

**Provisional Measures for Automatic Registration of
Import and Export Trading Right by Production Enterprises
in the Special Economic Zones**

Article 1 These measures are hereby formulated in accordance with the Foreign Trade Law of the People's Republic of China with a view to support the foreign trade and economic cooperation activities in the special economic zones and further the reform on foreign trade structure.

Article 2 Production enterprises in the special economic zones referred to in these Measures refer to production enterprises registered in the five special economic zones including Shenzhen, Zhuhai, Shantou, Xiamen and Hainan in accordance with the Administration Rules of the People's Republic of China on the Registration of Corporate Legal Persons (hereinafter referred to as "the production enterprises", excluding foreign-funded ventures).

Article 3 The Ministry of Foreign Trade and Economic Cooperation (hereinafter referred to as MOFTEC) shall be responsible for the promulgation of unified policy on automatic registration of right to handle imports and exports by production enterprises. The foreign economic and trade authorities of Shenzhen, Zhuhai, Shantou, Xiamen and Hainan special economic zones shall be responsible for the concrete implementation and administration of automatic of automatic registration of such right by production enterprises in their respective zones.

Article 4 The production enterprise shall meet the following conditions to apply for import and export trading right:

1. Legal registration with the industrial and commercial department of the special economic zone and qualification as a legal person with a registered capital over 2 million yuan.
2. Possession of a fixed production site and operational production equipments.
3. Definite business scope.
4. Possession of a place, capital and professionals needed to conduct foreign trade.
5. Other conditions stipulated by laws and administrative regulations.

Article 5 The production enterprises applying for import and export trading right shall submit their applications to the foreign economic and trade authorities in the respective zones. The authorities shall register the qualified applications within 15 working days and issue the Registration Certificate of Import and Export Trading Right. The production enterprises shall be able to conduct import and export business after finishing the required procedures in the related authorities including the Customs, Commodity Inspection, Foreign Exchange Control, Industrial & Commercial Administration and Taxation with the Certificate. The foreign economic and trade authorities shall refuse to register disqualified production enterprises and return them the applications within 15 working days together with the reasons.

Article 6 The production enterprises with import and export trading right shall re-register or cancel the registration with the original registration department of the foreign economic and trade authorities in case of industrial and commercial registration change and cancellation.

Article 7 The production enterprises shall fill in the unified import and export trading right application form for production enterprises printed by the foreign economic and trade authorities of the special economic zone and submit the following documents:

1. Brief introduction of the production enterprise concerned (including self-owned assets, factory area, number of working staff, kind and quantity of production equipments, products and annual output).
2. A copy of the business license (with the original submitted for examination).
3. Assets evaluation report by a legally qualified assets evaluation agency.
4. Catalogue of import and export commodities to be handled.
5. Appointment document, identification card, address and telephone number of the legal person.

Article 8 Import and export business scope of the production enterprises shall include:

1. The import and export of self-produced products.
2. The import and export of machinery equipment, components, and raw and auxiliary materials needed in the production.
3. In spite of the stipulations in 1 and 2, without the approval from MOFTEC,

the production enterprises shall not be allowed to conduct the export of 16 categories of commodities listed for unified handling under state plans and the import of 14 categories of commodities to be handled exclusively by state-designated corporations.

Article 9 The production enterprises having been registered and having acquired the import and export trading right shall declare at the Customs within the special economic zone and conduct the import and export business in the zone.

Article 10 The production enterprises having acquired import and export trading right shall comply with the state's foreign economic and trade policies, laws and regulations. The import and export business shall be subject to the guidance and supervision of local foreign economic and trade authorities and coordination by chambers of importers and exporters.

Article 11 The foreign economic and trade authorities in special economic zones shall provide active support and service to the import and export activities of the production enterprises. The authorities shall also conduct standardized administration and set up an annual examination system according to the local situation of respective zones.

Article 12 The production enterprises can, during the implementation of these Measures, apply to MOFTEC for reconsideration of decisions made by local foreign trade and economic departments if they have objections against these decisions.

Article 13 These Measures shall be interpreted by MOFTEC.

Article 14 These Measures shall enter into force on the date of promulgation.