

Notice of the Ministry of Commerce on the Decentralization of the Power to Approve Foreign-funded Commercial Enterprises

(No. 51 [2008] of the Ministry of Commerce)

The departments of commerce of all provinces, autonomous regions, municipalities directly under the Central Government, Municipalities under separate state planning and Xinjiang Production and Construction Corps, and national economic and technological development zones:

For purposes of implementing the spirit of the 2nd Plenary Session of the 17th Central Committee of the CPC, further reforming the government functions, and improving the work of examination and approval of foreign investment, in accordance with the Decision of the State Council on the Fourth Batch of Items Subject to Administrative Examination and Approval to Be Cancelled or Adjusted (No. 33 [2007] of the State Council), we hereby notify you of the relevant issues as follows:

I. For the establishment and alteration of a foreign-funded commercial enterprise, the competent provincial department of commerce shall be responsible for its examination and approval (except the issues involved in Article II).

II. The storeless enterprises which sell their goods through television, telephone, mail, internet, and automats, and the enterprises engaging in the wholesale of audio and video products, books, newspapers, and journals shall remain subject to the examination and approval the Ministry of Commerce.

III. The competent provincial departments of commerce shall strictly follow the relevant legal provisions and industrial policies of the state in the examination and approval of foreign-funded commercial enterprises, and timely file with the Ministry of Commerce for archival purpose.

IV. The Notice shall come into force as of the date of promulgation.

Ministry of Commerce

September 12, 2008