitly prohibited or restricted by laws or administrative regulations, no entity or individual may impose or maintain prohibitions or restrictions on the import and export of goods.

Article 5

In trade in import and export of goods, the People's Republic of China shall, in accordance with the international treaties or agreements it has concluded or acceded to, grant most-favored-nation treatment and national treatment to other contracting parties or participating parties, or grant such treatment on the basis of the principles of reciprocity and mutual benefit.

Article 6

Where any country or region adopts discriminatory prohibitions, restrictions, or other similar measures against the People's Republic of China in trade in import and export of goods, the People's Republic of China may, in light of the actual circumstances, adopt corresponding measures against that country or region.

Article 7

The competent department of foreign trade under the State Council (hereinafter referred to as the competent foreign trade department under the State Council) shall, in accordance with the Foreign Trade Law and these Regulations, be in charge of the work concerning import and export trade of goods nationwide.

Relevant departments under the State Council shall, in accordance with the division of responsibilities prescribed by the State Council and these Regulations, be responsible for the relevant work in the administration of import and export trade of goods.

Chapter II Administration of Import of Goods

Section 1 Goods Prohibited from Import

Article 8

Goods falling under any of the circumstances specified in Article 16 of the Foreign Trade Law are prohibited from import. Where other laws or administrative regulations provide that certain goods are prohibited from import, such provisions shall apply. The catalog of goods prohibited from import shall be formulated, adjusted, and made public by the competent foreign trade department under the State Council in conjunction with relevant departments under the State Council.

Article 9

Goods that are prohibited from import shall not be imported.

Section 2 Goods Restricted from Import

Article 10

Goods falling under any of the circumstances specified in subparagraphs (1), (4), (5), (6), and (7) of Article 15 of the Foreign Trade Law are restricted from import. Where other laws or administrative regulations provide that certain goods are restricted from import, such provisions shall apply.

The catalog of goods restricted from import shall be formulated, adjusted, and made public by the competent foreign trade department under the State Council in conjunction with relevant departments under the State Council.

The catalog of goods restricted from import shall be made public at least 21 days before its imple-

mentation; in case of emergency, it shall be made public no later than the date of implementation.

Article 11

Restricted imported goods for which the State sets quantitative restrictions shall be subject to quota administration; other restricted imported goods shall be subject to license administration. Imported goods subject to tariff-rate quota administration shall be governed by the provisions of Section 4 of this Chapter.

Article 12

Restricted imported goods subject to quota administration shall be administered by the competent foreign trade department under the State Council and relevant economic management departments under the State Council (hereinafter collectively referred to as import quota administration departments) in accordance with the division of responsibilities prescribed by the State Council.

Article 13

With respect to restricted imported goods subject to quota administration, import quota administration departments shall make public the total quota volume for the following year by July 31 each year.

Quota applicants shall apply to import quota administration departments for import quotas for the following year between August 1 and August 31 each year.

Import quota administration departments shall allocate quotas for the following year to quota applicants by October 31 each year.

Import quota administration departments may, as needed, adjust the total annual quota volume and shall make it public at least 21 days before its implementation.

Article 14

Quotas may be allocated by processing all applications in a unified manner.

Article 15

Where quotas are allocated by processing all applications in a unified manner, import quota administration departments shall, within 60 days from the expiration of the prescribed application period, decide whether to issue quotas.

Article 16

When allocating quotas, import quota administration departments shall consider the following factors:

1. The applicant's import performance;
2. Whether the quotas allocated in the past have been fully used;
3. The applicant's production capacity, business scale, and sales status;
4. The application by new import operators;
5. The quantity of the applied-for quota;
6. Other factors to be considered.

Article 17

Import operators shall, on the basis of quota certificates issued by import quota administration departments, apply to the competent foreign trade department under the State Council for import quota licenses. The competent foreign trade department under the State Council shall issue import quota licenses within three working days from the date of receiving the application.

Import operators shall, on the basis of import quota licenses issued by the competent foreign trade department under the State Council, go through customs declaration and clearance formalities with customs.

Article 18

Where a quota holder fails to fully use its held annual quota, it shall return the unused quota to the import quota administration department before September 1 of that year; if the quota is not returned on schedule and remains unused by the end of that year, the import quota administration department may deduct a corresponding amount of the quota for the following year.

Article 19

With respect to restricted imported goods subject to license administration, import operators shall apply to the competent foreign trade department under the State Council or relevant departments under the State Council (hereinafter collectively referred to as import license administration departments). Import license administration departments shall decide whether to grant permission within 30 days from the date of receiving the application.

Import operators shall, on the basis of import licenses issued by import license administration departments, go through customs declaration and clearance formalities with customs.

The term “import license” in the preceding paragraph includes all types of certificates and documents that have the nature of import permission as prescribed by laws or administrative regulations.

Article 20

Import quota administration departments and import license administration departments shall, in accordance with these Regulations, formulate specific management measures, clearly specifying matters such as the qualifications of applicants, departments accepting applications, principles and procedures for examination, and shall make them public before implementation.

The department accepting applications shall generally be a single department.

The documents required by import quota administration departments and import license administration departments from applicants shall be limited to those necessary for ensuring the implementation of administration. Applications shall not be rejected merely due to minor and non-substantial errors.

Section 3 Freely Imported Goods

Article 21

Import of goods that are freely imported shall not be restricted.

Article 22

For the purpose of monitoring the import of goods, the competent foreign trade department under the State Council and relevant economic management departments under the State Council may, in accordance with the division of responsibilities prescribed by the State Council, apply automatic import license administration to some freely imported goods.

The catalog of goods subject to automatic import license administration shall be made public at least 21 days before its implementation.

Article 23

Permission shall be granted for import of goods subject to automatic import license administration.

Article 24

For import of goods subject to automatic import license administration, import operators shall, before going through customs declaration formalities,

submit an automatic import license application to the competent foreign trade department under the State Council or relevant economic management departments under the State Council.

The competent foreign trade department under the State Council or relevant economic management departments under the State Council shall issue an automatic import license immediately upon receiving the application; under special circumstances, the time limit shall not exceed ten days at the maximum.

Import operators shall, on the basis of automatic import licenses issued by the competent foreign trade department under the State Council or relevant economic management departments under the State Council, go through customs declaration and clearance formalities with customs.

Section 4 Goods Subject to Tariff-Rate Quota Administration

Article 25

The catalog of imported goods subject to tariff-rate quota administration shall be formulated, adjusted, and made public by the competent foreign trade department under the State Council in conjunction with relevant economic management departments under the State Council.

Article 26

Imported goods that fall within the tariff-rate quota shall be subject to the in-quota tariff rate; imported goods that fall outside the tariff-rate quota shall be subject to the out-of-quota tariff rate.

Article 27

Import quota administration departments shall make public the total tariff-rate quota volume for the following year between September 15 and October 14 each year.

Quota applicants shall apply to import quota administration departments for tariff-rate quotas between October 15 and October 30 each year.

Article 28

Tariff-rate quotas may be allocated by processing all applications in a unified manner.

Article 29

Where tariff-rate quotas are allocated by processing all applications in a unified manner, import quota administration departments shall decide

whether to issue quotas by December 31 each year.

Article 30

Import operators shall, on the basis of tariff-rate quota certificates issued by import quota administration departments, go through customs declaration and clearance formalities for goods within the tariff-rate quota.

Relevant economic management departments under the State Council shall promptly report the total annual tariff-rate quota volume, allocation plan, and the actual issuance of tariff-rate quota certificates to the competent foreign trade department under the State Council for the record.

Article 31

Where a tariff-rate quota holder fails to fully use its held annual quota, it shall return the unused quota to the import quota administration department before September 15 of that year; if the quota is not returned on schedule and remains unused by the end of that year, the import quota administration department may deduct a corresponding amount of the quota for the following year.

Article 32

Import quota administration departments shall, in accordance with these Regulations, formulate specific management measures concerning tariff-rate quotas, clearly specifying matters such as the qualifications of applicants, departments accepting applications, principles and procedures for examination, and shall make them public before implementation.

The department accepting applications shall generally be a single department.

The documents required by import quota administration departments from tariff-rate quota applicants shall be limited to those necessary for ensuring the implementation of tariff-rate quota administration. Tariff-rate quota applications shall not be rejected merely due to minor and non-substantial errors.

Chapter III Administration of Export of Goods

Section 1 Goods Prohibited from Export

Article 33

Goods falling under any of the circumstances specified in Article 16 of the Foreign Trade Law are pro-

hibited from export. Where other laws or administrative regulations provide that certain goods are prohibited from export, such provisions shall apply. The catalog of goods prohibited from export shall be formulated, adjusted, and made public by the competent foreign trade department under the State Council in conjunction with relevant departments under the State Council.

Article 34

Goods that are prohibited from export shall not be exported.

Section 2 Goods Restricted from Export

Article 35

Goods falling under any of the circumstances specified in subparagraphs (1), (2), (3), and (7) of Article 15 of the Foreign Trade Law are restricted from export. Where other laws or administrative regulations provide that certain goods are restricted from export, such provisions shall apply.

The catalog of goods restricted from export shall be formulated, adjusted, and made public by the competent foreign trade department under the State Council in conjunction with relevant departments under the State Council.

The catalog of goods restricted from export shall be made public at least 21 days before its implementation; in case of emergency, it shall be made public no later than the date of implementation.

Article 36

Restricted exported goods for which the State sets quantitative restrictions shall be subject to quota administration; other restricted exported goods shall be subject to license administration.

Article 37

Restricted exported goods subject to quota administration shall be administered by the competent foreign trade department under the State Council and relevant economic management departments under the State Council (hereinafter collectively referred to as export quota administration departments) in accordance with the division of responsibilities prescribed by the State Council.

Article 38

With respect to restricted exported goods subject to quota administration, export quota administration

departments shall make public the total quota volume for the following year by October 31 each year. Quota applicants shall apply to export quota administration departments for export quotas for the following year between November 1 and November 15 each year.

Export quota administration departments shall allocate quotas for the following year to quota applicants by December 15 each year.

Article 39

Quotas may be allocated through direct allocation or through methods such as bidding.

Article 40

Export quota administration departments shall, within 30 days from the date of receiving the application and no later than December 15 of that year, decide whether to issue quotas.

Article 41

Export operators shall, on the basis of quota certificates issued by export quota administration departments, apply to the competent foreign trade department under the State Council for export quota licenses. The competent foreign trade department under the State Council shall issue export quota licenses within three working days from the date of receiving the application.

Export operators shall, on the basis of export quota licenses issued by the competent foreign trade department under the State Council, go through customs declaration and clearance formalities with customs.

Article 42

Where a quota holder fails to fully use its held annual quota, it shall return the unused quota to the export quota administration department before October 31 of that year; if the quota is not returned on schedule and remains unused by the end of that year, the export quota administration department may deduct a corresponding amount of the quota for the following year.

Article 43

With respect to restricted exported goods subject to license administration, export operators shall apply to the competent foreign trade department under the State Council or relevant departments under the State Council (hereinafter collectively

referred to as export license administration departments). Export license administration departments shall decide whether to grant permission within 30 days from the date of receiving the application.

Export operators shall, on the basis of export licenses issued by export license administration departments, go through customs declaration and clearance formalities with customs.

The term “export license” in the preceding paragraph includes all types of certificates and documents that have the nature of export permission as prescribed by laws or administrative regulations.

Article 44

Export quota administration departments and export license administration departments shall, in accordance with these Regulations, formulate specific management measures, clearly specifying matters such as the qualifications of applicants, departments accepting applications, principles and procedures for examination, and shall make them public before implementation.

The department accepting applications shall generally be a single department.

The documents required by export quota administration departments and export license administration departments from applicants shall be limited to those necessary for ensuring the implementation of administration. Applications shall not be rejected merely due to minor and non-substantial errors.

Chapter IV State Trading and Designated Trading

Article 45

The State may apply state trading administration to the import and export of certain goods.

The catalog of import and export goods subject to state trading administration shall be formulated, adjusted, and made public by the competent foreign trade department under the State Council in conjunction with relevant economic management departments under the State Council.

Article 46

The competent foreign trade department under the State Council and relevant economic management departments under the State Council shall determine and make public the list of state trading enterprises in accordance with the division of responsibilities prescribed by the State Council.

Article 47

With respect to goods subject to state trading administration, the State allows non-state trading enterprises to engage in the import and export of a certain quantity of such goods.

Article 48

State trading enterprises shall provide the competent foreign trade department under the State Council with relevant information, such as the purchase price and sales price of goods subject to state trading administration, every half year.

Article 49

For the purpose of maintaining the order of import and export operations, the competent foreign trade department under the State Council may apply designated trading administration to certain goods for a certain period.

The catalog of import and export goods subject to designated trading administration shall be formulated, adjusted, and made public by the competent foreign trade department under the State Council.

Article 50

The specific standards and procedures for determining designated trading enterprises shall be formulated by the competent foreign trade department under the State Council and made public before implementation.

The list of designated trading enterprises shall be made public by the competent foreign trade department under the State Council.

Article 51

Except as provided in Article 47 of these Regulations, enterprises or other organizations not included in the list of state trading enterprises or the list of designated trading enterprises shall not engage in import and export trade of goods subject to state trading administration or designated trading administration.

Article 52

State trading enterprises and designated trading enterprises shall engage in business activities under normal commercial conditions, and shall not select suppliers or reject entrustment by other enterprises or organizations based on non-commercial factors.

Chapter V Import and Export Monitoring and Interim Measures

Article 53

The competent foreign trade department under the State Council shall be responsible for monitoring and assessing the import and export of goods, regularly report to the State Council on the situation of import and export of goods, and put forward suggestions.

Article 54

For the purpose of maintaining the balance of international payments, including when there is a serious imbalance or a threat of serious imbalance in the international payments, or for the purpose of maintaining a level of foreign exchange reserves compatible with the implementation of economic development plans, the State may adopt interim measures to restrict the value or quantity of imported goods.

Article 55

For the purpose of establishing or accelerating the establishment of a particular domestic industry, where existing measures cannot achieve such purpose, the State may adopt interim measures to restrict or prohibit imports.

Article 56

For the purpose of implementing one or several of the following measures, the State may, when necessary, adopt interim measures to restrict the import of agricultural products or aquatic products in any form:

1. Imposing restrictions on the domestic production or sale of like products or directly competitive products;
2. Eliminating domestic surpluses of like products or directly competitive products by subsidizing consumption;
3. Implementing production restriction measures on animal products derived wholly or mainly from the imported agricultural products or aquatic products.

Article 57

Under any of the following circumstances, the competent foreign trade department under the State Council may adopt interim measures to restrict or prohibit the export of specific goods:

1. Where abnormal circumstances such as severe natural disasters occur, requiring restriction or prohibition of export;
2. Where the order of export operations is seriously disrupted, requiring restriction of export;
3. Where restriction or prohibition of export is required in accordance with Articles 15 and 16 of the Foreign Trade Law.

Article 58

Where interim measures to restrict or prohibit import or export of goods are adopted, the competent foreign trade department under the State Council shall make an announcement before implementation.

Chapter VI Foreign Trade Promotion

Article 59

The State adopts measures such as export credit insurance, export credit, export tax rebates, and the establishment of a foreign trade development fund to promote the development of foreign trade.

Article 60

The State adopts effective measures to promote technological innovation and advancement of enterprises and enhance their international competitiveness.

Article 61

The State helps enterprises explore international markets by providing information and consulting services.

Article 62

Operators of import and export of goods may, in accordance with the law, establish and join import and export chambers of commerce to practice industry self-discipline and coordination.

Article 63

The State encourages enterprises to actively respond to discriminatory anti-dumping, countervailing, safeguard measures, and other restrictive measures taken by foreign countries, and safeguard their legitimate trade rights.

Chapter VII Legal Liability

Article 64

Importing or exporting goods that are prohibited from import or export, or importing or exporting goods that are restricted from import or export without approval or permission shall be investigated for criminal liability in accordance with the provisions of the Criminal Law on the crime of smuggling; where such acts do not constitute a crime, penalties shall be imposed in accordance with the relevant provisions of the Customs Law.

Article 65

Importing or exporting goods that are restricted from import or export beyond the scope of approval or permission shall be investigated for criminal liability in accordance with the provisions of the Criminal Law on the crime of smuggling or the crime of illegal business operations; where such acts do not constitute a crime, penalties shall be imposed in accordance with the relevant provisions of the Customs Law.

Article 66

Forging, altering, or trading certificates for import or export quotas, approval documents, licenses, or automatic import licenses shall be investigated for criminal liability in accordance with the provisions of the Criminal Law on the crime of illegal business operations or the crime of forging, altering, or buying or selling official documents, certificates, or seals of state organs; where such acts do not constitute a crime, penalties shall be imposed in accordance with the relevant provisions of the Customs Law.

Article 67

Where an import or export operator obtains import or export quotas, approval documents, licenses, or automatic import licenses by deception or other improper means, such import or export quotas, approval documents, licenses, or automatic import licenses shall be confiscated in accordance with the law.

Article 68

Violating the provisions of Article 51 of these Regulations by engaging, without authorization, in import or export trade of goods subject to state trading administration or designated trading ad-

ministration, disrupting market order, and where the circumstances are serious, shall be investigated for criminal liability in accordance with the provisions of the Criminal Law on the crime of illegal business operations; where such acts do not constitute a crime, administrative penalties shall be imposed by the market supervision department in accordance with the law.

Article 69

Where a state trading enterprise or a designated trading enterprise violates the provisions of Article 48 or 52 of these Regulations, the competent foreign trade department under the State Council shall give a warning; where the circumstances are serious, its qualification as a state trading enterprise or designated trading enterprise may be suspended or revoked.

Article 70

Where personnel engaged in the administration of import and export of goods, in performing their duties of administering import and export of goods, abuse their authority, neglect their duties, or take advantage of their positions to accept or demand property from others, they shall be investigated for criminal liability in accordance with the provisions of the Criminal Law on the crime of abuse of authority, the crime of neglect of duty, the crime of accepting bribes, or other crimes; where such acts do not constitute a crime, administrative sanctions shall be given in accordance with the law.

Chapter VIII Supplementary Provisions

Article 71

Where a party is dissatisfied with a decision made by an administrative organ under these Regulations on the issuance of quotas, tariff-rate quotas, licenses, or automatic licenses, or with a decision on the qualification of a state trading enterprise or designated trading enterprise, or with a decision on an administrative penalty, it may apply for administrative reconsideration or bring a lawsuit in a people's court in accordance with the law.

Article 72

The provisions of these Regulations shall not hinder the adoption of measures such as tariffs, inspection and quarantine, safety, environmental protection, and intellectual property protection on imported

and exported goods in accordance with laws or administrative regulations.

Article 73

The export of controlled goods such as nuclear items, dual-use nuclear items, monitored chemicals, and military products shall be handled in accordance with the provisions of relevant administrative regulations.

Article 74

Where anti-dumping measures, countervailing measures, or safeguard measures need to be taken on imported goods, such measures shall be implemented in accordance with the Foreign Trade Law and relevant laws and administrative regulations.

Article 75

Where laws or administrative regulations provide otherwise for the administration of import and export of goods in special economic zones such as bonded areas and export processing zones, such provisions shall apply.

Article 76

The competent foreign trade department under the State Council shall be responsible for bilateral or multilateral consultations and negotiations concerning import and export trade of goods, and for matters relating to the settlement of trade disputes.

Article 77

These Regulations shall be effective as of January 1, 2002. The Interim Regulations of the State Council of the People's Republic of China on the Import License System for Imported Goods promulgated by the State Council on January 10, 1984, the Interim Measures for the Administration of Export Commodities approved by the State Council on December 21, 1992 and promulgated by the Ministry of Foreign Economic Relations and Trade on December 29, 1992, the Interim Measures for the Administration of Import of Mechanical and Electrical Products approved by the State Council on September 22, 1993 and promulgated by the State Economic and Trade Commission and the Ministry of Foreign Trade and Economic Cooperation on October 7, 1993, the Interim Measures for the Administration of Import Quotas for General Commodities approved by the State Council on December 22, 1993 and promulgated by the State Planning



Commission and the Ministry of Foreign Trade and Economic Cooperation on December 29, 1993, and the Interim Measures for the Administration of the Operation of Imported Commodities approved by the State Council on June 13, 1994 and promulgated by the Ministry of Foreign Trade and Economic Cooperation and the State Planning Commission on July 19, 1994, are repealed simultaneously.



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