



Provisions on the Registration Administration of Outdoor Advertisements

Subject: - Industry & Commerce Administration -

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Order of the State Administration for Industry and Commerce (No. 25)

The Provisions on the Registration Administration of Outdoor Advertisements, which were amended according to the decision made at the executive meeting of the State Administration for Industry and Commerce of the People's Republic of China, are hereby promulgated and shall come into force as of July 1, 2006.

Wang Zhongfu
Director
May 22, 2006

Provisions on the Registration Administration of Outdoor Advertisements

Article 1 These Provisions are formulated according to the Advertising Law of the People's Republic of China, the Administrative License Law of the People's Republic of China, the Regulation on the Administration of Advertisements and other laws and administrative regulations for the purpose of regulating the registration administration of outdoor advertisements and promoting the sound development of outdoor advertisements.

Article 2 The "outdoor advertisements" as mentioned in these Provisions refers to the advertisements that are released by making use of outdoor sites, spaces and facilities.

The "outdoor advertisements releasing entities" as mentioned in these Provisions refers to the entities that release outdoor advertisements for others as well as the entities and individuals that release outdoor advertisements for self propaganda.



Article 3 For releasing outdoor advertisements, an outdoor advertisements releasing entity shall apply to the administrative organ for industry and commerce for the registration according to these Provisions, and be subject to the supervision and administration of the administrative organ for industry and commerce. It shall first go through the relevant examination and approval formalities where any law, regulation or rule prescribes that the aforesaid release shall be subject to the examination and approval of the relevant department before the registration.

Article 4 The outdoor advertisements shall be subject to the registration administration of the administrative organ for industry and commerce at or above the county level at the place of releasing outdoor advertisements.

The State Administration for Industry and Commerce shall be responsible for guiding and coordinating the registration administration of outdoor advertisements for the whole country.

The administrative organ for industry and commerce of the province, autonomous region or municipality directly under the Central Government shall be responsible for guiding and coordinating the registration administration of outdoor advertisements for its own administrative area.

The administrative organ for industry and commerce at the county level shall be responsible for the registration administration of outdoor advertisements for its own administrative area.

If the administrative organ for industry and commerce at or above the prefecture level (including the municipality directly under the Central Government) considers that the direct registration administration of the outdoor advertisements within its own administrative area is necessary, it may implement the direct registration administration.

Article 5 For releasing the following advertisements, an applicant shall file an application for the registration of outdoor advertisements to and obtain a Registration Certificate on Outdoor Advertisements from the administrative organ for industry and commerce:

- (1) the advertisements that are released by making use of outdoor sites, spaces or facilities and carried on display stands, electronic display devices, light boxes or neon lights;
- (2) the advertisements that are printed or posted on or hung to the surface of



transport vehicles, floating objects on the water, blastoff apparatus, inflatable objects or moulds;

- (3) the advertisements that are set up inside or outside of subway facilities, urban rail facilities, underground passages, stations, docks or airport terminals; and
- (4) the outdoor advertisements in other forms that shall be registered according to the laws, regulations or the provisions of the State Administration for Industry and Commerce.

As to the self-built outdoor advertisements for propagandizing the name, logo, business scope, legal representative (person-in-charge) or contact information of an entity at its registered place or within the scope of its lawful business place, the entity needs not to apply to the administrative organ for industry and commerce for the registration of outdoor advertisements, unless it is otherwise prescribed by local regulations or rules.

Article 6 To apply for the registration of outdoor advertisements, an applicant shall meet the following requirements:

- (1) The outdoor advertisements releasing entity has obtained the capacity for the applied matter;
- (2) The commodity or service as promoted by outdoor advertisements is within the business scope of the advertiser;
- (3) The outdoor advertisements releasing entity has the right to use the corresponding medium for outdoor advertisements;
- (4) The site and form for releasing advertisements meet the requirements of the local people's government for the planning on set-up of outdoor advertisements;
- (5) The contents in outdoor advertisements meet the provisions in laws or regulations;
- (6) The party concerned has gone through the relevant examination and approval formalities if the releasing of outdoor advertisements shall be subject to the approval of the relevant administrative department according to the provisions; and
- (7) Other requirements as prescribed by the laws, regulations or the



provisions of the State Administration for Industry and Commerce.

Article 7 The registered items concerning outdoor advertisements shall include:

- (1) the name of the outdoor advertisements releasing entity;
- (2) the place and specific location for releasing outdoor advertisements;
- (3) the time limit for releasing outdoor advertisements;
- (4) the form, quantity and specifications of outdoor advertisements; and
- (5) the contents of the outdoor advertisements.

The time limit for releasing outdoor advertisements as approved and registered by the administrative organ for industry and commerce shall not exceed the period when the applicant can lawfully use the medium of outdoor advertisements.

Article 8 An application for the registration of outdoor advertisements shall be filed by the outdoor advertisements releasing entity with the administrative organ for industry and commerce at the place of releasing outdoor advertisements after the outdoor advertisements releasing entity examines the certification documents, verifies the contents of the advertisements and affirms that the conditions for applying for the registration prescribed in Article 6 are met.

An application for the registration of outdoor advertisements that are released by making use of transport vehicles or other mobile carriers shall be filed by the outdoor advertisements releasing entity with the administrative organ for industry and commerce at the locality of the entity that uses the transport vehicles or other mobile carriers after the outdoor advertisements releasing entity performs the examination obligation prescribed in the preceding Paragraph.

Article 9 To apply for the registration of outdoor advertisements, an outdoor advertisements releasing entity shall submit the following application materials:

- (1) an Application Form for the Registration of Outdoor Advertisements;
- (2) the business license or the qualification certification document with the same legal force of the outdoor advertisements releasing entity and the advertiser;



- (3) the certificate on the use of the place or facilities for issuing outdoor advertisements, including the ownership certificate or the agreement on the use, etc. for the place or facilities;
- (4) the samples of outdoor advertisements; and
- (5) other documents required to be submitted according to the laws, regulations or the provisions of the State Administration for Industry and Commerce.

In the case of releasing outdoor advertisements on commission, a contract on the entrustment to release outdoor advertisements concluded with the trustor, the business license or the qualification certification document with the same legal force of the trustor shall also be provided.

If the form, place or facilities for releasing outdoor advertisements need to be approved by the relevant governmental department according to the provisions as prescribed by the State or the local government, the approval document issued by the relevant department shall also be provided.

In the case of releasing advertisements subject to examination and approval according to the laws, regulations or rules, the relevant approval document shall also be provided.

Article 10 Where it is necessary to alter the releasing term, form, quantity, specifications or contents of outdoor advertisements, the outdoor advertisements releasing entity shall submit the following application materials to the original registration organ for applying for the alteration registration:

- (1) an Application Form for the Alteration Registration of Outdoor Advertisements;
- (2) the original Certificate on the Registration of Outdoor Advertisements; and
- (3) the documents prescribed in Article 9 of these Measures and related to the matter to be altered.

Article 11 Where it is necessary to alter the entity, place or specific site for releasing outdoor advertisements, the outdoor advertisements releasing entity shall turn in the Certificate on the Registration of Outdoor Advertisements to the original registration organ, and file a new application for the registration of outdoor advertisements according to Articles 4, 5, 8 and 9.



Article 12 The administrative organ for industry and commerce shall carry out written examination on the application materials submitted by the outdoor advertisements releasing entity. If the application materials are incomplete or inconsistent with statutory forms, it shall, on the spot or within 5 days, notify the applicant of all the contents that need to be supplemented once and for all. If the application materials are complete and consistent with statutory forms, it shall issue a notice on acceptance, make a decision within 7 working days as of the date of acceptance, and approve the registration and issue a Certificate on the Registration of Outdoor Advertisements if the application meets the provisions, or disapprove the registration and explain the reasons in written form if the application does not meet the provisions.

Article 13 An outdoor advertisements releasing entity shall release outdoor advertisements in light of the registered items approved by the administrative organ for industry and commerce, and shall not illegally make alteration without the alteration registration or re-registration.

Article 14 Where the situation is changed and the conditions prescribed in Article 6 of these Provisions are not met after an outdoor advertisements releasing entity has obtained a Certificate on the Registration of Outdoor Advertisements, the outdoor advertisements releasing entity shall suspend the releasing of outdoor advertisements, and turn in the Certificate on the Registration of Outdoor Advertisements to the original registration organ.

Article 15 The number of the Certificate on the Registration of Outdoor Advertisements shall be clearly indicated on the bottom right corner of the outdoor advertisements approved and registered by the administrative organ for industry and commerce. Where it is unfit to indicate the number of the registration certificate on the outdoor advertisements, the number may not be indicated upon approval of the registration organ.

Article 16 No entity or individual may forge, alter, lease, lend, sell or transfer in any other form the Certificate on the Registration of Outdoor Advertisements.

Article 17 The administrative organ for industry and commerce shall strengthen the daily supervision and inspection of outdoor advertisements, and investigate and deal with unlawful outdoor advertisements.



An outdoor advertisements releasing entity and relevant parties concerned shall be subject to the supervision and inspection of the administrative organ for industry and commerce, and shall not disguise the actual situation or provide false materials.

Article 18 Where any entity or individual violates Article 5 or 11 by illegally releasing outdoor advertisements without registration, the administrative organ for industry and commerce shall confiscate its or his illegal proceeds, impose a fine of less than RMB30,000 (*yuan*) on it or him, and order it or him to make up the registration formalities within the time limit. If it or he fails to make up the registration formalities within the time limit, the administrative organ for industry and commerce shall order it or him to stop the releasing of outdoor advertisements.

Article 19 Where any entity or individual obtains a Certificate on the Registration of Outdoor Advertisements by providing false documents or resorting to frauds, the registration organ shall order it or him to make corrections, impose a fine of less than RMB30,000 (*yuan*) on it or him, and cancel the registration certificate if the circumstance is serious.

Article 20 Where any entity or individual violates Article 10 by illegally altering specifications to release outdoor advertisements, the registration organ shall order it or him to make corrections. Any entity or individual that fails to release outdoor advertisements according the releasing term, form, quantity or contents as approved and registered shall be ordered to make corrections and be fined with less than RMB5,000 (*yuan*); and if the circumstance is serious, it or he shall be ordered to make corrections and be fined with less than RMB30,000 (*yuan*).

Article 21 Where any entity or individual fails to clearly indicate the registration number on the bottom right corner of the registered outdoor advertisements according to Article 15, the registration administrative organ shall order it or him to make corrections and impose a fine of less than RMB1,000 (*yuan*) on it or him.

Article 22 Where any entity or individual violates Article 16 by forging, altering, leasing, lending, selling or transferring in any other form the Certificate on the Registration of Outdoor Advertisements, the registration administrative organ shall confiscate and destroy the Certificate on the Registration of Outdoor Advertisements and impose a fine of less than RMB30,000 (*yuan*) on it or him.

Article 23 Any functionary of the administrative organ for industry and commerce



who neglects his duties, misuses his authorities or resorts to cheats for private interests in the registration administration of outdoor advertisements shall be given an administrative sanction, and shall be subject to criminal liability if a crime is constituted.

Article 24 The format of the Certificate on the Registration of Outdoor Advertisements and the document on the registration of outdoor advertisements shall be formulated by the State Administration for Industry and Commerce.

Article 25 In addition to the specific prescriptions in these Provisions, the implementation procedures for the registration of outdoor advertisements shall also be governed by the general provisions on the administrative licensing implementation procedures as prescribed in the Administrative License Law.

Article 26 These Provisions shall come into force as of July 1, 2006. The Provisions on the Registration Administration of Outdoor Advertisements promulgated by Order No. 42 of the State Administration for Industry and Commerce on December 8, 1995 and amended by Order No. 86 of the State Administration for Industry and Commerce on December 3, 1998 shall be simultaneously repealed. The provisions in other rules or regulatory documents formulated by the State Administration for Industry and Commerce that conflict with these Provisions shall simultaneously become invalidated.

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