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The Application of Cultural Market Administration Policies in the China (Shanghai) Pilot Free Trade Zone Notice

关于实施中国（上海）自由贸易试验区文化市场管理政策的通知

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With a view to enforcing the Notice of the State Council on Printing and Distributing the "Overall Plan for the China (Shanghai) Pilot Free Trade Zone" (Guo Fa [2013] No. 38), relevant policies on cultural market administration within the China (Shanghai) Pilot Free Trade Zone (hereinafter referred to as the "FTZ") are hereby revised as follows:

1. Foreign-invested performance brokerage agencies and entities operating performance venues are allowed to be established within the FTZ to provide services in Shanghai Municipality

(1) A party that intends to establish a performance brokerage agency in the form of a Sino-foreign equity joint venture, Sino-foreign cooperative joint venture, or wholly foreign-owned agency within the FTZ shall submit an application to the competent cultural department of Shanghai Municipality which shall make a decision within 20 days upon receipt of the application.

(2) A party that establishes an entity operating performance venues in the form of a Sino-foreign equity joint venture, Sino-foreign cooperative joint venture, or wholly foreign-owned entity within the FTZ shall undergo record-filing with the competent cultural department of Shanghai Municipality by collecting the record-filing certificate of entities operating performance venues and the approval documents issued by the relevant fire department and health department within 20 days upon collecting the business license.

为贯彻落实《国务院关于印发中国（上海）自由贸易试验区总体方案的通知》（国发〔2013〕38号）有关规定，现将中国（上海）自由贸易试验区（以下简称“试验区”）内文化市场管理有关政策调整如下:

一、允许在试验区内设立外资经营的演出经纪机构、演出场所经营单位，为上海市提供服务

（一）在试验区内设立合资、合作、独资经营演出经纪机构的，应当向上海市文化主管部门提出申请。上海市文化主管部门自收到申请之日起20日内作出决定。

(二) 在试验区内设立合资、合作、独资经营演出场所经营单位的,应当自领取工商营业执照之日起 20 日内,持上述证照以及消防、卫生部门的批准文件,到上海市文化主管部门备案,领取演出场所经营单位备案证明。

(3) If a performance brokerage agency in the form of a Sino-foreign equity joint venture, Sino-foreign cooperative joint venture, or wholly foreign-owned agency intends to hold commercial performance activities in Shanghai, they must submit an application to the competent cultural department of Shanghai Municipality. The said department shall make a decision within three days upon acceptance of the application if the application is for holding a commercial performance participated by Mainland performing art groups or actors, or within 20 days upon acceptance of the application if the application is for holding a foreign-related commercial performance or a commercial performance related to Hong Kong, Macao, or Taiwan

(三) 合资、合作、独资经营的演出经纪机构,在上海市内举办营业性演出活动,应当向上海市文化主管部门提出申请。举办国内文艺表演团体或者演员参加的营业性演出,自受理申请之日起 3 日内作出决定;举办涉外或者涉港澳台营业性演出,自受理申请之日起 20 日内作出决定。

(4) If commercial performance activities are to be held in the venue under its operation by an entity operating performance venue in the form of a Sino-foreign equity joint venture, Sino-foreign cooperative joint venture, or wholly foreign-owned entity, such entity shall submit an application to the competent cultural department of Shanghai Municipality. The said department shall make a decision within three days upon acceptance of the application if the commercial performance to be held is participated by Mainland performing art groups or actors. If the application is for holding a foreign-related commercial performance or a commercial performance related to Hong Kong, Macao or Taiwan, then within 20 days upon acceptance of the application.

(四) 合资、合作、独资经营的演出场所经营单位,在本场所内举办营业性演出活动,应当向上海市文化主管部门提出申请。举办国内文艺表演团体或者演员参加的营业性演出,自受理申请之日起 3 日内作出决定;举办涉外或者涉港澳台营业性演出,自受理申请之日起 20 日内作出决定。

2. Foreign-invested entertainment venues are allowed to be established within the FTZ

二、允许在试验区内设立外资经营的娱乐场所

A party that intends to establish an entertainment venue in the form of a Sino-foreign equity joint venture, Sino-foreign cooperative joint venture, or wholly foreign-owned venue within the FTZ shall satisfy the establishment conditions prescribed under the Regulations on the Administration of Entertainment Venues, Administrative Measures for Entertainment Venues, and all other regulations and rules. They must also submit an application to the competent cultural department of Shanghai Municipality which shall make a decision within 20 days upon acceptance of the application.

在试验区内设立合资、合作、独资经营娱乐场所的,应当符合《*娱乐场所管理条例*》、《*娱乐场所管理办法*》等法规规章规定的设立条件,向上海市文化主管部门提出申请。上海市文化主管部门自受理申请之日起 20 日内作出决定。

3. Foreign-invested enterprises are allowed to engage in the production and sales of gaming and recreational equipment within the FTZ, and may sell gaming and recreational equipment whose contents have passed the review of competent cultural departments on the domestic market

三、允许外资企业在试验区内从事游戏游艺设备的生产和销售，通过文化主管部门内容审查的游戏游艺设备可面向国内市场销售

(1) If a foreign-invested enterprise registered within the FTZ intends to sell the gaming and recreational equipment produced thereby on the domestic market, an application must be

（一）在试验区内注册的外资企业，在国内销售其生产的游戏游艺设备，

submitted to the competent cultural department of Shanghai Municipality for content review. The said department shall make a decision within 20 days upon acceptance of the application, and report the gaming and recreational equipment that has passed the content review to the Ministry of Culture for record-filing and announcement.

应当向上海市文化主管部门提出内容审查申请。上海市文化主管部门自受理申请之日起 20 日内作出决定，通过内容审查的报文化部备案并公示。

(2) Gaming and recreational equipment sold on the domestic market shall not contain contents prohibited by Article 13 of the Regulations on the Administration of Entertainment Venues, and its outer appearances, contents, and gaming instructions shall use languages generally-accepted in China.

(二) 面向国内销售的游戏游艺设备,不得含有《娱乐场所管理条例》第十三条禁止的内容,游戏游艺设备外观、内容、游戏方法说明应当使用我国通用文字。

(3) Information submitted to the Ministry of Culture for record-filing and announcement shall include: approval documents on the content review of gaming and recreational equipment, name of the production enterprise, name, basic functions and gaming rules of the said equipment, pictures reflecting the outer appearance of the said equipment, and other basic information.

(三) 报文化部备案公布的内容应当包括:游戏游艺设备内容审查批准文件、生产企业名称、设备名称、基本功能和游戏规则、能反映设备外观的图片等基本信息。

4. Administrative examination and approval items adjusted by this Notice shall apply to investors from the Hong Kong Special Administrative Region, the Macao Special Administrative Region and Taiwan Region, and Chinese citizens residing abroad who invest in and establish enterprises within the FTZ

四、本通知调整的行政审批事项,适用于在试验区内投资、设立企业的香港特别行政区、澳门特别行政区、台湾地区投资者和在国外居住的中国公民。

This Notice is hereby given.

特此通知。

Ministry of Culture
September 29, 2013

文化部
2013年9月29日