

Postal Law of the People's Republic of China (Revised in 2015)

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Chapter I General Provisions

Article 1 This Law has been formulated for the purposes of safeguarding universal postal services, strengthening the supervision and administration of the postal market, maintaining the safety of postal correspondence and information, protecting the freedom and privacy of correspondence, protecting the legitimate rights and interests of customers, promoting the healthy development of the postal industry, and meeting the social and economic developmental needs and people's living needs.

Article 2 The State guarantees universal postal services within the territory of the People's Republic of China.

Postal enterprises are obligated to provide the universal postal services in accordance with the national regulations.

The State Council, local people's governments at all levels, and their relevant departments, shall take support postal enterprises in providing universal postal services.

For the purpose of this Law, the term "universal postal services" refers to postal services continuously provided to all customers within the territory of the People's Republic of China in accordance with the business scope, service standards and charging rates applicable under national regulations.

Article 3 The freedom and privacy of correspondence of citizens are protected by law. No organization or individual may infringe on the freedom and privacy of correspondence of other citizens on any ground, except for the national security reasons and the needs for criminal investigation by public security organs, national security organs, or procuratorial organs in accordance with the procedures prescribed by law.

No organization or individual is allowed to examine or retain any mail or remittance unless otherwise provided by the law.

Article 4 The postal administrative department of the State Council is responsible for supervising and administering national universal postal services and postal markets.

The postal administrative agencies of all provinces, autonomous regions and municipalities, under the leadership of the postal administrative department of the State Council, is responsible for supervising and administering universal postal services and postal markets within their respective administrative regions.

The postal administrative agencies below the provincial level, which are established in accordance with the provisions of the State Council, are responsible for supervising and administering universal postal services and postal markets in their respective jurisdictions.

The postal administrative department of the State Council, the postal administrative agencies of provinces, autonomous regions, and municipalities directly under the Central Government and the postal administrative agencies below the provincial level (collectively referred to as the postal administrations hereinafter) shall adhere to the principles of openness, fairness, impartiality, and encouraging competitiveness and promoting development when supervising and administering the postal markets.

Article 5 The delivery of letter-post items that falls within the scope specified by the State Council shall be operated exclusively by postal enterprises.

Article 6 Postal enterprises shall strengthen service quality management practices and improve security guarantee measures and provide customers with fast, accurate, safe, and convenient services.

Article 7 The Postal administrations and the public security organs, national security organs, and customs authorities shall cooperate with each other to establish a sound security guarantee mechanism, strengthen the supervision and administration of postal correspondence and information security, and ensure the security of postal correspondence and information.

Chapter II Postal Facilities

Article 8 The layout and construction of postal facilities shall meet the needs to guarantee universal postal services.

The local people's governments at all levels shall include the layout and construction of postal facilities in urban and rural planning and provide support for the construction of postal facilities providing universal postal services and focus on the construction of postal facilities in remote rural areas.

In the construction of new urban districts, independent industrial and mining areas, development zones, and residential areas, and in the reconstruction of old urban areas, supporting postal facilities providing universal postal services shall be constructed simultaneously.

The postal network consisting of postal and other facilities that provide universal postal services is an important communication infrastructure of the state.

Article 9 Postal facilities shall be set up in accordance with standards specified by the state.

Post offices that provide universal postal services shall be set up in larger stations, airports, ports, higher education institutions, and hotels.

Any postal enterprise that seeks to set up or close a post office shall first notify the postal administration in writing; closing a post office that provides universal postal services shall be subject to the approval of the postal administration and a public announcement thereby.

Article 10 Administrative organs, enterprises and institutions shall establish mail-receiving facilities.

Village postal stations or other mail-receiving facilities shall be gradually set up in rural areas. Where an urban residential building is established, mailboxes shall be set up to receive mail and mail shall be accepted and checked in accordance with standards specified by the state. Where the construction unit fails to set up mailboxes in accordance with standards specified by the state, the postal administration shall order it take remedial measures within a time limit; where it fails to take the required remedial measures within such time limit, the postal administration shall designate another unit to establish the mailboxes and expenses incurred in doing so shall be borne by the construction unit for the residential building concerned.

Article 11 Mail processing premises shall be designed and constructed in a manner that meets the requirements of national security organs and customs authorities to perform their legal duties and responsibilities.

Article 12 Where a post office or mail processing premise is requisitioned, the competent urban and rural planning authority shall make appropriate arrangements for the post office or mail processing premise to be re-established in accordance with the need to guarantee universal postal services; no such requisition shall proceed until such appropriate arrangements are made.

Prior to the re-establishment of post offices or mail processing premises, postal enterprises

shall take measures to guarantee the normal operation of universal postal services.

Article 13 Postal enterprises shall regularly maintain the postal facilities they set up to guarantee the normal operation of such postal facilities.

No entity or individual may damage postal facilities or act in any way that would prejudice the normal operation of such postal facilities.

Chapter III Postal Services

Article 14 Postal enterprises shall operate the following services:

- (1) mail delivery;
- (2) postal remittance and saving;
- (3) issuance of stamps and production and sale of philatelic products;
- (4) distribution of publications such as domestic magazines and books; and
- (5) other services specified by the state.

Article 15 Postal enterprises shall provide universal postal services for the delivery of letter-post items, printed materials no heavier than five (5) kilograms, parcels no heavier than ten (10) kilograms, and postal remittance.

Postal enterprises shall provide special postal services such as confidential correspondence, distribution of magazines, the free delivery of ordinary letters for compulsory servicemen, literature for the blind, and relics of revolutionary martyrs according to the regulations of the state.

No postal enterprise may cease or restrict the provision of services specified in the two preceding paragraphs without the approval of the postal administration; where any such services is ceased or restricted due to force majeure or another special reason, the postal enterprise shall make a timely announcement, take corresponding remedial measures, and notify the postal administration.

Standards applicable to universal postal services shall be jointly formulated by the postal administrative department of the State Council and other relevant departments of the State Council; specific measures for the supervision and administration of universal postal services shall be formulated by the postal administrative department of the State Council.

Article 16 The state shall provide subsidies to postal enterprises for providing universal postal services and special postal services and shall strengthen the supervision of the use of such subsidies.

Article 17 The state shall set up a universal postal services fund. Specific measures for the collection, use, supervision and administration of such fund shall be jointly formulated by the finance department of the State Council and other relevant departments of the State Council. They shall be promulgated and come into force upon the approval of the State Council.

Article 18 Postal enterprises shall operate universal postal services and competitive postal services separately.

Article 19 The postal enterprises in cities shall open for business no less than six (6) days a week and deliver mails no less than once a day; postal enterprises in the seats of township people's governments shall open for business no less than five (5) days a week and deliver mails no less five times a week.

The postal administration of the State Council may formulate separate provisions on the business hours and frequency of deliveries of postal enterprises in rural areas and towns with poor access to transportation.

Article 20 Postal enterprises shall deliver mail according to delivery time limits and service standards specified by the postal administrative department of the State Council.

Article 21 Postal enterprises shall, through notices or by other means, disclose to the public in their business premises the types of services they provide, their business hours, postage rates, inquiry services and measures for compensation for lost mail and remittances, and arrangements for customer complaints about the quality of their services.

Article 22 Where postal enterprises use standard clauses to govern the rights and obligations of customers, such standard clauses shall be subject to the provisions of the Contract Law of the People's Republic of China dealing with standard clauses on contracts.

Article 23 When sending mail, the customer shall clearly and accurately write the name and address of the recipient and the corresponding postal code. Postal enterprises shall provide free postal code inquiry services for customers in their business premises.

Postal codes shall be compiled in accordance with the compilation rules formulated by the postal administrative department of the State Council. Postal administration shall supervise the compilation and use of postal codes according to law.

Article 24 Postal enterprises shall accept and deliver mails and customers shall send mails in accordance with laws, administrative regulations, and regulations of the State Council and relevant departments of the State Council on articles prohibited and restricted from delivery

Article 25 Postal enterprises shall establish and implement a system for examining mail received for delivery according to law.

For letter-post items sent by customers, postal enterprises may require customers to open the same for examination when necessary, provided that they may not under any circumstances examine the contents of such items. Where the customer refuses to open the letter, the postal enterprise may refuse to accept it for delivery.

For mails other than letter-post items, the postal enterprise shall examine the inner contents of the mail on the spot when collecting them. Where the customer refuses to open content examination, the postal enterprise may refuse to receive and deliver it.

Article 26 Where a postal enterprise discovers a mail that contains articles prohibited or restricted from delivery, it shall handle it in accordance with relevant regulations of the state.

Where a mail entering or leaving the territory of the People's Republic of China contains articles prohibited or restricted from delivery, it shall be handled by customs in accordance with the law.

Article 27 Railway, road, waterway, air and other transportation enterprises shall give priority to arranging the transport of mails consigned by the postal enterprises providing universal postal services. Stations, ports, and airports shall arrange loading and unloading sites and entrance and exit passages for such mails.

Article 28 When entering and leaving ports and/or making ferry crossings, vehicles and vessels with special postal marks shall be given priority release.

Where a vehicle with a special postal mark transports and delivers mail and needs to pass a road section, the passage of which is prohibited according to a designation made by the traffic control department of the public security organ, or to stop at a no-stopping area, the approval of such department shall be obtained and it shall be allowed to pass or stop when the safety of such a vehicle can be ensured.

Postal enterprises are prohibited from using vehicles or vessels with special postal marks to carry out operating activities other than the transport and delivery of mail, or from allowing other entities or individuals to use such vehicles or vessels by means of a lease or any other means.

Article 29 Mail transported by sea shall not be subject to the system whereby losses at sea are averaged and shared.

Article 30 Customs authorities shall, in accordance with the Customs Law of the People's Republic of China, supervise and administer the outbound international postal bags, mail containers, and international postal articles.

Article 31 The quarantine of inbound and outbound mails shall be implemented by entry-exit inspection and quarantine agencies according to law.

Article 32 The postal enterprise shall deliver mails according to address, through user collection, or by other means consulted with users.

State organs, enterprises, public institutions, and management entities of residential communities, among others, shall provide convenience for the postal enterprises to deliver mails. Where an organizational user changes its address, it shall notify the local postal enterprise in a timely manner.

Article 33 Postal enterprises shall return undeliverable mail to the sender.

For the undeliverable and unreturnable letter-post items, where there is no one to claim such letters six months after the date on which the postal enterprise confirms they are unreturnable, the postal enterprise shall destroy such letters under the supervision of the postal administrations. For other undeliverable and unreturnable mails, they shall be handled in accordance with the provisions of the postal administrative department of the State Council, among which, the undeliverable and unreturnable inbound international postal items shall be handled by the customs in accordance with the provisions of the "Customs Law of the People's Republic of China".

Article 34 The remittee of a postal remittance shall cash such remittance from a postal enterprise on the strength of a valid identity certificate within sixty days of receiving notice of receipt of a remittance.

Where the remittance fails to cash the remittance within the time limit, the postal enterprise shall return such remittance to the remitter. Where it is impossible to return the remittance to the remitter within one year of the expiry of the time limit for cashing such remittance or the remitter fails to collect such remittance within one year of receiving the notice of the remittance being returned, the postal enterprise shall turn over such remittance to the state.

Article 35 Without permission, no entity or individual may open, conceal, destroy, or discard mails of others.

Unless otherwise provided by law, postal enterprises and their personnel may not disclose customer information used for providing postal services to any entity or individual.

Article 36 Where national security or a criminal investigation requires that they do so, public security organs, national security organs and procuratorial organs may examine or retain relevant mail and may require postal enterprises to provide relevant customer information used to provide postal services. Postal enterprises and relevant entities shall cooperate with such requests and shall maintain the confidential nature of such circumstances.

Article 37 No entity or individual may use the mail system to deliver articles containing any of the following contents:

- (1) inciting subversion of the state regime, the overthrow of the socialist system, the splitting of the state or undermining of the unity of the state, or compromising national security;
- (2) divulging any national secret;
- (3) spreading rumors to disturb social order or undermine social stability;
- (4) inciting ethnic hatred or discrimination to undermine ethnic solidarity;
- (5) advocating cult or superstition;
- (6) spreading obscene, gambling or terrorist information or abetting the commission of a crime;
- or
- (7) other prohibited content as stipulated by laws or administrative regulations.

Article 38 No entity or individual may conduct any of the following activities:

- (1) disturbing the normal order of post premises;
- (2) impeding the postal staff from delivering mails;
- (3) illegally interceding, forcibly boarding, or climbing aboard vehicles with special postal marks;
- (4) falsely acting in the name of a postal enterprise or falsely using special postal marks;
- (5) forging special postal articles or purchasing and selling the same.

Chapter IV Postal Tariff

Article 39 The scope of postal services with government-guided prices or government-set pricing is based on the central government's pricing catalogue. The specific tariff standards shall be jointly formulated by the competent price department of the State Council, the finance department of the State Council and the postal administrative department of the State Council.

The tariff for other services provided by postal enterprises shall be adjusted according to the market and the tariff standard shall be determined by postal enterprises themselves.

Article 40 The related departments of the state council shall hear the opinions of postal enterprises, customers and others shall be heard when formulating the tariff standards for postal services.

Postal enterprises shall, in accordance with the requirements of the competent price department of the State Council, the finance department of the State Council and the postal administrative department of the State Council, provide accurate and complete business cost data and other relevant materials.

Article 41 The payment of charges for mail shall be evidenced by postage vouchers, postal marks that prove postage has been paid, and relevant business documents.

Postage vouchers include stamps, stamped marks, stamped envelopes, stamped postcards, stamped postal boxes, and stamped letters and cards.

No entity or individual may forge postage vouchers, purchase and sell forged postage vouchers, or copy stamps or stamped patterns without authorization.

Article 42 The quantity of regular stamps issued shall be determined by postal enterprises based on market needs and shall be filed with the postal administrative department of the State Council for record-filing; plans to issue commemorative stamps and special stamps shall be put forward by postal enterprises according to market needs and shall be filed with the postal administrative department of the State Council for approval. The postal administrative department of the State Council shall be responsible for selecting the themes and examining the patterns of commemorative stamps.

The postal administrations shall supervise the printing and sale of stamps according to law.

Article 43 Upon the sale of a postage voucher, the holder of such a postage voucher may not require the postal enterprise to exchange it for cash.

Where the use of a postage voucher is to be ceased, the approval of the postal administrative department of the State Council shall be obtained, an announcement that the postage voucher is no longer to be used shall be made ninety days prior to such cessation, and the sale of such postage vouchers shall cease. The holders of such postage vouchers may exchange them for postage vouchers of an equivalent value from postal enterprises within one year of the date of the announcement.

Article 44 The following postage vouchers may not be used:

- (1) those for which the cessation of use has been approved by the postal administrative department of the State Council;
- (2) those that have been canceled or written-off; or
- (3) those that are illegible due to being stained, incomplete, or discolored.

Postage patterns cut from stamped envelopes, stamped postcards, stamped postal boxes and stamped letters and cards may not be used as postage vouchers.

Chapter V Compensation for Loss

Article 45 This chapter applies to compensation for the loss of mails and remittances within the business scope of universal postal services.

Relevant civil provisions apply to compensation for the loss of mails that are outside the business scope of universal postal services.

The term "loss of mail" refers to the mail is lost, or damaged or destroyed, or the internal content is short or missing.

Article 46 Postal enterprises shall not be liable for the loss of regular mail unless such loss is caused by the gross negligence or deliberate conduct of a postal enterprise.

Article 47 Postal enterprises shall pay compensation for the loss of vouchered mail in accordance with the following standards:

(1) where insured vouchered mail is lost or completely damaged or destroyed, the compensation shall be paid in full insured amount; where such mail is partially damaged or the contents of mail are missing or short, compensation for the actual loss shall be paid according to the ratio of the insured amount to the total value of the mail in question;

(2) where uninsured vouchered mail is lost, damaged or destroyed or the contents are short or missing, compensation shall be paid according to the actual loss suffered, provided that the maximum amount of compensation shall not exceed three times the value of the postal charges received; for missing, lost or damaged registered letter post items, compensation equivalent to three times the value of the postal charges received shall be paid.

Postal enterprises shall disclose the preceding provisions in a manner that adequately attracts the attention of customers by way of public notices displayed at their business premises or on mail receipts provided to customers.

Where the loss of mails is caused by the deliberate conduct or gross negligence of the postal enterprise or the postal enterprise fails to perform its obligations as provided in the preceding paragraphs, the postal enterprise shall not be entitled to cite Paragraph 1 of this Article to limit its compensation liability.

Article 48 No postal enterprise shall be liable to pay compensation for the loss of vouchered mails due to any of the following reasons:

- (1) a force majeure event, other than one that leads to the loss of insured vouchered mail;
- (2) depletion of the natural characteristics of or reasonable wear and tear of the delivered articles themselves; or
- (3) fault on the part of the sender or recipient.

Article 49 Upon sending vouchered mail, the customer may make inquiries to the postal enterprise about the mail on the strength of the receipt within one (1) year from the date of posting for domestic mails or within 180 days from the date of posting for international mails.

Where a customer inquires about an international mail or a mail sent to a rural area as stipulated by the postal administrative department of the State Council, the postal enterprise shall notify the customer of the result of the inquiry within 60 days from the date of inquiry; for inquiries on other types of mail, the postal enterprise shall notify the customer of the result of the inquiry within 30 days from the date of inquiry. Where no mail has been located when the inquiry time limit expires, the postal enterprise shall pay compensation for the loss of mail in

accordance with the provisions of Article 47.

Where a customer fails to make an inquiry to the postal enterprise about such a mail and lodge a claim for compensation within the inquiry time limit as provided in Paragraph 1 of this Article, the postal enterprise shall no longer be liable to pay compensation.

Article 50 The remitter of a postal remittance may, within one year of the date of remittance, inquire about the same to the postal enterprise on the strength of the receipt. The postal enterprises shall notify the remitter about the result of the inquiry within 20 days of customer inquiry. Where no remittance has been located when the inquiry time limit expires, the postal enterprise shall return the remittance and the associated fee to the remitter.

Chapter VI Express Delivery Services

Article 51 Enterprises that operate express delivery services shall obtain an express delivery business permit in accordance with this Law; no entity or individual may operate express delivery services without such a permit.

Foreign business is not allowed to invest in or operate domestic express delivery services for letter-post items.

The term "domestic express delivery services" refers to the express delivery service, of which the entire process from the acceptance to delivery all occurs within the territory of the People's Republic of China.

Article 52 Any enterprise that applies for an express delivery business permit shall meet the following conditions:

- (1) it satisfies the qualifying conditions for an enterprise legal person;
- (2) its registered capital is no less than RMB 500,000 in the case of operations within a specific province, autonomous region, or municipality directly under the Central Government, no less than RMB 1,000,000 in the case of operations in more than one province, autonomous region, or municipality directly under the Central Government, or no less than RMB 2,000,000 in the case of international express delivery services;
- (3) it has the capacity to provide services appropriate for the regional scope, within which it applies to operate such services;
- (4) it has a rigorous service quality management system and sound business operating standards;
- (5) it has a sound system and other measures designed to safeguard security;
- (6) any other conditions specified by laws and administrative regulations.

Article 53 Where an enterprise applies for an express delivery business permit within one province, autonomous region, or municipality directly under the Central Government, the enterprise shall file the application with the postal administration of the local province, autonomous region or municipality directly under the Central Government; where an enterprise applies to operate such services in more than one province, autonomous region, or municipality directly under the Central Government or to operate international express delivery services, the enterprise shall file the application with the postal administrative department of the State Council; the application form and associated application materials shall be submitted at the time of application.

The postal administration that accepts the application shall examine the same and decide whether to approve or disapprove the application within 45 days since the date when the application. Where the application is approved, an express delivery business permit shall be issued; where the application is declined, a written notice shall be sent to the applicant, with reasons explained.

When examining applications for express delivery business permits, the postal administrations shall take into account factors such as national security and solicit the opinions of related departments.

Applicants can start to provide express delivery services only after completing the registration with the administrative department for industry and commerce according to law on the strength of their express delivery business permit.

Article 54 Where an enterprise that operates express delivery services, other than a postal enterprise (hereinafter referred to as an express delivery enterprise) sets up branches, merges with other enterprises, or is divided into separate enterprises, it shall file a record with the postal administration for record-filing.

Article 55 No express delivery enterprise is allowed to operate the letter-post items delivery services exclusively reserved for the postal enterprises or deliver official documents of state organs.

Article 56 Where an express delivery enterprise operates express delivery services for letter-post items, which are outside the scope of the letter-post item delivery business exclusively reserved for postal enterprises, it shall display the word "Letter-Post Items" in a prominent position on the envelope or package.

No express delivery enterprise may deliver the letter-post item in the form of a parcel.

Article 57 Enterprises that operate international express delivery services shall be subject to the supervision of the postal administrations and related departments according to law. The postal administrations and related departments may require enterprises that operate international express delivery services to provide customs declaration data.

Article 58 Any express delivery enterprise that ceases operating express delivery services shall notify the postal administration in writing, return its express delivery business permit, and deal with express items that have not been delivered in an appropriate manner in accordance with the regulations of the postal administrative department of the State Council.

Article 59 The provisions of Article 6, Article 21, Article 22, Article 24, Article 25, Paragraph 1 of Article 26, Paragraph 2 of Article 35 and Article 36 of this Law, which are applicable to postal enterprises and their personnel, are also applicable to express delivery enterprises and their personnel; the provisions of Article 11, which are applicable to mail processing premises, are also applicable to express item processing premises; the provisions of Paragraph 2 of Article 3, Paragraph 2 of Article 26, Paragraph 1 of Article 35, Article 36 and Article 37, which are applicable to mails, are also applicable to express items; the provisions of Paragraph 2 of Article 45, which are applicable to compensation for the loss of mails, are also applicable to compensation for the loss of express items.

Article 60 Any industry association established by enterprises that operate express delivery services according to law shall, in accordance with laws, regulations, and its articles of

association, formulate standards for the express delivery industry, strengthen self-discipline in the industry, provide enterprises with information services, training services and other services, and promote the healthy development of the express delivery industry.

Enterprises that operate express delivery services shall strengthen legal education, professional ethics education, and business skills training for their personnel.

Chapter VII Supervision and Inspection

Article 61 The postal administrations may take the following supervision and inspection measures in the course of performing their supervisory and administrative responsibilities and duties according to law:

- (1) entering postal enterprises, express delivery enterprises or other premises where the suspected activities in violation of this Law take place to conduct on-site inspection;
- (2) seeking information from relevant entities and individuals;
- (3) reading and copying relevant documents, materials, and certificates;
- (4) with the approval of the head of the postal administration, closing the premises related to activities violating the Law, seizing transportation means and related articles used for activities violating the Law, and opening mails (except for letter-post items) and express items suspected of containing prohibited or restricted articles for examination.

Article 62 The postal administrations may, where necessary to the performance of their supervisory and administrative responsibilities and duties, require postal enterprises and express delivery enterprises to make reports on their operating circumstances as relevant.

Article 63 When the postal administrations conduct supervision and inspection, law enforcement credentials shall be presented and the supervision and inspection shall be jointly performed by two or more staff members. The inspected entities and their relevant personnel shall cooperate, shall not reject or obstruct the law enforcement when the postal administrations conduct supervision and inspection according to law.

Article 64 The staff of the postal administrations are obliged to keep confidential the business secrets learned during the supervision and inspection.

Article 65 Postal enterprises and express delivery enterprises shall deal appropriately with service quality complaints made by customers in a timely manner. Any customer who is dissatisfied with the way in which a complaint is handled may appeal to the postal administration; the postal administration shall handle the appeal according to law and reply within thirty (30) days since the date when the appeal is accepted.

Article 66 Any entity or individual is entitled to report a violation of this Law to the postal administration. After receiving such a report, the postal administration shall deal with the violation according to law and in a timely manner.

Chapter VIII Legal Liability

Article 67 Where universal postal services provided by a postal enterprise do not meet the universal postal services standards, the postal administration shall order it to take remedial measures and may impose a fine of up to RMB 10,000 on the enterprise; for a serious violation or in serious circumstances, a fine of between RMB 10,000 and 50,000 may be imposed on the enterprise; individuals in charge and other directly liable individuals shall be subject to sanctions.

Article 68 Where a postal enterprise, without the approval of the postal administration, ceases or restricts the provision of universal postal services and/or special postal services or closes (a) post office(s) used to provide universal postal services, the postal administration shall order it to take remedial measures and may impose a fine of up to RMB20,000 on the enterprise; for a serious violation or in serious circumstances, a fine of between RMB 20,000 and 100,000 may be imposed on the enterprise; individuals in charge and other directly liable individuals shall be subject to sanctions.

Article 69 Where a postal enterprise uses a vehicle and/or a vessel with special postal marks to carry out business activities other than the transportation and delivery of mails or allows another entity or individual to use such vehicle and/or vessel by way of a lease or by other means, the postal administration shall order it to take remedial measures, confiscate all illegal income derived, and may impose a fine of up to RMB20,000 on the enterprise; for a serious violation or in serious circumstances, a fine of between RMB 20,000 and 100,000 may be imposed on the enterprise; individuals in charge and other directly liable individuals shall be subject to sanctions.

Where an employee of a postal enterprise uses a vehicle and/or vessel with special postal marks to carry out business activities other than the transportation and delivery of mails, the postal enterprise shall sanction the employee and order him/her to take remedial measures.

Article 70 Where an employee of a postal enterprise deliberately delays delivering mails, the postal enterprise shall sanction the employee accordingly.

Article 71 Any person who falsely claims, unseals or unpacks without authorization, conceals, destroys, or unlawfully examines the mail or express item of another person shall, where the circumstances do not constitute a crime, be subject to the corresponding penalty (penalties) in accordance with the Regulations of the People's Republic of China on Administrative Penalties for Public Security.

Article 72 Where an entity or individual that has not obtained an express delivery business permit or an entity or individual that is not a postal enterprise as described above provides letter-post item delivery services exclusively reserved for postal enterprises or delivers official documents of state organs, the postal administrations or the administrative department for industry and commerce shall order the entity or individual to take remedial measures, confiscate the illegal income derived, and impose a fine of between RMB 50,000 and 100,000; for a serious violation or in serious circumstances, a fine of between RMB 100,000 and RMB 200,000 may be imposed on the entity or individual; where the entity is an express delivery enterprise, it may also be ordered to cease operating such services and take remedial measures or as the most serious sanction, have its express delivery business permit cancelled.

The sanctions specified in the preceding paragraph shall apply to any violation of Paragraph 2, Article 51 of this Law involving the operation of domestic express delivery services for letter-post items.

Article 73 Where an express delivery enterprise conducts any of the following activities, the postal administration shall order it to take remedial measures and may impose a fine of up to RMB10, 000 on the enterprise; for a serious violation or in serious circumstances, a fine of between RMB 10,000 and 50,000 may be imposed on the enterprise and it may also be ordered to cease operating to take remedial measures:

- (1) establishing branches or being a party to a merger or division but failing to file a record with the postal administration for record-filing;
- (2) failing to display the word "Letter-Post Items" in a prominent position on the envelope or package of the letter-post items;
- (3) delivering letter-post item in the form of a parcel;
- (4) where the enterprise ceases operating express delivery services, failing to notify the postal administration in writing and return its express delivery business permit, or failing to deal with undeliverable express items in accordance with the regulations of the postal administrative department of the State Council.

Article 74 Where a postal enterprise or an express delivery enterprise fails to display the tariff standards for its services to customers according to applicable provisions or engages in any other illegal pricing activity, the competent government pricing authority shall sanction the enterprises in accordance with the provisions of the Price Law of the People's Republic of China.

Article 75 Where a postal enterprise or an express delivery enterprise fails to establish or implement a system for examining the contents contained in the mail received for delivery or accepts restricted or prohibited articles for delivery in violation of the laws, administrative regulations or the regulations issued by the State Council and its relevant departments concerning articles prohibited or restricted from delivery, the individuals in charge who are directly liable and other directly liable individuals in the postal enterprise shall be subject to sanctions; with respect to the express delivery enterprise itself, the postal administration may order it to cease operating and take remedial measures or as the most serious sanction, have its express delivery business permit cancelled.

Where mail or express item sent by a customer includes an article which is prohibited or restricted from delivery and the circumstances do not constitute a crime, he/she shall be sanctioned in accordance with the Law of the People's Republic of China on Administrative Penalties for Public Security.

For any violation described in either of the two preceding paragraphs which leads to a personal injury or loss of property, the party concerned shall be liable to pay compensation.

Article 76 Where a postal enterprise or an express delivery enterprise unlawfully provides information on customers' use of postal services or express delivery services to another party in circumstances that do not constitute a crime, the postal administration shall order the enterprise to take remedial measures, confiscate all illegal income derived, and impose a fine of between RMB 10,000 and 50,000 on the enterprise; for express delivery enterprises, the postal administration may also order them to cease operating and take remedial measures or as the most serious sanction, cancel their express delivery business permit.

Where an employee of a postal enterprise or an express delivery enterprise commits any violation described in the preceding paragraph in circumstances which do not constitute a crime, the postal administration shall order the employee to take remedial measures, confiscate all illegal income derived, and impose a fine of between RMB 5,000 and 10,000 on the employee.

Article 77 Where a postal enterprise or an express delivery enterprise refuses to accept or impedes an supervisory action and/or an examination undertaken according to law in circumstances which do not constitute a crime, it shall be sanctioned in accordance with the Law of the People's Republic of China on Administrative Penalties for Public Security; for express delivery enterprises, the postal administration may also order them to cease operations and take remedial measures or as the most serious sanction, cancel their express delivery business permit.

Article 78 Where a postal enterprise and its employees or an express delivery enterprise and its employees conduct activities that will jeopardize national security in the course of the enterprise's operating activities, they shall be investigated for legal liability; for express delivery enterprises, in addition to the sanction stated above, the postal administration shall cancel their express delivery business permit.

Article 79 Where an entity or individual fraudulently uses the name of a postal enterprise or special postal marks, forges articles exclusively used for postal services, or purchases or sells such forged articles, the postal administration shall order the party concerned to take remedial measures, confiscate all illegal income derived and forged articles exclusively used for postal services, and impose a fine of between RMB 10,000 and 50,000.

Article 80 Any person who conducts any of the following activities in circumstances that do not constitute a crime shall be sanctioned in accordance with the Law of the People's Republic of China on Administrative Penalties for Public Security:

- (1) stealing and/or damaging postal facilities or obstructing the normal use of such facilities;
- (2) forging postage vouchers or purchasing and selling forged postage vouchers;
- (3) disturbing the normal order of the business premises of a postal enterprise or the business premises of an express delivery enterprise;
- (4) illegally intercepting, forcibly boarding, or climbing aboard a vehicle used for transporting mails or express items.

Article 81 Where the express delivery business permit of an express delivery enterprise is cancelled due to a violation of this Law, such enterprise may not apply to operate express delivery services within three (3) years since the date of such cancellation.

Express delivery enterprises whose express delivery business permits are cancelled shall go through the formalities for the alteration or cancellation registration with the administrative department for industry and commerce.

Article 82 Criminal liability shall be investigated in cases involving violations of this Law that constitute a crime.

Article 83 Postal Administrative Department personnel who abuse their powers, neglect their duties, or engage in malpractices for personal gains, in the course of supervision and administrative work shall, where the circumstances constitute a crime, be investigated for criminal liability; where the circumstances do not constitute a crime, corresponding sanctions shall be imposed on such personnel according to law.

Chapter IX Supplementary Provisions

Article 84 For the purpose of this Law, the following terms shall have the following meanings:

The term "postal enterprise" refers to the China Post Group Corporation (China Post) and its wholly owned and/or controlled enterprises that provide postal services.

The term "delivery" refers to the activity of delivering letter-post items, parcels, printed materials and other articles to specific individuals or entities according to the name and address indicated on the envelope or package, including such links as acceptance, sorting, transportation and delivery.

The term "express delivery" refers to the activity of rapid delivery within a promised time limit.

The term "mail" refers to letter-post items, parcels, remittance notices, magazines or other printed materials, etc., that are delivered by postal enterprises.

The term "express item" refers to letter-post items, parcels or printed materials, etc., that are delivered by express delivery enterprises.

The term "letter-post items" refers to letters or postcards. The term "letter" refers to a sealed information carrier delivered in an envelope to a specific individual or entity according to the name and address indicated thereon, excluding books, newspapers and magazines.

The term "parcel" refers to an individually packed article that is delivered to a specific individual or entity according to the name and address indicated on the package, the weight of which shall not exceed fifty (50) kilograms, the measurement of any side of which shall not exceed 150 centimeters, and the combined length, width and height of which shall not exceed 300 centimeters.

The term "regular mail" refers to mail for which no receipt is required upon acceptance by the postal enterprise and for which the recipient's signature is not required upon delivery.

The term "vouchered mail" refers to mail for which a receipt is required upon acceptance by the postal enterprise and the recipient's signature is required upon delivery.

The term "postal facilities" refers to post offices, mail processing premises, postboxes, mailboxes, postal newspaper and periodical stands, and letter boxes, etc., that are used for the provision of postal services.

The term "mail processing premise" refers to a place exclusively used by a postal enterprise for the sorting, sealing for delivery, storage, exchange, transfer and delivery of mail and other related activities.

The term "international postal articles" refers to parcels, printed materials or other articles delivered from a customer within the territory of the People's Republic of China to a customer in another country or region, or vice versa.

The term "articles exclusively used for postal services" refers to postal date marks, postage meters, postal service documents, postal tongs, postal bags and other containers exclusively used for mail.

Article 85 Any international freight forwarding agency that engages in international express

delivery services after receiving approval from or making a filing with the competent department of foreign trade of the State Council and registering with the competent administrative department for industry and commerce in accordance with applicable provisions of the state prior to the promulgation of this Law may collect an express delivery business permit from the postal administrative department of the State Council by virtue of the said approval or filing document and its business license. The postal administrative department of the State Council shall report the collection of an express delivery business permit by any such enterprise to the administrative department for industry and commerce where the enterprise is originally registered.

Other than those described in the preceding paragraph, enterprises that engage in express delivery services after registering with the administrative department for industry and commerce prior to the promulgation of this Law but do not meet the conditions for operating express delivery services provided herein shall meet such conditions within the period required by the postal administrative department of the State Council; any such enterprise that fails to meet such conditions within the period stipulated shall not be permitted to continue operating express delivery services.

Article 86 The people's governments of all provinces, autonomous regions and municipalities directly under the Central Government shall, based on actual circumstances in their respective regions, formulate specific measures to support postal enterprises in the provision of universal postal services.

Article 87 This Law shall come into force on October 1, 2009.

Should there be any inconsistency between Chinese and English versions of the Law, the Chinese one shall prevail.