

Regulations for the Implementation of the Law of the People's Republic of China on Protection of Cultural Relics

(Adopted at the Eighth Executive Meeting of the State Council on May 13, 2003, promulgated by Decree No. 377 of the State Council of the People's Republic of China on May 18, 2003, and effective as of July 1, 2003)

Chapter I

General Provisions

Article 1 These Regulations are formulated in accordance with the Law of the People's Republic of China on Protection of Cultural Relics (hereinafter referred to as the Law on Protection of Cultural Relics).

Article 2 The State special subsidy funds for major cultural relics and local special funds for cultural relics are jointly managed by the competent cultural relics administrative departments, the departments in charge of investment and the finance departments of the People's governments at or above the county level in accordance with the relevant provisions of the State. No unit or individual may take these funds into their own possession or misappropriate them.

Article 3 Incomes earned by the undertaking of the State-owned museums, memorial halls, sites protected for their historical and cultural value, etc. shall be used for the following purposes:

- (1) upkeep, display, restoration and collection of cultural relics;
- (2) repair, renovation and building up of State-owned museums, memorial halls and sites protected for their historical and cultural value;
- (3) security measures for the safekeeping of cultural relics;
- (4) archaeological investigation, prospecting and excavation; and
- (5) scientific research, publicity and education in the protection of cultural relics.

Article 4 The competent cultural relics administrative departments and the competent administrative departments of education, science and technology, press and publication, and broadcasting and television shall do a good job in enhancing publicity and education in the protection of cultural relics.

Article 5 The competent cultural relics administrative department of the State Council and the competent cultural relics administrative departments of the People's governments of the provinces, autonomous regions and municipalities directly under the Central Government shall work out scientific and technological research plans for the protection of cultural relics and take effective measures for the popularization and application of scientific and technological results in the protection of cultural relics, so as to advance the scientific and technological standard in this regard.

Article 6 Units or individuals that perform any of the deeds as listed in Article 12 of the Law on Protection of Cultural Relics shall be given moral encouragement or material rewards by the People's governments and the competent cultural relics administrative departments thereof and other relevant departments.

Chapter II

Immovable Cultural Relics

Article 7 The famous cities of historical and cultural value shall be reported by the competent construction administrative department of the State Council jointly with the competent cultural relics administrative department of the State Council to the State Council for verification and announcement.

The famous neighbourhoods, villages or towns of historical and cultural value shall be reported by the competent administrative departments of urban and rural planning jointly with the competent cultural relics administrative departments of the People's governments of the provinces, autonomous regions or municipalities directly under the Central Government to the People's governments at the same level for verification and announcement.

Plans for the protection of famous cities of historical and cultural value, famous neighbourhoods, villages or towns of historical and cultural value, which are drawn up under the organization of the local People's governments at or above the county level, shall meet the requirements for the protection of cultural relics.

Article 8 The People's government of the province, autonomous region or municipality directly under the Central Government shall, within one year from the date of verification and announcement of a major site protected for its historical and cultural value at the national level or a site protected for its historical and cultural value at the provincial level, delimit the necessary area of protection, put up a sign or notice therefore, establish records and files thereof, and establish special organs or assign full-time persons to be responsible for the control over the site.

Within one year from the date of verification and announcement of a site protected for its historical and cultural value at the level of a city divided into districts, at the level of an autonomous prefecture or at the county level, the People's government that has verified and announced the site shall delimit the area of protection, put up a sign or notice therefore, establish records and files thereof, and establish special organs or assign full-time persons to be responsible for the control over the site.

Article 9 The area of protection for a site protected for its historical and cultural value shall cover both the site proper and the surrounding areas for which special protection is enforced over a certain parameter.

The area of protection for a site protected for its historical and cultural value shall be delimited rationally in light of the classification, size and contents of the site as well as the historical and actual conditions of the surrounding environment, and a certain additional safe space shall be kept beyond the site proper, so as to preserve its true

identity and integrity.

Article 10 The sign or notice for a site protected for its historical and cultural value shall include its grade, name, organ and date of announcement, organ of putting up the sign or notice and date of its establishment. The sign or notice for a site in an autonomous region of an ethnic group protected for its historical and cultural value shall be in both standard Han characters and the ethnic language commonly used in the locality.

Article 11 The records and files of a site protected for its historical and cultural value shall include written descriptions of the site proper, scientific and technological data, related documentary accounts and contents concerning its administrative management.

The records and files of a site protected for its historical and cultural value shall make full use of the forms such as written language, sound and video recordings, pictures, rubbings, facsimiles and electronic copies so as to give effective expressions to the contents they carry on.

Article 12 For a site of ancient culture, ancient tomb, cave temple, State-owned memorial building or ancient architectural structure that is verified and announced as a site protected for its historical and cultural value, the local People's government at or above the county level shall establish a special organ or assign an organ to be responsible for the control over the site. For any other site protected for its historical and cultural value, the local People's government at or above the county level shall establish a special organ or assign an organ or a full-time person to be responsible for the control over the site; where a full-time person is assigned to be responsible for the control over the site, the said person may be employed as a cultural relics guard.

Where a site protected for its historical and cultural value is under use by a unit, the unit shall set up a mass organization for the protection of cultural relics; where there is no such a unit, the villagers committee or residents committee of the place where the site protected for its historical and cultural value is located may set up a mass organization for the protection of cultural relics. The competent cultural relics administrative department shall give guidance and support to such mass organization for the protection of cultural relics in its activities.

An organ responsible for the control over a site protected for its historical and cultural value shall work out and improve sound regulations and systems and adopt security measures; its security persons may be equipped with defensive weapons in accordance with law.

Article 13 The area for control of construction around a site protected for its historical and cultural value refers to an area, beyond the area of protection of the said site, in which the construction of any project is restricted with a view to protecting the safety, environment and historical features of the site.

The area for control of construction around a site protected for its historical and cultural value shall be delimited rationally in light of the classification, size and contents of the site and the historical and actual situations of its surrounding environment.

Article 14 The area for control of construction around a major site protected for its

historical and cultural value at the national level shall, upon approval by the People's government of the province, autonomous region or municipality directly under the Central Government, be delimited and announced by the competent cultural relics administrative department jointly with the administrative department of urban and rural planning of the People's government of the province, autonomous region or municipality directly under the Central Government.

The area for control of construction around a site protected for its historical and cultural value at the provincial level, at the level of a city divided into districts, at the level of an autonomous prefecture or at the county level shall, upon approval by the People's government of the province, autonomous region or municipality directly under the Central Government, be delimited and announced by the competent cultural relics administrative department jointly with the administrative department of urban and rural planning of the People's government approving and announcing the site.

Article 15 A unit undertaking the repair, removal, or reconstruction of a site protected for its historical and cultural value shall obtain both the qualification certificate of an appropriate grade for projects designed to protect cultural relics issued by the competent cultural relics administrative department and the qualification certificate of an appropriate grade issued by the competent construction administrative department, whereas the work of repair, removal or reconstruction of a site protected for its historical and cultural value shall, if not involving construction activities, be undertaken by a unit that has obtained the qualification certificate of an appropriate grade for projects designed to protect cultural relics issued by the competent cultural relics administrative department.

Article 16 An applicant for obtaining the qualification certificate for projects designed to protect cultural relics shall meet the following conditions:

- (1)having persons with a technical title in the profession of cultural relics and museology;
- (2)having technical equipment for the projects designed to protect cultural relics; and
- (3)other conditions as provided by laws and administrative regulations.

Article 17 To apply to obtain the qualification certificate for projects designed to protect cultural relics, an application therefore shall be submitted to the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government or to the competent cultural relics administrative department of the State Council, which shall make a decision of approval or disapproval within 30 working days from the date of receipt of the application, and shall issue the qualification certificate of an appropriate grade for projects designed to protect cultural relics when making a decision of approval, or notify the party concerned in writing and give the reasons therefore when making a decision of disapproval. The criteria for varying grades of qualifications for projects designed to protect cultural relics and the measures for examination and approval shall be formulated by the competent cultural relics administrative department of the State Council.

Article 18 The competent cultural relics administrative department shall, before

examining and approving the repair plan and engineering design programme for a site protected for its historical and cultural value, solicit opinions from the competent cultural relics administrative department of the People's government at the next higher level.

Article 19 The People's government of the province, autonomous region or municipality directly under the Central Government shall be responsible for investigating and handling the building or structure that threatens the safety of any major site protected for its historical and cultural value at the national level or damages its historical features.

The People's government verifying and announcing the site shall be responsible for investigating and handling the building or structure that threatens the safety of any site protected for its historical and cultural value at the provincial level, at the level of a city divided into districts, at the level of an autonomous prefecture or at the county level, or damages its historical features.

The People's government at the county level shall be responsible for investigating and handling the building or structure that threatens the safety of any immovable cultural relics that have not yet been verified and announced as a site protected for its historical and cultural value.

Chapter III

Archaeological Excavations

Article 20 An institution applying to engage in archaeological excavations and to obtain a qualification certificate for archaeological excavations shall meet the following conditions:

- (1)having four or more persons qualified as team leaders for archaeological excavations;
- (2)having persons with a technical title in the profession of cultural relics and museology;
- (3)having professionals for protecting the safety of cultural relics;
- (4)having technical equipment for archaeological excavations;
- (5)having facilities and premises for safeguarding the safety of cultural relics; and
- (6)other condition as provided by laws and administrative regulations.

Article 21 To obtain a qualification certificate for archaeological excavations, an application therefore shall be submitted to the competent cultural relics administrative department of the State Council, which shall make a decision of approval or disapproval within 30 working days from the date of receipt of the application, and shall issue a qualification certificate for archaeological excavations when making a decision of approval, or notify the party concerned in writing and give the reasons therefore when making a decision of disapproval.

Article 22 A system of responsibility of team leaders shall be practised in all archaeological excavation projects. A person who is to hold the position of team leader shall obtain a qualification certificate for team leader for archaeological excavations

issued by the competent cultural relics administrative department of the State Council in accordance with the relevant provisions of the State.

Article 23 The archaeological investigation, prospecting and excavation to be carried out along with a construction project shall be organized and conducted by the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government. The archaeological investigation, prospecting and excavation in a construction project covering two or more provinces, autonomous regions and municipalities directly under the Central Government shall be jointly organized and conducted by the competent cultural relics administrative departments of the People's governments of the provinces, autonomous regions and municipalities directly under the Central Government where the construction project is located, whereas the archaeological investigation, prospecting and excavation in a construction project of special importance shall be organized and conducted by the competent cultural relics administrative department of the State Council.

The construction unit shall provide assistance to the archaeological investigation, prospecting and excavation carried out along with a construction project, and shall not hinder such archaeological investigation, prospecting and excavation.

Article 24 The competent cultural relics administrative department of the State Council shall make a decision of approval or disapproval within 30 working days from the date of receipt of an excavation plan as provided in the first paragraph of Article 30 of the Law on Protection of Cultural Relics, and shall issue a document of approval when making a decision of approval, or notify the party concerned in writing and give the reasons therefore when making a decision of disapproval.

In case of rescue excavation as provided in the second paragraph of Article 30 of the Law on Protection of Cultural Relics, the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government shall, within ten working days from the date of commencement of the excavation, undergo the formalities of examination and approval retroactively with the competent cultural relics administrative department of the State Council.

Article 25 The range and rate of funds needed for archaeological investigation, prospecting and excavation shall be subject to the relevant provisions of the State.

Article 26 An institution engaged in archaeological excavations shall, within 30 working days from the date of completion of an archaeological excavation project, submit a project completion report to the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government and the competent cultural relics administrative department of the State Council, and shall, within three years from the date of submission of the project completion report, submit an archaeological excavation report to the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the

Central Government and the competent cultural relics administrative department of the State Council.

Article 27 After submission of the archaeological excavation report, the institution engaged in archaeological excavations may retain a small amount of unearthed cultural relics as samples for scientific research, upon approval by the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government or the competent cultural relics administrative department of the State Council within their respective functions and powers, and shall, within six months from the date of submission of the excavation report, turn over other unearthed cultural relics for collection to the State-owned museums, libraries or other State-owned institutions for the collection of cultural relics designated by the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government or the competent cultural relics administrative department of the State Council.

Chapter IV

Cultural Relics in the Collection of Cultural Institutions

Article 28 An institution for the collection of cultural relics shall set up a system of receipt, assessment, registration, cataloguing and filing of cultural relics in its collection, a system of warehouse management, a system of entry, taking out and cancellation of cultural relics as well as their statistics and a system of maintenance, restoration and reproduction.

Article 29 The competent cultural relics administrative department of the People's government at the county level shall, in accordance with the relationship of administrative subordination, submit for the record the files for the cultural relics in the collection of various cultural institutions within its administrative area to the competent cultural relics administrative department of the People's government at the level of a city divided into districts or at the level of an autonomous prefecture or to the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government; the competent cultural relics administrative department of the People's government at the level of a city divided into districts or at the level of an autonomous prefecture shall submit for the record the files for the cultural relics in the collection of various cultural institutions within its administrative area to the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government; the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government shall submit for the record the files for the collected grade-one cultural relics within its administrative area to the competent cultural relics

administrative department of the State Council.

Article 30 Where an institution for the collection of cultural relics borrows cultural relics from another institution, the borrower shall take necessary protection measures for the borrowed cultural relics so as to ensure their security.

Unless otherwise agreed upon by the parties concerned, the risk of destruction, loss or damage of the borrowed cultural relics shall be borne by the institution for the collection of cultural relics that borrows the said cultural relics.

Article 31 Where an institution for the collection of State-owned cultural relics fails to compile files for the cultural relics in its collection and submit such files to the competent cultural relics administrative department for the record pursuant to the provisions of Article 36 of the Law on Protection of Cultural Relics, it shall not exchange or lend cultural relics from its collection.

Article 32 Repairs, duplication or making rubbings of grade-two or grade-three cultural relics in the collection of a cultural institution shall be reported for approval to the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government. Repairs, duplication or making rubbings of grade-one cultural relics in the collection of a cultural institution shall, upon examination and verification by the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government, be reported to the competent cultural relics administrative department of the State Council for approval.

Article 33 An institution engaged in repairs, duplication or making rubbings of cultural relics in the collection of cultural institutions shall meet the following conditions:

- (1)having persons with a technical title at or above the intermediate level in the profession of cultural relics and museology;
- (2)having premises and technical equipment for repairs, duplication and making rubbings of cultural relics in the collection of cultural institutions; and
- (3)other conditions as provided by laws and administrative regulations.

Article 34 To engage in repairs, duplication or making rubbings of cultural relics in the collection of cultural institutions, an application therefore shall be submitted to the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government, which shall make a decision of approval or disapproval within 30 working days from the date of receipt of the application, and shall issue a qualification certificate of an appropriate grade when making a decision of approval, or notify the party concerned in writing and give the reasons therefore when making a decision of disapproval.

Article 35 Taking photos of grade-two or grade-three cultural relics in the collection of cultural institutions for producing publications or making sound or video recordings shall be reported for approval to the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly

under the Central Government. Taking photos of grade-one cultural relics in the collection of cultural institutions shall, upon examination and verification by the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government, be reported to the competent cultural relics administrative department of the State Council for approval.

Article 36 Where the cultural relics in the collection of a cultural institution are stolen, robbed or missing, the institution for the collection of the said cultural relics shall report the case to the public security organ without delay, and, at the same time, report the case to the competent cultural relics administrative department; the competent cultural relics administrative department shall, within 24 hours after the receipt of the report from the institution for the collection of the said cultural relics, report the relevant situations to the competent cultural relics administrative department of the State Council.

Article 37 The State organs and State-owned enterprises, institutions or other organizations that collect or preserve State-owned cultural relics shall fulfil the following obligations:

(1) to set up a file system for the cultural relics in their collection and submit the files for the cultural relics for the record to the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government in the place where they are located;

(2) to set up and improve an administrative system for the maintenance and repair of the cultural relics in their collection so as to ensure the security of the cultural relics; and

(3) where the cultural relics in their collection are stolen, robbed or missing, they shall report the case to the public security organ without delay, and, at the same time, report the case to the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government in the place where they are located.

Chapter V

Cultural Relics in People's Collection

Article 38 Citizens, legal persons and other organizations, except institutions for the collection of cultural relics, may collect cultural relics in accordance with law, and the ownership of their cultural relics legally collected shall be protected by law.

Citizens, legal persons and other organizations that legally collect cultural relics may request the competent cultural relics administrative department to provide them with consultancy services concerning assessment, repair and preservation of the cultural relics collected by them.

Article 39 A cultural relics store to be established shall meet the following conditions:

(1) having a registered capital of 2,000,000 Yuan or more;

(2) having five or more persons with a technical title at or above the intermediate level

in the profession of cultural relics and museology;

(3)having premises, facilities and technical resources for the preservation of cultural relics; and

(4)other conditions as provided by laws and administrative regulations.

Article 40 To establish a cultural relics store, an application therefore shall, in accordance with the provisions of the competent cultural relics administrative department of the State Council, be submitted to the competent cultural relics administrative department of the People's government at or above the level of the province, autonomous region or municipality directly under the Central Government, which shall make a decision of approval or disapproval within 30 working days from the date of receipt of the application, and shall issue a document of approval when making a decision of approval, or notify the party concerned in writing and give the reasons therefore when making a decision of disapproval.

Article 41 Where an auction enterprise established in accordance with law engages in auction of cultural relics, it shall have five or more professional cultural relics auctioneers with a senior technical title in the profession of cultural relics and museology, and shall obtain the licence for auction of cultural relics issued by the competent cultural relics administrative department of the State Council.

Article 42 To apply to obtain the licence for auction of cultural relics, an auction enterprise established in accordance with law shall submit an application therefore to the competent cultural relics administrative department of the State Council, which shall make a decision of approval or disapproval within 30 working days from the date of receipt of the application, and shall issue the licence for auction of cultural relics when making a decision of approval, or notify the party concerned in writing and give the reasons therefore when making a decision of disapproval.

Article 43 Where an cultural relics store purchases or sells a cultural relic, or an auction enterprise engaged in auction of cultural relics sells a cultural relic by auction, it shall record the name, picture and origin of each cultural relic, the name or designation, residence, number of the valid identification document/certificate of the seller, client and buyer of each cultural relic as well as the transaction price of each deal, and report all of them for the record to the competent cultural relics administrative department that has approved the sale or auction of the cultural relic. The competent cultural relics administrative department that receives the record shall keep confidentiality for them in accordance with law and keep that record for 75 years.

The competent cultural relics administrative department shall enhance its supervision and inspection over cultural relics stores and auction enterprises engaged in auction of cultural relics.

Chapter VI

Taking or Bringing Cultural Relics out of or into China

Article 44 An examination and verification authority for the entry and exit of cultural relics designated by the competent cultural relics administrative department of the State Council shall be staffed with five or more full-time responsible assessors for the entry and exit of cultural relics. A full-time responsible assessor for the entry and exit of cultural relics shall acquire a technical title at or above the intermediate level in the profession of cultural relics and museology and shall be subject to and pass the examination of the competent cultural relics administrative department of the State Council.

Article 45 Where cultural relics are to be transported, mailed or carried out of the country, the matter shall be reported in accordance with law to the examination and verification authority for the entry and exit of cultural relics for examination and verification before the cultural relics are taken out of the country. The examination and verification authority for the entry and exit of cultural relics shall, within 15 working days from the date of receipt of the application, make a decision on whether the cultural relics are permitted to be taken out of the country.

When the examination and verification authority for the entry and exit of cultural relics examines and verifies cultural relics, there shall be three or more professional technicians in cultural relics and museology who participate in the examination and verification, and at least two of them shall be the responsible assessors for the entry and exit of cultural relics.

The opinion on examination and verification for the exit of cultural relics shall be jointly signed by the responsible assessors for the entry and exit of cultural relics; unless the responsible assessors for the entry and exit of cultural relics unanimously agree that the cultural relics are permitted to be taken out of the country, the examination and verification authority for the entry and exit of cultural relics may not make a decision to permit the cultural relics to be taken out of the country.

The criteria of examination and verification for the exit of cultural relics shall be worked out by the competent cultural relics administrative department of the State Council.

Article 46 The examination and verification authority for the entry and exit of cultural relics shall register the name, quality and texture, size and grade of the cultural relics under its examination and verification for the entry into or exit from the country, and the name or designation, residence, number of the valid identification document/certificate of the party concerned as well as the ports of entry and exit, the destination of the cultural relics, the date of examination and verification and other particulars.

Article 47 Cultural relics that are permitted to be taken out of the country upon examination and verification shall be granted an exit permit by the competent cultural relics administrative department of the State Council, and be marked with an exit label by

the examination and verification authority for the entry and exit of cultural relics. Cultural relics permitted to be taken out of the country upon examination and verification shall be shipped out of the country at the port designated by the competent cultural relics administrative department of the State Council. The Customs shall let the cultural relics leave the country on the strength of their exit permit after the inspection of the exit label.

Cultural relics that are not permitted to be taken out of the country upon examination and verification shall be returned to the party concerned by the examination and verification authority for the entry and exit of cultural relics.

Article 48 Where cultural relics are to be taken out of the country for exhibition, the unit organizing the exhibition shall, six months before the exhibition, submit an application therefore to the competent cultural relics administrative department of the State Council. The competent cultural relics administrative department of the State Council shall make a decision of approval or disapproval within 30 working days from the date of receipt of the application, and shall issue a document of approval when making a decision of approval, or notify the party concerned in writing and give the reasons therefore when making a decision of disapproval.

It shall be reported to the State Council for approval if there are more than 120 pieces (sets) of grade-one cultural relics to be exhibited or the number of grade-one cultural relics to be exhibited takes up 20 percent of the total exhibits.

Article 49 The only existing or fragile relics among the grade-one cultural relics are prohibited from being taken out of the country for exhibition. The catalogue of cultural relics prohibited from being taken out of the country for exhibition shall be made public on a regular basis by the competent cultural relics administrative department of the State Council.

Cultural relics that have never been officially exhibited within the country shall not be taken out of the country for exhibition.

Article 50 The duration for the exhibition of cultural relics out of the country shall not be longer than one year. The duration may, due to special purposes, be extended upon approval by the original examination and approval authority. However, the extension shall not be longer than one year.

Article 51 Where there exists the possibility of jeopardizing the security of the cultural relics being exhibited during the exhibition out of the country, the original examination and approval authority may decide to suspend or cancel the exhibition.

Article 52 Cultural relics temporarily entering the country shall be sealed by the Customs before they are turned over to the party concerned, who shall present them to the examination and verification authority for the entry and exit of cultural relics for examination, verification and registration. Upon examining the seals of the Customs and making sure that they remain intact, the examination and verification authority for the entry and exit of cultural relics shall mark each piece of cultural relics temporarily entering the country with a temporary entry label, and register and take photos of them.

When the cultural relics temporarily entering the country leave the country, the

examination and verification authority for the entry and exit of cultural relics that has examined, verified and registered the said cultural relics shall check against the entry register and photos, and mark them with exit labels after examining the temporary entry labels and making sure that they are correct, and the competent cultural relics administrative department of the State Council shall grant an exit permit thereto.

Where, without going through the formalities as provided in the first paragraph of this Article, the cultural relics temporarily entering the country leave the country, the matter shall be dealt with in accordance with the provisions of this Chapter on exit of cultural relics.

Article 53 No unit or individual may, without approval, remove, replace, misappropriate or damage exit labels and temporary entry labels for cultural relics.

Chapter VII

Legal Liability

Article 54 Where, in violation of the provisions of these Regulations, public security organs, departments for industry and commerce, cultural relics administrative departments, the Customs, departments for urban and rural planning and construction and other relevant departments, and their staff members as well, abuse the power of examination and approval, fail to perform their duties or fail to investigate and deal with illegal acts upon discovery, the persons directly in charge and the other persons directly responsible shall be given administrative sanctions in accordance with law; if a crime is constituted, criminal liability shall be investigated in accordance with law.

Article 55 Where, in violation of the provisions of these Regulations, anyone undertakes the repair, removal or reconstruction of a site protected for its historical and cultural value without obtaining a qualification certificate of an appropriate grade for projects designed to protect cultural relics, it shall be ordered by the competent cultural relics administrative department to make corrections within a specified time limit; if it fails to make corrections within the specified time limit, or causes serious consequences, a fine of not less than 50,000 Yuan but not more than 500,000 Yuan shall be imposed; if a crime is constituted, criminal liability shall be investigated in accordance with law.

Where, in violation of the provisions of these Regulations, anyone undertakes the repair, removal or reconstruction of a site protected for its historical and cultural value, in which construction activities are involved, without obtaining a qualification certificate of an appropriate grade issued by the competent construction administrative department, it shall be penalized by the competent construction administrative department in accordance with the relevant provisions of laws and administrative regulations.

Article 56 Where, in violation of the provisions of these Regulations, anyone engages in repairs, duplication, or making rubbings of cultural relics in the collection of cultural institutions without obtaining a qualification certificate, it shall be ordered by the competent cultural relics administrative department to cease its illegal activities; its

illegal gains and the tools and equipment specially used for illegal activities shall be confiscated; if serious consequences are caused, a fine of not less than 10,000 Yuan but not more than 100,000 Yuan shall be imposed; if a crime is constituted, criminal liability shall be investigated in accordance with law.

Article 57 The amount of the fine as provided for in the second paragraph of Article 66 of the Law on Protection of Cultural Relics shall be not more than 200 Yuan.

Article 58 Anyone who, in violation of the provisions of these Regulations, repairs, duplicates, makes rubbings of or takes photos of valuable cultural relics in the collection of cultural institutions without approval, shall be given a warning by the competent cultural relics administrative department; if serious consequences are caused, a fine of not less than 2,000 Yuan but not more than 20,000 Yuan shall be imposed; the persons directly in charge and the other persons directly responsible shall be given administrative sanctions in accordance with law.

Article 59 Where, in violation of the provisions of these Regulations, an archaeological excavation institution fails to submit a project completion report or an archaeological excavation report within the prescribed time limit, the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government or the competent cultural relics administrative department of the State Council shall order it to make corrections within a specified time limit; if it fails to make corrections within the specified time limit, the persons directly in charge and the other persons directly responsible shall be given administrative sanctions in accordance with law.

Article 60 Where, in violation of the provisions of these Regulations, an archaeological excavation institution fails to transfer cultural relics within the prescribed time limit, the competent cultural relics administrative department of the People's government of the province, autonomous region or municipality directly under the Central Government or the competent cultural relics administrative department of the State Council shall order it to make corrections within a specified time limit; if it fails to make corrections within the specified time limit, or causes serious consequences, the persons directly in charge and the other persons directly responsible shall be given administrative sanctions in accordance with law.

Article 61 Where, in violation of the provisions of these Regulations, the exhibition of cultural relics out of the country exceeds the duration for exhibition, the competent cultural relics administrative department of the State Council shall order corrections to be made within a specified time limit; the persons directly in charge and the other persons directly responsible shall be given administrative sanctions in accordance with law.

Article 62 Where, in accordance with the provisions of Article 66 or Article 73 of the Law on Protection of Cultural Relics, a unit has its licence revoked due to an administrative penalty imposed thereupon, it shall go through the formalities of alteration registration or cancellation registration in accordance with law with the administrative

department for industry and commerce; if it fails to go through the formalities within the specified time limit, the administrative department for industry and commerce shall revoke its business licence.

Article 63 Where, in violation of the provisions of these regulations, incomes earned by the undertaking of the State-owned museums, memorial halls, sites protected for their historical and cultural value, etc. are diverted for other purposes, the persons directly in charge and the other persons directly responsible shall be given administrative sanctions in accordance with law; if a crime is constituted, criminal liability shall be investigated in accordance with law.

Chapter VIII

Supplementary Provision

Article 64 These Regulations shall be effective as of July 1, 2003.