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The People's Republic of China
Decree No. 252
Registration of Institutions

Chapter 1. General Principles

Article 1. These regulations are established to regularize registration and management of institutions, ensure the legitimate rights and interests of institutions, and give play to institutions in building socialist material and spiral civilizations.

Article 2. Institutions as mentioned in these regulations refer to social service organizations sponsored by state organs or other organizations using state-owned assets that engage in educational, science and technological, cultural, health, and other activities for the purpose of social welfare.

Organizations of business nature sponsored by institutions according to law must keep separate accounts and be registered and managed according to the state's laws and regulations governing companies, enterprise, and other organizations of business nature.

Article 3. After institutions are established with the approval of a people's government at or above the county level and a department in charge of the people's government (hereinafter referred to as examination and approving organs,) they should be registered or put on record according to stipulations in these regulations.

Institutions should meet requirements of a legal person.

Article 4. Institutions should abide by the Constitution, relevant laws and regulations, and the state's policy.

Article 5. The organ of the State Council in charge of organizational structure and the organ in charge of organizational structure of a people's government at or above the county level are organs in charge of registration and management (hereinafter referred to as registration and management organs) of institutions of the people's government at the respective level.

Institutions are registered and managed at various levels. Specific procedures for registration and management of institutions at different levels are to be established by the organ in charge of organization structure of the State Council.

If relevant laws and administrative regulations contain stipulations governing the supervision and management of institutions, these laws and administrative regulations shall govern.

Chapter II Registration

Article 6. To apply for registration as a legal person, institutions should meet the following requirements:

(1) They are established with the approval of an examination and approving organ;

- (2) they have a name, an organization, and a work site;
- (3) they have personnel engaging in activities relevant to their work;
- (4) they have provision of fund related to their work.;
- (5) they are able to independently assume civil responsibility.

Article 7. When applying for registration as a legal person, institutions should submit the following documents to the concerned registration and management organ:

- (1) a registration application form;
- (2) approval documents from an examination and approving organ;
- (3) proof of the right to use a work site;
- (4) proof of provision of funds;
- (5) other relevant proof papers.

Article 8. Within 30 days after receiving a registration application form, registration and management organs should examine the application form according to stipulations of these regulations and decide whether or not the applicants should be registered. A "Legal Person Registration of Institutions" is to be issued to the applicants if registration is approved, and for those whose applications are not approved, explanations should be given.

Contents for legal person registration of an institution should include the institution's name, address, purpose, scope of work, legal representative, and provision of fund (establishment fund).

Article 9. Registered institutions should make appropriate seals and open a bank account using their "Legal Person Registration of Institutions". They should keep a record of their seals at the concerned registration and management organ.

Article 10. In case their registration contents need to be changed, institutions should register changes at the concerned registration and management organ.

Article 11. Institutions that meet legal person requirements as specified by law and become a legal person as of the date of their establishment, or institutions that may meet legal person requirements as specified by law or other administrative regulations and, after being examined or registered according to law by a department in charge, have obtained an appropriate certificate for operations, need not go through legal person registration; instead, a department in charge is to put them in record at the concerned registration and management organ according to stipulations on registration and management of institutions at different levels.

Institutions directly under a people's government at or above the county level should directly put themselves on record at the concerned registration and management organ.

Article 12. In addition to the contents mentioned in the second section of article 8 of these regulations, items to be put on record by concerned institutions also should include a certificate for operations or document showing approval for institution establishment.

Within 30 days after receiving a document applying for record keeping, the registration and management organ in charge should issue a "Legal Person Registration of Institutions" to the institutions concerned.

Article 13. When institutions are abolished or disbanded, they should cancel their registration or records at the registration and management organ in charge.

Prior to canceling registration, concerned institutions should set up an account settling group to complete account settling work under the guidance of the concerned examination and approving organ.

Within 15 days after account settling work is completed, concerned institutions should cancel their registration at the registration and management organ in charge. When canceling registration, institutions concerned should submit documents showing abolishment or disbanding of the institutions and an account settling report. The registration and management organ in charge are to take back the "Legal Person Registration of Institutions" and seals of the institutions in question.

Article 14. Concerned registration and management organs are to announce registration, record filing, change in name or address, and cancellation of registration or record keeping of institutions.

Chapter III Supervision and Management

Article 15. Legal incomes earned by institutions according to the state's relevant regulations must be used for activities in line with their purposes and within the scopes of their businesses.

Donations and aids received by institutions must be in line with their purpose and within the scopes of their businesses and must be used according to the time limits and forms agreed on with the donors or aids providers and for legal purposes.

Article 16. Institutions must practice the state's relevant financial and price management systems and subject themselves to the supervision of taxation and auditing departments.

Article 17. Institutions must separately submit by 31 March of each year to the concerned registration and management organs and examination and approving organs a report on how these regulations were carried out in the previous year.

Article 18. Institutions that have not registered themselves according to these regulations should make up for registration within a specified period as instructed by a registration and management organ in charge. Persons in charge and other personnel bearing direct responsibility of institutions that fail to make up for registration within the specified period are to be disciplined according to law as suggested by the registration and management organ in charge.

Article 19. Institutions that have engaged in one of the following acts are to be warned and instructed to make correction within a specified period by the concerned registration and management organ. If the case is serious, with the consent of the concerned examination and approving organ, institutions in question are to be abolished and their “Legal Person Registration of Institutions” and seals are to be returned to the authorities.

(1) not changing or canceling registration according to these regulations;

(2) tampering with, leasing, or lending their “Legal Person Registration of Institutions”, or leasing or lending their seals;

(3) accepting or using donations or aids in violation of established regulations.

Institutions that violate law or relevant regulations are to be handled by concerned departments according to law.

Article 20. Personnel of registration and management organs who, in handling institutions registration and management work, abuse their authority, ignore their duty, or play favoritism and commit irregularities, if criminal activities are involved, are to be investigated for their criminal liability. If no criminal activities are involved, they are to be given administrative punishment.

Chapter IV Supplementary Articles

Article 21. The format of “Legal Person Registration of Institutions” is to be decided by the organ in charge of organization structure of the State Council.

Article 22. Institutions established before these regulations are enforced should register themselves or put themselves on record according to relevant stipulations of these regulations within one year after these regulations are put into force.

Article 23. These regulations come into force as of the date of promulgation.

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