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《基金会信息公布办法》已经2005年12月27日第六次部务会议通过, 现予公布, 自公布之日起施行。

The Measures for the Information Disclosure of Foundations, which were adopted at the 6th executive meeting of the Ministry of Civil Affairs on December 27, 2005, are now promulgated and shall become effective from the day of promulgation.

部长: 李学举

Minister Li Xueju

二00六年一月十二日

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基金会信息公布办法

Measures for the Information Disclosure of Foundations

Article 1 The present Measures are formulated according to the relevant provisions of the Regulation on Foundation Administration (hereinafter referred to as the Regulation) in order to regulate the information disclosure activities of foundations and the representative offices of overseas foundations, protect the lawful rights and interests of donors and relevant parties concerned, and promote the development of public welfare activities.

Article 2 The term “information disclosure” as mentioned in the present Measures refers to activities of a foundation or representative office of an overseas foundation disclosing its internal information and business activities to the general public through media according to the provisions of the Regulation and the present Measures.

The foundation or representative office of an overseas foundation is the responsible party for information disclosure.

Article 3 The information disclosed by the responsible party for information disclosure shall be authentic, accurate, and complete. The disclosed information materials shall not include any false records, misleading statements, or major omissions.

The responsible party for information disclosure shall guarantee that donors and the general public can quickly and conveniently refer to or copy the publicly disclosed materials.

Article 4 The information that the responsible party for information disclosure shall disclose includes the following:

第一条 为了规范基金会、境外基金会代表机构信息公开活动，保护捐赠人及相关当事人的合法权益，促进公益事业发展，根据《基金会管理条例》（以下简称《条例》）的有关规定，制定本办法。

第二条 本办法所称信息公开，是指基金会、境外基金会代表机构按照《条例》和本办法的规定，将其内部信息和业务活动信息通过媒体向社会公布的活动。基金会、境外基金会代表机构是信息公开义务人。

第三条 信息公开义务人公布的信息资料应当真实、准确、完整，不得有虚假记载、误导性陈述或者重大遗漏。

信息公开义务人应当保证捐赠人和社会公众能够快捷、方便地查阅或者复制公布的信息资料。

第四条 信息公开义务人应当向社会公布的信息包括：

(1) An annual work report of a foundation or representative office of an overseas foundation;

(2) Information on the fundraising activities organized by public fundraising foundations; and

(3) Information on public welfare funding projects launched by foundations.

The foundation or representative office of an overseas foundation may, on the basis of observing the provisions of the present Measures, can choose to disclose more information at its discretion.

Article 5 The responsible party for information disclosure shall, before March 31st of each year, submit to the registration and management organ its annual work report. Within 30 days after the registration and management organ has carried out an examination, the responsible party for information disclosure that has passed the aforesaid examination shall, according to the uniform requirements for formatting, disclose the full text and extracts of its annual work report through the media outlets designated by the registration and management organ

Unaudited financial statements of the responsible party for information disclosure shall not be disclosed to the public.

Article 6 Where a public fundraising foundation organizes fundraising activities, it shall disclose its tentatively planned public welfare activities upon receiving the funds as well as a detailed plan for utilizing the funds. During the period where fundraising activities are in progress, the income generated by the fundraising activities and the costs and expenditures in launching the public

(一) 基金会、境外基金会代表机构的年度工作报告;

(二) 公募基金会组织募捐活动的信息;

(三) 基金会开展公益资助项目的信息。

基金会、境外基金会代表机构在遵守本办法规定的基础上可以自行决定公布更多的信息。

第五条 信息公布义务人应当在每年3月31日前, 向登记管理机关报送上一年度的年度工作报告。登记管理机关审查通过后30日内, 信息公布义务人按照统一的格式要求, 在登记管理机关指定的媒体上公布年度工作报告的全文和摘要。

信息公布义务人的财务会计报告未经审计不得对外公布。

第六条 公募基金会组织募捐活动, 应当公布募得资金后拟开展的公益活动和资金的详细使用计划。在募捐活动持续期间内, 应当及时公布募捐活动所取得的收入和用于开展公益活动的成本支出情况。募捐活动结束后

welfare activities shall be disclosed in a timely manner. . After the fundraising activity has ended, the total income generated from the fundraising activities as well as the use of the raised funds shall be disclosed.

Article 7 When a foundation launches a public welfare funding project, it shall disclose the classification of the launched public welfare project as well as the procedures for application and evaluation. Where an evaluation ends, it shall disclose the evaluation result and notify the applicant. After a public welfare funding project has concluded, information about the use of relevant funds shall be disclosed. In the aftermath of the project evaluation, the evaluation result shall be disclosed.

Article 8 With regard to any news on any public media that has or may prove to be disadvantageous to the individual responsible for information disclosure, the responsible party for information disclosure shall publicly explain or clarify the issue.

Article 9 Except for the annual work report, the responsible party for information disclosure may, when disclosing information, select either the newspaper, radio, television or internet as the media for information disclosure.

Article 10 The media used for information disclosure shall sufficiently cover the activities of the responsible party for information disclosure. Basic background on the responsible party for information disclosure, as well as contact information, shall be indicated in the disclosed information.

Article 11 The responsible party for information disclosure shall establish and perfect an internal administration system for information disclosure activities and designate specific personnel to be responsible for handling information

后，应当公布募捐活动取得的总收入及其使用情况。

第七条 基金会开展公益资助项目，应当公布所开展的公益项目种类以及申请、评审程序。评审结束后，应当公布评审结果并通知申请人。公益资助项目完成后，应当公布有关的资金使用情况。事后对项目进行评估的，应当同时公布评估结果。

第八条 对于公共媒体上出现的对信息公布义务人造成或者可能造成不利影响的消息，信息公布义务人应当公开说明或者澄清。

第九条 除年度工作报告外，信息公布义务人公布信息时，可以选择报刊、广播、电视或者互联网作为公布信息的媒体。

第十条 信息公布所使用的媒体应当能够覆盖信息公布义务人的活动地域。公布的信息内容中应当注明信息公布义务人的基本情况和联系、咨询方式。

第十一条 信息公布义务人应当建立健全信息公布活动的内部管理制度，并指定专人负责处理信息公布活

disclosure activities. With regard to any disclosed information, a public archive of disclosed information shall be created and properly preserved..

Article 12 Disclosure of information about activities or projects by the responsible party for information disclosure shall continue until the end of the activities or the end of the project.

Once any information is disclosed, the responsible party for information disclosure cannot arbitrarily revise the information. Where revisions are required, the responsible party for information disclosure should strictly follow the internal management procedures. Upon the revision, the individual must re-announce the information, provide an explanation for the revision, and declare the original information to be invalid.

Article 13 The responsible party for information disclosure shall faithfully portray the information disclosure activities in the annual work report. The responsible party for information disclosure is also be subject to the supervision and examination of the registration and management organ.

Article 14 The registration and management organ shall supervise and administer information disclosure activities as prescribed by law, and ensure the trustworthiness of the responsible party for information disclosure in writing.

Where any responsible party for information disclosure fails the duty of information disclosure or discloses false information, the registration and administration organ shall instruct the party to immediately correct its actions and issue an administrative penalty per the provisions of Article 42 of the Regulation. (Related materials: First paragraph of local regulations)

动的有关事务。对于已经公布的信息，应当制作信息公开档案，妥善保管。

第十二条 信息公开义务人公布有关活动或者项目的信息，应当持续至活动结束或者项目完成。

信息一经公布，信息公开义务人不得任意修改，确需修改的，应当严格履行内部管理制度的程序在修改后重新公布，并说明理由，声明原信息作废。

第十三条 信息公开义务人应当将信息公开活动的情况如实反映在年度工作报告中，接受登记管理机关监督检查。

第十四条 登记管理机关依法对信息公开活动进行监督管理，建立信息公开义务人诚信记录。

信息公开义务人不履行信息公开义务或者公布虚假信息信息的，由登记管理机关责令改正，并依据《条例》第四十二条规定给予行政处罚。

（相关资料：[地方法规1篇](#)）

Article 15 The text format for the disclosed information within the annual report for report shall be formulated by the State Council and Ministry of Civil Affairs.

第十五条 年度工作报告的信息公布格式文本，由国务院民政部门制定。

Article 16 The present Measures shall come into effect on the day of promulgation.

第十六条 本办法自公布之日起施行。

Translated and reviewed by Shin-yee Yu and Shawn Shieh