

Notice of the Ministry of Finance and the National Development and Reform Commission on Fees Collected for Providing Open Government Information and Other Relevant Issues

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To All Ministries and Commissions of and Organs Directly Under the State Council, the Financial Departments (Bureaus), Development and Reform Commissions and Price Bureaus of All Provinces, Autonomous Regions and Directly Administered Municipalities, and the Financial Bureau of the Xinjiang Production and Construction Corps:

In order to promote administration in accordance with the law and increase the transparency of government work, in accordance with the relevant provisions of the Regulations of the People's Republic of China on Open Government Information (Order No. 492 of the State Council), we hereby notify you concerning the collection of fees when administrative organs provide open government information and other relevant issues as follows:

1. An administrative organ may, in the work of disclosing government information, collect the following fees when providing open government information, outside the scope of information disclosed on the organ's own initiative, upon the written request of a citizen, legal person or other organization:

(1) Retrieval fee. Retrieval fees may be collected for searching, inquiring, compiling, or storing open government information at a public reading room, a materials request station or other place set up by the administrative organ.

(2) Duplication fee: A duplication fee may be collected when an administrative organ provides open government information upon request of a citizen, legal person or other organization by means of a medium such as paper, magnetic disk or compact disk.

(3) Postage fee. A postage fee may be collected when an administrative organ delivers open government information by mail upon request of a citizen, legal person or other organization.

Administrative organs may not collect any fees for disclosing government information on their own initiative by such means as government gazettes, government websites and press conferences, as well as through newspapers and other publications, radio and television.

2. A requester who is a recipient of the rural minimum five-guarantee livelihood support,¹ the urban-rural resident minimum livelihood security, or the state bereavement subsidy for families of martyrs and military service personnel may be exempted from the relevant fees, on the strength of a valid certificate issued by the local township or town people's government or sub-district street office of the people's government, upon application of the affected person and after verification by the office for open government information work of an administrative organ.

3. The standards for the retrieval fee, duplication fee and postal fee shall be separately formulated by the National Development and Reform Commission and the Ministry of Finance.

4. An administrative organ that collects the retrieval fee, duplication fee or postal fee should handle procedures to obtain a fee collection license at the designated price department in charge, and use the financial receipts uniformly printed by the Ministry of Finance or the finance department of the province, autonomous region or municipality directly under the central government respectively in accordance with its financial subordination relationship.

5. Retrieval fees, duplication fees and postal fees should be incorporated into the fiscal budget for the same level of government, subject to management under the "two lines of revenue and expenditure" in accordance with the relevant provisions of the Notice of the General Office of the State Council Concerning Opinions on Deepening Reform of the Two Lines of Revenue and Expenditure to Further Strengthen Financial Management (Document *Guobanfa* [2001] No. 993). Administrative organs at all levels (except the central budget departments in Beijing) should, within three days after collecting retrieval fees, duplication fees and postal fees, turn over all of the revenue locally to the state treasury at the same level, and the central budget departments in Beijing shall turn over all of the revenue collected for the above three fees to the central treasury. When turning over the revenue to the treasury, they shall use the Common Form for Payment of Non-Tax Revenue, indicate the central or local budget level, and correspondingly fill out Subject 50, "Other Administrative Fees Paid to the State Treasury" for the revenue from all types of administrative fees, under Funds Type 04, "Revenue from Administrative Fees" under Class 103 "Non-Tax Revenue," in the Government Revenue and Expenditure Classification. Where the non-tax revenue payment management system is being reformed, the relevant provisions on reform shall apply. The budget department at the same level shall arrange for expenditures through the departmental budgets, and the funds payments shall be subject to the relevant provisions on the finance and state treasury management system.

6. Administrative organs at all levels, especially the people's governments and

¹The traditional government program to provide social relief to the poorest rural residents, normally the elderly, disabled and young orphans, guaranteed funding for the basics of food, fuel, clothing, education and burial.

their departments (systems) at the city, county and township levels that directly interact with the grassroots people, shall make full use of the current administrative service halls, administrative service centers and other places, or set up special reception windows and places to facilitate payment by the people, so that requests for open government information shall be handled in a timely fashion.

7. Administrative organs at all levels shall strictly abide by the above provisions on collecting fees, shall not increase the fee items or enlarge the scope or raise the standards of fees collected without authorization, and may not provide government information as a compensated service through any organizations or individuals, and shall voluntarily accept supervision and inspection by the finance, price and audit departments.

8. The provisions of this Notice shall apply by reference to the management of fees collected for the open government information by organizations that are authorized by law and regulations to exercise the functions of managing public.

9. The above provisions shall be implemented as of the date of issuance of this Notice.

June 11, 2008