Radio and Television Administrative Regulations

广播电视管理条例

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Li Peng, Premier
August 11, 1997

中华人民共和国国务院令
（第２２８号）
《*广播电视管理条例*》已经１９９７年８月１日国务院第６１次常务会议通过，现予发布，自１９９７年９月１日起施行。
总理　李鹏
１９９７年８月１１日
广播电视管理条例

Chapter I　General Provisions

第一章　总则

Article 1 These Regulations are formulated for the purpose of enhancing radio and television administration and developing the radio and television endeavors to promote socialist material, cultural, and ethical progress.

第一条　为了加强广播电视管理，发展广播电视事业，促进社会主义精神文明和物质文明建设，制定本条例。

Article 2 These Regulations apply to establishing radio and television stations, and collecting, editing, producing, broadcasting, and transmitting radio and television programs within the territory of the People's Republic of China.

第二条　本条例适用于在中华人民共和国境内设立广播电台、电视台和采编、制作、播放、传输广播电视节目等活动。

Article 3 Radio and television endeavors shall be directed toward serving the people and socialism and guiding public opinion in a correct way.

第三条　广播电视事业应当坚持为人民服务、为社会主义服务的方向，坚持正确的舆论导向。

Article 4 The State promotes the development of radio and television endeavors. The people's governments at or above the county level shall incorporate radio and television endeavors into plans for national economic and social development and shall gradually increase input, based on needs and financial resources, to expand the coverage of radio and television broadcasting.

第四条　国家发展广播电视事业。县级以上人民政府应当将广播电视事业纳入国民经济和社会发展规划，并根据需要和财力逐步增加投入，提高广播电视覆盖率。

The State supports the development of radio and television endeavors in the rural areas.

国家支持农村广播电视事业的发展。

The State aids the development of radio and television endeavors in national autonomous regions and outlying or impoverished areas.

国家扶持民族自治地方和边远贫困地区发展广播电视事业。

Article 5 The administrative department for radio and television of the State Council is responsible for radio and television administration throughout the country.

第五条　国务院广播电视行政部门负责全国的广播电视管理工作。

The departments or agencies which are responsible for radio and television administration (hereinafter referred to as the administrative departments for radio and television) under the local people's governments at or above the county level shall be responsible for radio and television administration within their respective administrative regions.

县级以上地方人民政府负责广播电视行政管理工作的部门或者机构（以下统称广播电视行政部门）负责本行政区域内的广播电视管理工作。

Article 6 Nationwide social organizations in radio or television shall practice self-disciplined management according to their own articles of association as well as conduct activities under the guidance of the administrative department for radio and television of the State Council.

第六条　全国性广播电视行业的社会团体按照其章程，实行自律管理，并在国务院广播电视行政部门的指导下开展活动。

Article 7 The State rewards units or individuals that make remarkable contributions to the development of radio or television endeavors.

第七条　国家对为广播电视事业发展做出显著贡献的单位和个人，给予奖励。

Chapter II　Broadcasting Stations and Television Stations

第二章　广播电台和电视台

Article 8 The administrative department for radio and television of the State Council is responsible for working out national plans for the establishment, decide the number layouts, and structures of all radio and television stations.

第八条　国务院广播电视行政部门负责制定全国广播电台、电视台的设立规划，确定广播电台、电视台的总量、布局和结构。

The radio and television stations as mentioned in these Regulations refer to institutions that collect, edit, produce, and broadcast radio or television programs through wired or wireless transmission.

本条例所称广播电台、电视台是指采编、制作并通过有线或者无线的方式播放广播电视节目的机构。

Article 9 The establishment of a radio or television station shall meet the following conditions:
(1) have professionals in the field of radio or television who are qualified according to the provisions of the State;
(2) possess technical equipment for radio or television which conforms to the provisions of the State;
(3) have essential funds for capital construction and reliable source of funding; and
(4) have the requisite premises.
Examination and approval of the establishment of a radio or

第九条　设立广播电台、电视台，应当具备下列条件：
（一）有符合国家规定的广播电视专业人员；
（二）有符合国家规定的广播电视技术设备；
（三）有必要的基本建设资金和稳定的资金保障；
（四）有必要的场所。

television station shall conform to the State plans for radio and television development and the plans for technological advancement in addition to the conditions listed in the preceding paragraph

审批设立广播电台、电视台，除依照前款所列条件外，还应当符合国家的广播电视建设规划和技术发展规划。

Article 10 Radio or television stations shall be established by the administrative departments for radio and television under the people's governments at or above the county level or at or above the level of a city not divided into districts, and educational television stations may be established by the administrative departments for education under the people's governments at or above the level of a city divided into districts or an autonomous prefecture. No other unit or individual may establish any radio or television station.

第十条 广播电台、电视台由县、不设区的市以上人民政府广播电视行政部门设立，其中教育电视台可以由设区的市、自治州以上人民政府教育行政部门设立。其他任何单位和个人不得设立广播电台、电视台。

The State prohibits the establishment of radio or television stations in the form of foreign-funded enterprises, Chinese-foreign equity joint ventures or Chinese-foreign cooperative joint ventures.

国家禁止设立外资经营、中外合资经营和中外合作经营的广播电台、电视台。

Article 11 The central radio or television station shall be established by the administrative department for radio and television of the State Council. If a local radio or television station is to be established, an application shall be made by the administrative department for radio and television under the local people's government at or above the county level or at or above the level of a city not divided into districts; upon approval by the local people's government at the corresponding level through examination, the application shall be submitted upward level by level for approval and shall finally be examined and approved by the administrative department for radio and television of the State Council before the preparations for construction are undertaken.

第十一条 中央的广播电台、电视台由国务院广播电视行政部门设立。地方设立广播电台、电视台的，由县、不设区的市以上地方人民政府广播电视行政部门提出申请，本级人民政府审查同意后，逐级上报，经国务院广播电视行政部门审查批准后，方可筹建。

The central educational television station shall be established by the administrative department for education of the State Council with examination and approval by the administrative department for radio and television of the State Council. If a local educational television station is to be established, an application shall be made by the administrative department for education under the local people's government at or above the level of a city divided into districts or an autonomous prefecture; after obtaining approval from the administrative department for radio and television and the local people's government at the same level upon examination, the application shall be submitted upward level by level for approval until it is finally examined by the administrative department for education and examined and approved by the administrative department for radio and television of the State Council before the preparations for construction are undertaken.

中央的教育电视台由国务院教育行政部门设立，报国务院广播电视行政部门审查批准。地方设立教育电视台的，由设区的市、自治州以上地方人民政府教育行政部门提出申请，征得同级广播电视行政部门同意并经本级人民政府审查同意后，逐级上报，经国务院教育行政部门审核，由国务院广播电视行政部门审查批准后，方可筹建。

Article 12 A radio or television station, the establishment of which is approved, shall be constructed according to the construction procedures and the technical standards for radio and television stipulated by the State.

So long as the requirements by the administrative department for radio and television of the State Council are confirmed, the radio or television station that has been constructed shall be issued a license for radio or television stations. The radio or television station shall produce and broadcast programs in conformity with the station name, logo, scope of programs, number of channels, and other particulars specified in the license.

第十二条 经批准筹建的广播电台、电视台，应当按照国家规定的建设程序和广播电视技术标准进行工程建设。

建成的广播电台、电视台，经国务院广播电视行政部门审查符合条件的，发给广播电台、电视台许可证。广播电台、电视台应当按照许可证载明的台名、台标、节目设置范围和节目套数等事项制作、播放节目。

Article 13 Alteration of the name, logo, scope of programs, or number of channels of a radio or television station shall be subject to the approval of the administrative department for radio and television of the State Council.

No radio or television station may rent out or transfer broadcast time to others.

第十三条 广播电台、电视台变更台名、台标、节目设置范围或者节目套数的，应当经国务院广播电视行政部门批准。

广播电台、电视台不得出租、转让播出时段。

Article 14 Termination of a radio or television station shall be reported according to the original procedures for examination and approval and the license shall be reclaimed by the administrative department for radio and television of the State Council.

If a radio or television station needs to suspend its broadcast due to special circumstances, approval shall be obtained from the administrative department for radio and television under the local people's government at or above the provincial level; if suspension of broadcast continues for more than 30 consecutive days without approval, it shall be deemed a termination and the relevant procedures shall be completed according to the provisions of the preceding paragraph.

第十四条 广播电台、电视台终止，应当按照原审批程序申报，其许可证由国务院广播电视行政部门收回。

广播电台、电视台因特殊情况需要暂时停止播出的，应当经省级以上人民政府广播电视行政部门同意；未经批准，连续停止播出超过３０日的，视为终止，应当依照前款规定办理有关手续。

Article 15 The establishment of a radio or television rebroadcast station in a township or town shall be examined by the administrative department for radio and television under the local people's government at or above the county level and shall be subject to the approval according to the relevant provisions of the administrative department for radio and television of the State Council.

The establishment of cable radio stations or cable television stations by organs, military units, social organizations, enterprises, or institutions shall be subject to the examination and approval according to the relevant provisions of the administrative department for radio and television of the State Council.

第十五条 乡、镇设立广播电视站的，由所在地县级以上人民政府广播电视行政部门负责审核，并按照国务院广播电视行政部门的有关规定审批。

机关、部队、团体、企业事业单位设立有线广播电视站的，按照国务院有关规定审批。

Article 16 No unit or individual may forcibly enter a radio or television station, damage the facilities of a radio or television station, or endanger the safety of broadcast.

第十六条 任何单位和个人不得冲击广播电台、电视台，不得损坏广播电台、电视台的设施，不得危害其安全播出。

Chapter III: Transmission Networks for Radio and Television Coverage

第三章 广播电视传输覆盖网

Article 17 The administrative department for radio and television of the State Council shall plan national transmission networks for radio and television coverage in a unified way according to unified standards of the State and networks shall be constructed and developed at different levels. The administrative departments for radio and television under the local people's governments at or above the county level shall, according to the relevant provisions of the State, organize and administer local transmission networks for radio and television coverage within their respective administrative regions.

第十七条 国务院广播电视行政部门应当对全国广播电视传输覆盖网按照国家的统一标准实行统一规划，并实行分级建设和开发。县级以上地方人民政府广播电视行政部门应当按照国家有关规定，组建和管理本行政区域内的广播电视传输覆盖网。

The quality and the smooth transmission of radio or television programs shall be guaranteed in organizing and constructing transmission networks for radio and television coverage, including making full use of existing various national network resources such as public communications networks.

组建广播电视传输覆盖网，包括充分利用国家现有的公用通信等各种网络资源，应当确保广播电视节目传输质量和畅通。

The transmission network for radio and television coverage as mentioned in these Regulations includes radio or television transmitting stations, relay stations (including transpose stations and relay stations), radio or television broadcast satellites, satellite uplink stations, satellite downlink and relay stations, micro-wave stations, monitoring and testing stations, and cable radio and television transmission networks, etc.

本条例所称广播电视传输覆盖网，由广播电视发射台、转播台（包括差转台、收转台，下同）、广播电视卫星、卫星上行站、卫星收转站、微波站、监测台（站）及有线广播电视传输覆盖网等构成。

Article 18 The administrative department for radio and television of the State Council shall be in charge of assigning frequencies within specified frequency bands for radio or television broadcast and examining and issuing certificates for the assigned frequencies.

第十八条 国务院广播电视行政部门负责指配广播电视专用频段的频率，并核发频率专用指配证明。

Article 19 According to the relevant provisions of the State, whoever establishes a radio or television transmitting station, relay station, micro-wave station, or satellite uplink station shall present the certificate for the assigned frequencies issued by the administrative department for radio and television of the State Council and undergo the procedure of examination and approval at the radio administration agency of the State, or the province, autonomous region, or municipality directly under the Central Government to obtain a license for a radio station.

第十九条 设立广播电视发射台、转播台、微波站、卫星上行站，应当按照国家有关规定，持国务院广播电视行政部门核发的频率专用指配证明，向国家的或者省、自治区、直辖市的无线电管理机构办理审批手续，领取无线电台执照。

Article 20 Any radio or television transmitting station or relay station shall transmit and relay radio or television programs in accordance with the relevant provisions stipulated by the administrative department for radio and television of the State Council.

No radio or television transmitting station or relay station may rent out or transfer any frequency or frequency band that have been examined and approved for use, nor may it alter any approved technical parameter without authorization.

第二十条 广播电视发射台、转播台应当按照国务院广播电视行政部门的有关规定发射、转播广播电视节目。

广播电视发射台、转播台经核准使用的频率、频段不得出租、转让，已经批准的各项技术参数不得擅自变更。

Article 21 No radio or television transmitting station or relay station may broadcast self-produced programs or insert advertisements therein without authorization.

第二十一条 广播电视发射台、转播台不得擅自播放自办节目和插播广告。

Article 22 The siting, design, construction, and installation of a transmission network for radio and television coverage shall be conducted according to the relevant provisions of the State and undertaken by units that possess corresponding certificates of qualifications according to law.

The construction of a transmission network for radio and television coverage and the radio or television technical equipment used therein shall meet both national and industrial sector standards. Upon the completion of the construction project, the administrative department for radio and television shall organize acceptance checks and only those that have been accepted based on the standards may be commissioned for use.

第二十二条 广播电视传输覆盖网的工程选址、设计、施工、安装，应当按照国家有关规定办理，并由依法取得相应资格证书的单位承担。

广播电视传输覆盖网的工程建设和使用的广播电视技术设备，应当符合国家标准、行业标准。工程竣工后，由广播电视行政部门组织验收，验收合格的，方可投入使用。

Article 23 Regional cable transmission networks for radio and television coverage shall be established and administered by the administrative departments for radio and television under the local people's governments at or above the county level.

Plans for a regional cable transmission network for radio and television coverage and its construction shall be submitted by the administrative department for radio and television under the people's government at the county level or of a city divided into districts or an autonomous prefecture to the administrative department for radio and television under the people's government of the province, autonomous region, or municipality directly under the Central Government for approval before the implementation, or submitted by the administrative department for radio and television under the people's government of the province, autonomous region, or municipality directly under the Central Government to the administrative department for radio and television of the State Council for approval before the implementation.

Only one regional cable transmission network for radio and television coverage may be established within the same

第二十三条 区域性有线广播电视传输覆盖网，由县级以上地方人民政府广播电视行政部门设立和管理。

区域性有线广播电视传输覆盖网的规划、建设方案，由县级人民政府或者设区的市、自治州人民政府的广播电视行政部门报省、自治区、直辖市人民政府广播电视行政部门批准后实施，或者由省、自治区、直辖市人民政府广播电视行政部门报国务院广播电视行政部门批准后实施。

同一行政区域只能设立一个区域性有线广播电视传输覆盖网。有线电视站应当按照规划与区域性有线电视传输覆盖网联网。

administrative region. A cable television re-distribution station shall be hooked up with the regional cable transmission network for television coverage according to the plan.

Article 24 No unit or individual may use a cable transmission network for radio and television coverage to broadcast programs without approval.

第二十四条 未经批准，任何单位和个人不得擅自利用有线广播电视传输覆盖网播放节目。

Article 25 The control and use of space location resources on satellites to transmit radio or television programs shall conform to the relevant provisions of the State.

第二十五条 传输广播电视节目的卫星空间段资源的管理和使用，应当符合国家有关规定。

The transmission of radio or television programs via satellite by a radio or television station shall meet the conditions stipulated by the State and shall be subject to the examination and approval of the administrative department for radio and television of the State Council.

广播电台、电视台利用卫星方式传输广播电视节目，应当符合国家规定的条件，并经国务院广播电视行政部门审核批准。

Article 26 Whoever installs or uses satellite radio or television ground receiving facilities shall apply for a license to the administrative department for radio and television under the people's government of the province, autonomous region, or municipality directly under the Central Government according to the relevant provisions of the State. Importation of decoders, decompressors of satellite radio or television programs or other satellite radio or television ground receiving facilities shall be subject to the examination and approval of the administrative department for radio and television of the State Council.

第二十六条 安装和使用卫星广播电视地面接收设施，应当按照国家有关规定向省、自治区、直辖市人民政府广播电视行政部门申领许可证。进口境外卫星广播电视节目解码器、解压器及其他卫星广播电视地面接收设施，应当经国务院广播电视行政部门审查同意。

Article 27 No unit or individual may seize, loot, or destroy by any other means facilities of transmission networks for radio and television coverage.

第二十七条 禁止任何单位和个人侵占、哄抢或者以其他方式破坏广播电视传输覆盖网的设施。

Article 28 No unit or individual may occupy or interfere with assigned frequencies for radio or television, or intercept and transmit, interfere with, descramble, or decrypt radio or television signals without authorization.

第二十八条 任何单位和个人不得侵占、干扰广播电视专用频率，不得擅自截传、干扰、解扰广播电视信号。

Article 29 The administrative departments for radio and television under the people's governments at or above the county level shall adopt various ways such as satellite transmission, wireless relaying, cable radio, and television broadcasting to expand the coverage of radio and television broadcast in the rural

第二十九条 县级以上人民政府广播电视行政部门应当采取卫星传送、无线转播、有线广播、有线电视等多种方式，提高农村广播电视覆盖率。

Chapter IV: Radio and Television Programs

第四章 广播电视节目

Article 30 Radio or television stations shall set up their programs within the scope of programs approved by the administrative department for radio and television of the State Council.

第三十条 广播电台、电视台应当按照国务院广播电视行政部门批准的节目设置范围开办节目。

Article 31 Radio and television programs shall be produced by radio or television stations or the units for the production and management of radio and television programs which are established upon the approval of the administrative departments for radio and television under the people's governments at or above the provincial level. No radio or television station may broadcast any program produced by units which are not licensed to produce and manage radio or television programs.

第三十一条 广播电视节目由广播电台、电视台和省级以上人民政府广播电视行政部门批准设立的广播电视节目制作经营单位制作。广播电台、电视台不得播放未取得广播电视节目制作经营许可的单位制作的广播电视节目。

Article 32 Radio or television stations shall improve the quality of radio or television programs and increase the numbers of excellent domestically produced programs, and shall not produce or broadcast programs which contain the following contents:
(1) endangering the unity, sovereignty and territorial integrity of the State;
(2) endangering the security, dignity and interests of the State;
(3) instigating national division and undermining national unity;
(4) divulging State secrets;
(5) slandering or insulting others;
(6) disseminating obscenity or superstition or touting violence; or
(7) other content prohibited by laws or administrative regulations.

第三十二条 广播电台、电视台应当提高广播电视节目质量，增加国产优秀节目数量，禁止制作、播放载有下列内容的节目：
（一）危害国家的统一、主权和领土完整的；
（二）危害国家的安全、荣誉和利益的；
（三）煽动民族分裂，破坏民族团结的；
（四）泄露国家秘密的；
（五）诽谤、侮辱他人的；
（六）宣扬淫秽、迷信或者渲染暴力的；
（七）法律、行政法规规定禁止的其他内容。

Article 33 Radio or television stations shall, in accordance with the provisions in Article 32 of these Regulations, examine radio or television programs prior to broadcast, and conduct reexamination of programs prior to re-broadcast.

第三十三条 广播电台、电视台对其播放的广播电视节目内容，应当依照本条例第三十二条的规定进行播前审查，重播重审。

Article 34 Radio and television news shall be truthful, fair, and equitable.

第三十四条 广播电视新闻应当真实、公正。

Article 35 The establishment of a unit to produce television plays shall be subject to the approval of the administrative department for radio and television of the State Council in which a license shall be obtained prior to producing any television plays.

Measures governing the production and broadcast of television plays shall be stipulated by the administrative department for radio and television of the State Council.

第三十五条 设立电视剧制作单位，应当经国务院广播电视行政部门批准，取得电视剧制作许可证后，方可制作电视剧。

电视剧的制作和播出管理办法，由国务院广播电视行政部门规定。

Article 36 Radio or television stations shall use standardized spoken and written language and promote the nationwide use of Putonghua.

第三十六条 广播电台、电视台应当使用规范的语言文字。

广播电台、电视台应当推广全国通用的普通话。

Article 37 Local radio or television stations and radio or television re-distribution stations shall relay radio or television programs according to the relevant provisions of the administrative department for radio and television of the State Council.

No radio and television re-distribution station established by a township or town may produce its own television programs.

第三十七条 地方广播电台、电视台或者广播电视站，应当按照国务院广艹缡有姓™部门的有关规定转播广播电视节目。

乡、镇设立的广播电视站不得自办电视节目。

Article 38 Radio or television stations shall broadcast radio or television programs in accordance with advance program schedules; if alteration or adjustment of previously announced program schedules is required, a notice shall be made to the public in advance.

第三十八条 广播电台、电视台应当按照节目预告播放广播电视节目；确需更换、调整原预告节目的，应当提前向公众告示。

Article 39 Overseas movies or television plays broadcast by any radio or television station shall be subject to the examination and approval of the administrative department for radio and television of the State Council. Other overseas radio or television programs broadcast by any radio or television station shall be subject to the examination and approval of the administrative department for radio and television of the State Council or other institutions authorized by it.

Radio and television programs that are supplied to foreign countries or regions shall, according to the relevant provisions of the State, be reported to the administrative departments for radio and television under the people's governments at or above the provincial level.

第三十九条 用于广播电台、电视台播放的境外电影、电视剧，必须经国务院广播电视行政部门审查批准。用于广播电台、电视台播放的境外其他广播电视节目，必须经国务院广播电视行政部门或者其授权的机构审查批准。

向境外提供的广播电视节目，应当按照国家有关规定向省级以上人民政府广播电视行政部门备案。

Article 40 The ratio of time assigned to broadcasting overseas radio and television programs to the total broadcasting time shall be stipulated by the administrative department for radio and television of the State Council.

第四十条 广播电台、电视台播放境外广播电视节目的时间与广播电视节目总播放时间的比例，由国务院广播电视行政部门规定。

Article 41 Importing or re-broadcasting overseas radio and television programs via satellite or by other means of transmission by a radio or television station shall be subject to the approval of the administrative department for radio and television of the State Council.

第四十一条 广播电台、电视台以卫星等传输方式进口、转播境外广播电视节目，必须经国务院广播电视行政部门批准。

Article 42 No radio or television station may broadcast advertisements in excess of the time limit stipulated by the administrative department for radio and television of the State Council.

Radio or television stations shall broadcast public interest advertisements.

第四十二条 广播电台、电视台播放广告，不得超过国务院广播电视行政部门规定的时间。

广播电台、电视台应当播放公益性广告。

Article 43 The administrative department for radio and television of the State Council may make decisions under extraordinary circumstances to suspend broadcasting, replace particular

第四十三条 国务院广播电视行政部门在特殊情况下，可以作出停止播

scheduled programs or designate some particular programs to be relayed.

出、更换特定节目或者指定转播特定节目的决定。

Article 44 In accordance with the relevant provisions of the State, educational television stations shall broadcast various educational, teaching, and learning programs and shall not broadcast movies or television plays that are irrelevant to teaching and learning subjects.

第四十四条 教育电视台应当按照国家有关规定播放各类教育教学节目，不得播放与教学内容无关的电影、电视片。

Article 45 Organizing international or national radio or television program exchange or trading activities shall be subject to the approval of the administrative department for radio and television of the State Council and shall be undertaken by the designated units. Organizing regional radio or television program exchange or trading activities shall be subject to the approval of the administrative department for radio and television under the local people's government of the province, autonomous region, or municipality directly under the Central Government and shall be undertaken by the designated units.

No unit or individual may organize radio or television program exchange or trading activities without approval.

第四十五条 举办国际性、全国性的广播电视节目交流、交易活动，应当经国务院广播电视行政部门批准，并由指定的单位承办。举办区域性广播电视节目交流、交易活动，应当经举办地的省、自治区、直辖市人民政府广播电视行政部门批准，并由指定的单位承办。

未经批准，任何单位和个人不得举办广播电视节目的交流、交易活动。

Article 46 The broadcast and use of the radio or television programs which are under copyright protection shall be dealt with according to the provisions of the *Copyright Law of the People's Republic of China*.

第四十六条 对享有著作权的广播电视节目的播放和使用，依照《*中华人民共和国著作权法*》的规定办理。

Chapter V: Penalty Provisions

第五章 罚则

Article 47 The unauthorized establishment of any radio or television station, educational television station, cable transmission network for radio and television coverage, or radio and television re-distribution station in violation of the provisions of these Regulations shall be banned by the administrative department for radio and television under the people's government at or above the county level; the equipment used in the illegal activities shall be confiscated and a fine between one and two times the total investment shall be imposed simultaneously.

The unauthorized establishment of any radio or television transmitting station, relay station, micro-wave station, or satellite uplink station shall be banned by the administrative department for radio and television under the people's government at or above the county level; the equipment used in the illegal activities shall be confiscated and a fine between one and two times the total investment shall be imposed simultaneously; or the act shall be punished by the radio administration organ according to the provisions of the State on radio administration.

第四十七条 违反本条例规定，擅自设立广播电台、电视台、教育电视台、有线广播电视传输覆盖网、广播电视站的，由县级以上人民政府广播电视行政部门予以取缔，没收其从事违法活动的设备，并处投资总额 1 倍以上 2 倍以下的罚款。

擅自设立广播电视发射台、转播台、微波站、卫星上行站的，由县级以上人民政府广播电视行政部门予以取缔，没收其从事违法活动的设备，并处投资总额 1 倍
以上 2 倍以下的罚款；或者由无线电管理机构依照国家无线电管理的有关规定予以
处罚。

Article 48 The unauthorized establishment of any unit to produce and manage radio or television programs, or the unauthorized production of television plays or any other radio or television programs in violation of the provisions of these Regulations shall be banned by the administrative department for radio and television under the people's government at or above the county level; the special instruments, equipment and program carriers used in the illegal activities shall be confiscated, and a fine between 10,000 yuan and 50,000 yuan shall be imposed simultaneously.

第四十八条 违反本条例规定，擅自设立广播电视节目制作经营单位或者擅自制作电视剧及其他广播电视节目的，由县级以上人民政府广播电视行政部门予以取缔，没收其从事违法活动的专用工具、设备和节目载体，并处1万元以上5万元以下的罚款。

Article 49 Anyone who, in violation of the provisions of these Regulations, produces, broadcasts or supplies to foreign countries or regions programs which contain the contents prohibited by the provisions of Article 32 of these Regulations shall be ordered by the administrative department for radio and television under the people's government at or above the county level to stop the production, broadcasting or supplying to foreign countries or regions; the program carriers shall be confiscated and a fine between 10, 000 yuan and 50, 000 yuan shall be imposed simultaneously; if the circumstances are serious, the license shall be revoked by the original approving authorities; if the act violates the provisions on public security administration, public security administrative penalties shall be imposed by the public security organ according to law; if the act constitutes a crime, criminal responsibility shall be investigated according to law.

第四十九条 违反本条例规定，制作、播放、向境外提供含有本条例第三十二条规定禁止内容的节目的，由县级以上人民政府广播电视行政部门责令停止制作、播放、向境外提供，收缴其节目载体，并处1万元以上5万元以下的罚款；情节严重的，由原批准机关吊销许可证；违反治安管理规定的，由公安机关依法给予治安管理处罚；构成犯罪的，依法追究刑事责任。

Article 50 Anyone who violates the provisions of these Regulations by committing any of the following acts shall be ordered to stop the illegal activities and given a warning by the administrative department of radio and television under the people's government at or above the county level; the illegal earnings shall be confiscated and a fine less than 20,000 yuan may be imposed simultaneously; if the circumstances are serious, the license shall be revoked by the original approving authorities.
(1) altering the name, logo, scope of programs or number of bands or channels of a radio or television station without authorization;
(2) renting out or transferring broadcast time to others;
(3) re-broadcasting or broadcasting radio or television programs in violation of the relevant provisions;
(4) broadcasting overseas radio or television programs or advertisements beyond the specified time limit;
(5) broadcasting radio or television programs produced by any unit that is not licensed to produce and manage radio or television programs, or broadcasting television plays produced by any unit that is not licensed to produce television plays;
(6) broadcasting overseas movies, television plays or other radio or television programs which have not been approved to be

第五十条 违反本条例规定，有下列行为之一的，由县级以上人民政府广播电视行政部门责令停止违法活动，给予警告，没收违法所得，可以并处2万元以下的
罚款；情节严重的，由原批准机关吊销许可证：
（一）未经批准，擅自变更台名、台标、节目设置范围或者节目套数的；
（二）出租、转让播出时段的；
（三）转播、播放广播电视节目违反规定的；
（四）播放境外广播电视节目或者广告的时间超出规定的；
（五）播放未取得广播电视节目制作经营许可的单位制作的广播电视节目或者未取得电视剧制作许可的单位制作的电视剧的；
（六）播放未经批准的境外电影、电视剧和其他广播电视节目的；
（七）教育电视台播放本条例第四十

broadcast;
(7) broadcasting programs prohibited by the provisions of Article 44 of these Regulations in an educational television station; or
(8) organizing radio or television program exchanging or trading activities without authorization.

四条规定禁止播放的节目的；
（八）未经批准，擅自举办广播电视节目交流、交易活动的。

Article 51 Anyone who violates the provisions of these Regulations by committing any of the following acts shall be ordered to stop the illegal activities and given a warning by the administrative department for radio and television under the people's government at or above the county level; the illegal earnings and special instruments and equipment used in the illegal activities shall be confiscated and a fine not more than 20,000 yuan may be imposed simultaneously; if the circumstances are serious, the license shall be revoked by the original approving authorities.
(1) renting out or transferring any frequency or frequency band, or altering the technical parameters of a radio or television transmitting station or relay station without authorization;
(2) without approval, broadcasting self-produced programs or inserting advertisements by any radio or television transmitting station or relay station;
(3) without approval, transmitting radio or television programs via satellite;
(4) without approval, importing or re-broadcasting overseas radio or television programs via satellite or by other means of transmission;
(5) without approval, broadcasting programs by way of a cable transmission network for radio and television coverage;
(6) without approval, siting, designing, constructing or installing a transmission network for radio and television coverage; or
(7) without authorization, occupying or interfering with assigned frequencies for radio or television, or intercepting and transmitting, interfering with, descrambling or decrypting radio or television signals

第五十一条 违反本条例规定，有下列行为之一的，由县级以上人民政府广播电视行政部门责令停止违法活动，给予警告，没收违法所得和从事违法活动的专用工具、设备，可以并处 2 万元以下的罚款；情节严重的，由原批准机关吊销许可证：
（一）出租、转让频率、频段，擅自变更广播电视发射台、转播台技术参数的；
（二）广播电视发射台、转播台擅自播放自办节目、插播广告的；
（三）未经批准，擅自利用卫星方式传输广播电视节目的；
（四）未经批准，擅自以卫星等传输方式进口、转播境外广播电视节目的；
（五）未经批准，擅自利用有线广播电视传输覆盖网播放节目的；
（六）未经批准，擅自进行广播电视传输覆盖网的工程选址、设计、施工、安装的；
（七）侵占、干扰广播电视专用频率，擅自截传、干扰、解扰广播电视信号的。

Article 52 Anyone who, in violation of the provisions of these Regulations, endangers the safety of broadcast in a radio or television station, or sabotages radio or television facilities shall be ordered to stop the illegal activities by the administrative department for radio and television under the people's government at or above the county level; if the circumstances are serious, a fine between 20, 000 yuan and 50, 000 yuan shall be imposed; if any damage has been caused, the offender shall compensate for the losses according to law; if a crime has been constituted, criminal liability shall be investigated according to law.

第五十二条 违反本条例规定，危害广播电台、电视台安全播出的，破坏广播电视设施的，由县级以上人民政府广播电视行政部门责令停止违法活动；情节严重的，处 2 万元以上 5 万元以下的罚款；造成损害的，侵害人应当依法赔偿损失；构成犯罪的，依法追究刑事责任。

Article 53 Any administrative department for radio and television or any of its staff members that abuses powers, neglects duties,

第五十三条 广播电视行政部门及其工作人员在广播电视管理工作中滥用

or engages in illegalities for personal gains or by fraudulent means shall be investigated for criminal liability according to law if a crime has been constituted; administrative sanctions shall be imposed according to law if the act does not constitute a crime.

职权、玩忽职守、徇私舞弊，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，依法给予行政处分。

Chapter VI: Supplementary Provisions

第六章　附则

Article 54 The radio or television stations, educational television stations, radio or television transmitting stations, relay stations and units producing and managing radio or television programs that have been established before these Regulations take effect shall, within six months as of the date when these Regulations take effect, undergo the re-examination procedures according to the provisions of these Regulations; those that fail to conform to the provisions of these Regulations shall be abolished; any existing educational television station at the county level may merge with the television station at the county level to operate as an educational channel therein.

第五十四条　本条例施行前已经设立的广播电台、电视台、教育电视台、广播电视发射台、转播台、广播电视节目制作经营单位，自本条例施行之日起 6 个月内，应当依照本条例的规定重新办理审核手续；不符合本条例规定的，予以撤销；已有的县级教育电视台可以与县级电视台合并，开办教育节目频道。

Article 55 These Regulations shall take effect as of September 1, 1997.

第五十五条　本条例自 1 9 9 7 年 9 月 1 日起施行。