

**Decree of the State Council of the People's Republic of China
No. 415**

China

5.09.2004

Also available at: <http://www.stats.gov.cn/english/lawsandregulations/statisticalregulations/>

Regulations on National Economic Census are hereby promulgated and shall become effective as of the date of promulgation.

Premier Wen Jiabao

Regulations on National Economic Census

(Promulgated by Decree No. 415 of the State Council of the People's Republic of China on September 5, 2004, and effective as of the date of promulgation)

Chapter I General Provisions

Article 1 These Regulations are formulated in accordance with the Statistics Law of the People's Republic of China for the purposes of organizing and conducting national economic census in a scientific and effective way, and ensuring the accuracy and timeliness of the data collected through economic census.

Article 2 Economic census is designed to help keep abreast of the development of the secondary and tertiary industries of our country in terms of their scales, structures and economic results, and establish a sound system of the registers and databases of the basic units, providing the foundation for conducting studies to make plans for national socio-

economic development and raising the level of policy-making and management.

Article 3 Economic census shall be organized and conducted in accordance with the principles of unified national leadership, division of work as well as cooperation among different departments, level-by-level responsibilities by local authorities and participation by all parties concerned.

Article 4 All State organs, social organizations, enterprises, institutions, other organizations and self-employed individuals shall, in accordance with the provisions of the Statistics Law of the People's Republic of China and these Regulations, actively participate in and offer close cooperation to the work of economic census.

Article 5 Publicity departments at all levels shall, by making full use of newspapers, magazines, broadcasts, television programmes, internet, outdoor billboards and other media, conscientiously publicize economic census and mobilize the public for the work.

Article 6 The funds needed for economic census shall jointly be furnished by the Central Government and local people's governments at all levels, and shall be incorporated into the financial budgets of the corresponding year, so that the funds can be appropriated on schedule and guaranteed.

The funds for economic census shall be managed in a unified way and used as earmarked, and the disbursement shall strictly be controlled.

Article 7 Economic census is conducted once in every five years, and the reference time is December 31st of the year in which such census is conducted.

Chapter II Respondents, Coverage and Methods of Economic Census

Article 8 Respondents of economic census are such legal person units, industrial units and self-employed individuals as engage in the secondary and tertiary industries within the territory of the People's Republic of China.

Article 9 Respondents of economic census have the obligation to accept the survey conducted in accordance with the law by economic census bodies and economic census personnel.

Respondents of economic census shall fill in economic census forms in a truthful and timely manner, and shall not make false entries, conceal economic census data, refuse to submit economic census data or submit such data belatedly.

Respondents of economic census shall, as required by economic census bodies and economic census personnel, provide the materials relating to economic census without delay.

Article 10 The trades and industries covered by economic census include:

- (1) The mining industry;
- (2) The manufacturing industry;
- (3) The industries of production and supply of electricity, gas and water;

- (4) The construction industry;
- (5) The transport industry, storage industry and postal service trade;
- (6) The industries of information transmission, computer service and software;
- (7) The wholesale and retail trades;
- (8) The accommodation and catering trades;
- (9) The monetary industry;
- (10) The real estate trade;
- (11) The leasing industry and commercial service trade;
- (12) The scientific research, technological service and geological prospecting industries;
- (13) The industries of water conservancy, environment and public facilities management;
- (14) The residents' service and other services industries;
- (15) Education;
- (16) The undertakings of public health, social security and social welfare;
- (17) The industries of culture, sports and recreation; and
- (18) Public administration and organizations.

Article 11 The method of complete enumeration shall be applied in economic census, while the method of sampling survey may be applied where production and business operation engaged in by self-employed individuals are concerned.

Chapter III Forms, Main Contents and Standards for Economic Census

Article 12 Different forms for economic census are provided for different types of respondents: the form for legal person units, the form for industrial units and the form for self-employed individuals.

Article 13 The main contents of economic census include the basic characteristics of the unit, the employees, the financial situations, the production and business operation situations, the production capacity, the consumption of raw materials and energy, as well as the scientific and technological activities.

Article 14 The statistical classification standards and nomenclatures prescribed by the State shall be applied in economic census.

Chapter IV Organization and Conduct of Economic Census

Article 15 The State Council shall establish the leading group for economic census and the office of the group. The State Council Leading Group for Economic Census shall be responsible for the organization and conduct of economic census. The Office of the Leading Group is established under the National Bureau of Statistics and is responsible for the day-to-day organization and coordination of the work.

All the relevant departments under the State Council shall bear their respective responsibilities and closely cooperate with each other to make a success of the work.

Article 16 Local people's governments at all levels shall establish their own leading groups for economic census and offices thereof, which shall, in accordance with the unified provisions and requirements of the State Council Leading Group for Economic Census and its Office, organize and conduct the work of economic census in the localities.

Neighbourhood offices and residents (villagers) committees shall widely mobilize and organize civic entities to actively participate in and work conscientiously for economic census.

Article 17 The relevant departments under the State Council and those under the local people's governments at all levels shall establish economic census bodies, which shall be responsible for accomplishing the task of economic census arranged by the offices of the leading groups for economic census under the State Council and those under local people's governments at the corresponding levels.

Article 18 Large enterprises shall establish economic census bodies, which shall be responsible for filling in the forms for economic census on behalf of their own enterprises. Legal person units of other types shall assign appropriate persons to assume the responsibility for filling in the forms for economic census on behalf of their own units.

Article 19 Local economic census bodies at all levels shall, in the light of the need of work, recruit census supervisors and enumerators or, upon consultation, have such supervisors and enumerators transferred from other units. All the units concerned shall actively recommend qualified persons to serve as census supervisors and enumerators.

Census supervisors and enumerators shall be persons of healthy and with a strong sense of responsibility and professional knowledge needed.

Article 20 Those who are recruited shall be remunerated for their work by economic census bodies in the localities, while the salaries of those who are transferred from other units through consultation shall be paid by their own units and their welfare benefits shall remain unchanged.

Article 21 Local economic census bodies at all levels shall offer uniform professional training among census supervisors and enumerators, and issue the certificates of census supervisors or enumerators to those who pass the examinations. When undertaking the task of economic census, census supervisors and enumerators shall show their certificates of their own accord.

Enumerators are responsible for organizing respondents of economic census and guiding them in filling in the forms for economic census, while census supervisors are responsible for giving instructions to enumerators and inspecting their work.

Article 22 Census supervisors and enumerators shall have the right to look up the relevant original materials of financial accounting, statistics and business accounting which are related to economic census and to look up the relevant business operation certificates of legal person units, industrial units and self-employed individuals, and have the right to ask respondents of economic census to correct the false contents in their forms for economic census.

Article 23 Economic census bodies at all levels shall, at the preparatory stage of economic census, screen the units for surveying and accurately define the types of the forms for economic census to be filled in by each of them.

Departments at all levels that are in charge of institutional organization, civil affairs, taxation, industrial and commercial administration, and quality inspection, as well as other departments that have the function to examine, approve and register the establishment of units, shall be responsible for providing the economic census bodies at the corresponding levels with the materials regarding the units that have been examined, approved or registered by them, and they shall join their efforts to make a success of the screening of the units.

On the basis of the existing registers of the basic units, economic census bodies at the county level shall, by referring to the materials regarding the units provided by the departments concerned, verify and screen one by one the units in their economic census areas, so as to compile the registers of economic census units.

Article 24 Economic census bodies at the county level shall, according to the registers of the units compiled on the basis of the screening, do a good job in distributing, collecting and verifying the forms for economic census, inputting the data into computers and submitting them to the authorities at higher levels.

Legal person units shall fill in the form for legal person units, and shall be responsible for organizing industrial units affiliated to them to fill in the form for industrial units.

Article 25 Economic census bodies at all levels and economic census personnel shall independently perform their functions and powers of surveying, reporting and supervision in accordance with the law, and they shall not be interfered by any unit or individual.

Leading members of local authorities, departments and units shall not, without authorization, alter the economic census results provided by economic census bodies and economic census personnel in accordance with the law, and shall not compel or prompt economic census bodies or economic census personnel to tamper with the economic census results or fabricate false data.

Chapter V Data Processing and Quality Control

Article 26 The processing of economic census data shall be organized and conducted by economic census bodies at or above the county level.

The Office of the State Council Leading Group for Economic Census shall be responsible for providing all local census bodies with the standards and programmes for data processing.

Local economic census bodies at all levels shall process the data in accordance with the unified requirements and standards laid down by the Office of the State Council Leading Group for Economic Census, and shall, level by level, submit the economic census data to the economic census bodies at higher levels.

Article 27 Upon completion of the processing of economic census data, economic census bodies at all levels shall take care over the backing up of the data and the loading of the data into databases, establish a sound system for the registers of the basic units and their databases, and strengthen the day-to-day management, maintenance and updating of the system.

Article 28 Local economic census bodies at all levels shall, in accordance with the provisions of the Office of the State Council Leading Group for Economic Census, establish the job responsibility system for quality control over economic census data, exercise quality control over every link in the conduct of economic census and carry out acceptance inspection item by item.

Article 29 The Office of the State Council Leading Group for Economic Census shall organize checking through samples of the quality of economic census data in a unified way, the result of which shall serve as the principal basis for evaluating the quality of economic census data of the whole country and of different regions.

Economic census bodies at all levels shall carefully analyze and comprehensively evaluate the economic census data collected.

Chapter VI Publication of Data, Administration and Exploitation of Materials

Article 30 Economic census bodies at all levels shall publish economic census bulletins in accordance with the provisions of the State.

The publication of economic census bulletins by a local economic census body at a lower level shall be subject to the verification and approval of the economic census body at the next higher level.

Article 31 Economic census bodies at all levels shall conscientiously preserve and administer economic census materials and offer services to the public, and shall exploit full utilization of economic census materials.

Article 32 Economic census bodies at all levels and their staff members shall abide by the relevant provisions of the Statistics Law of the People's Republic of China and the Rules for the Implementation of the Statistics Law of the People's Republic of China, fulfilling the obligation to keep confidential the State secrets and the commercial secrets of respondents of economic census which they have come to know in the process of economic census.

Article 33 The use of materials regarding units and individuals collected in economic census shall be strictly limited to the purpose of economic census and shall not be used by any unit as the basis for imposing penalties on respondents of economic census.

Chapter VII Commendation and Penalties

Article 34 Economic census bodies at all levels shall give commendation and award to the advanced units and individuals that have made outstanding contributions to the work of economic census.

Article 35 Leading members of local authorities, departments or units who alter economic census results without authorization, or fabricate economic census data, or compel or prompt economic census bodies or economic census personnel to tamper with economic census

results or fabricate economic census data shall be given administrative or disciplinary sanctions in accordance with the law and shall, in addition, be criticized in a circulated notice by the statistics institutions of the people's governments at or above the county level.

Economic census personnel who are involved in the tampering with economic census results or the fabricating of economic census data shall be criticized in a circulated notice and given administrative sanctions in accordance with the law by the statistics institutions of the people's governments at or above the county level; or the said institutions may suggest that the departments or units concerned give them administrative or disciplinary sanctions in accordance with the law.

Article 36 Any respondent of economic census that commits one of the following violations shall be ordered to make corrections and criticized in a circulated notice by the statistics institution of the people's government at or above the county level; if the violation is relatively serious, the said institution may suggest that the departments or units concerned give administrative or disciplinary sanctions in accordance with the law to the persons who are directly in charge and the other persons who are directly responsible:

- (1) Refusing to accept, or hindering the acceptance of, the survey conducted by economic census bodies or economic census personnel in accordance with the law;
- (2) Providing false or incomplete economic census data; or
- (3) Failing to provide data relating to economic census on time and still failing to do so after being urged.

Any enterprise or institution that commits one of the violations mentioned in the preceding paragraph shall be given a warning by the statistics institution of the people's government at or above the county level and may, in addition, be imposed a fine of not more than 50,000 yuan. Any self-employed individual that commits one of the violations mentioned in the preceding paragraph shall be given a warning by the statistics institution of the people's government at or above the county level and may, in addition, be imposed a fine of not more than 10,000 yuan.

Article 37 Economic census bodies at all levels shall open a hotline for public report, as a means of accepting, from all walks of life, exposures of and supervision over the violations committed by units or individuals in the course of economic census, and give awards to the persons who have rendered meritorious services in making exposures of violations.

Chapter VIII Supplementary Provisions

Article 38 These Regulations shall become effective as of the date of promulgation.