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# Laws of the People's Republic of China

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## REGULATIONS ON EXIT AND ENTRY FRONTIER INSPECTION

Category	PUBLIC SECURITY	Organ of Promulgation	The State Council	Status of Effect	In Force
Date of Promulgation	1995-07-20	Effective Date	1995-09-01		

### Regulations of the People's Republic of China on Exit and Entry Frontier Inspection

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(Adopted at the 34th Executive Meeting of the State Council on July 6,

1995, promulgated by Decree No.182 of the State Council of the People's Republic of China on July 20, 1995, and effective as of September 1, 1995)

Chapter I General Provisions

**Article 1** These Regulations are formulated with a view to safeguarding the sovereignty of the People's Republic of China, maintaining its security and social order and facilitating the exit and entry of persons and means of transport.

**Article 2** The Ministry of Public Security shall be responsible for the administration of the exit and entry frontier inspection.

**Article 3** The People's Republic of China shall set up exit and entry frontier inspection stations (hereinafter referred to as frontier inspection stations) at open ports, airports, stations and border thoroughfares.

**Article 4** In order to safeguard the sovereignty of the state and maintain its security and social order, frontier inspection stations shall exercise the following functions:

(1) carrying out frontier inspection on persons leaving or entering the country and their luggage and other personal belongings, and on means of transport leaving or entering the country and their freight.

(2) exercising supervision on means of transportation leaving or entering the country in accordance with the relevant regulations of the state;

(3) guarding restricted areas in ports and maintaining the order of exit and entry; and

(4) performing other functions assigned by the competent authorities or stipulated by other laws and administrative regulations.

**Article 5** For exit from or entry into China, persons and means of transport shall pass through the open ports or other ports specially designated by the competent authorities and shall subject themselves to frontier inspection, supervision and control.

Persons leaving or entering the country shall abide by the laws and administrative regulations of the People's Republic of China.

**Article 6** Frontier inspection personnel must execute their duties according to law.

No organization or individual may obstruct the frontier inspector from lawfully executing his duties.

## Chapter II Inspection and Control of Persons

**Article 7** For exit from or entry into China, persons shall fill in exit or entry registration cards in accordance with the relevant regulations and present to the frontier inspection stations for examination of their valid passports or other exit or entry certificates (hereinafter referred to as exit-entry certificates); they may leave or enter the country after the frontier inspection stations have examined and approved their certificates.

**Article 8** The frontier inspection stations have the power to forbid persons belonging to any of following categories to leave or enter the country:

- (1) failing to hold exit-entry certificates;
- (2) holding and using invalid exit-entry certificates;
- (3) holding and using exit-entry certificates other than their own;
- (4) holding and using forged or altered exit-entry certificates;
- (5) refusing to accept frontier inspection;
- (6) failing to pass through the ports as designated;
- (7) being forbidden to leave or enter the country under the notice the public security department or the state security department of the State Council; or
- (8) being forbidden to leave or enter the country in accordance with laws and administrative regulations.

The frontier inspection station may detain or forfeit the exit-entry certificates of the persons defined in item (3) or (4) above or of the Chinese citizens defined in the item (7) or (8) above.

**Article 9** These Regulations shall apply to frontier inspection and control on the accompanying working personnel on board the means of transport leaving or entering the country. Where there is an agreement between the People's Republic of China and another country or region, the frontier inspection and control shall be conducted according to the agreement.

**Article 10** Crew members of alien nationality or from Hong Kong, Macao and Taiwan and their accompanying family members who, upon the arrival of their vessels at ports of the People's Republic of China, wish to land or lodge at port towns shall apply through their captains or captains' agents to the frontier inspection station for going through the landing or lodging formalities.

Crew members and their accompanying family members who have landed or lodged with permission shall return to their vessels with the specified time. Those who have violated laws after landing shall be ordered to return to their vessels immediately if the circumstances are not serious enough to constitute a crime, and shall not be permitted to land again thereafter.

Chinese crew members of vessels navigating international routes may land or lodge by presenting their exit-entry certificates.

**Article 11** The frontier inspection station shall have the power to refuse the application for landing of the persons defined in Article 8 of these Regulations.

**Article 12** Persons who wish to embark on or disembark from alien vessels shall present to the frontier inspectors for examination of their exit-entry certificates or other designated certificates and obtain permission. Personnel from port inspection and quarantine organs shall be dressed in uniform and produce their certificates when they have need to board such vessels to execute their duties.

**Article 13** Frontiers inspection on transitory exit or entry of persons on public business and of border residents of both sides in the bordering areas between the People's Republic of China a neighboring country (or region) shall be conducted in accordance with the relevant agreement between the two sides. In the absence of such agreement, these Regulations shall apply.

Border residents of a country adjacent to China who have entered China transitorily in compliance with the relevant agreement shall confine their activities within the area prescribed under the agreement. In case there is a need to travel beyond the prescribed area, they shall go through entry formalities in advance.

**Article 14** Frontier inspection stations, when they deem it necessary, may conduct body search on persons leaving or entering the country. The search shall be conducted by two frontier inspectors of the same sex as the person to be searched.

**Article 15** Where persons leaving or entering the country belong to any of the following categories, the frontier inspection stations have the power to restrict the bound of their activities, take investigation or hand them over to the competent authorities for disposal:

(1) being suspected of holding and using exit-entry certificates other than their own;

(2) being suspected of holding and using forged or altered exit-entry certificates;

(3) being criminal suspects notified by the public security department or the state security department of the State Council or by the public security organ or the state security organ of the provinces, autonomous regions or municipalities directly under the central government; or

(4) being suspected of committing any acts harmful to the national security, interests and social order.

### Chapter III Inspection and Supervision of the Means of Transportation

**Article 16** Means of transportation leaving or entering the country must accept frontier inspection on their arrival in or prior to their departure from the ports of China. Entry inspection on means of transportation shall be conducted at their first arrival port; exit inspection shall be conducted at their last departure port. Under exceptional

circumstances, entry and exit inspections on means of transportation may be conducted at specially permitted places with the approval of the competent authorities.

**Article 17** Persons in charge of means of transportation or transportation department concerned shall notify in advance the frontier inspection station concerned of the arriving or departing time, the stopping place and the particulars of the persons and freight on board of the vessels, aircraft or trains leaving or entering the country.

On arrival at ports, captains or their agents of vessels and commanders or their agents of aircraft shall furnish the frontier inspection stations with a name list of the crew and passengers; persons in charge of trains and other means of transportation shall report to the frontier inspection stations the number of working personnel and passengers on board.

**Article 18** Persons in charge of means of transportation or their agents shall be present at the scene of inspection and render assistance when frontier inspectors are carrying out frontier inspection on these means of transportation.

**Article 19** Means of transportation leaving or entering the country shall proceed along the routes in China as specified. Alien vessels may not anchor or moor at non-open ports without approval.

Without the approval from the frontier inspection station, no persons, cargoes or articles may be taken on board or discharged from the means of transportation which are about to depart from China during the period from the time after exit inspection to the time of their departure, or the means of transportation which have arrived in China during the period from the time of their arrival to the time before entry inspection.

**Article 20** Where Chinese vessels have need to make fast to alien vessels, the captains or their agents shall apply to the frontier inspection station for going through necessary formalities. Without such formalities, no Chinese vessels may make fast to alien vessels.

**Article 21** The frontier inspection stations shall have the power to exercise supervision on means of transportation leaving or entering the country when they are under any of the following circumstances:

(1) trains, alien vessels and Chinese passenger vessels during the period from the time of exit inspection to the time of their departure from the country or during the period from their arrival in the country to the time of entry inspection, and during the period of inspection;

(2) trains and other motor vehicles during their proceeding in the area between the border line and the frontier inspection station which is at a comparatively long distance from the border line;

(3) alien vessels during their navigating in Chinese inland rivers; or

(4) any other circumstances frontier inspection stations consider necessary to exercise supervision.

**Article 22** Persons in charge of means of transportation shall provide necessary working and living conveniences to the frontier inspectors who are performing supervision duties on board.

The means of transportation under supervision and the persons boarding or leaving these means of transportation shall subject themselves to inspection by the supervisors.

**Article 23** Persons in charge of means of transportation on which no supervising measures are imposed shall conduct proper administration on their own to ensure that their means of transportation and the working personnel observe these Regulations.

**Article 24** When means of transportation leaving or entering the country are found carrying on board any person who is forbidden to leave or enter the country, or is illegally crossing the border or holding no valid exit-entry certificates, persons in charge of these means of transportation shall take the responsibility to remove such person to the place whence he came and pay all the expenses incurred therefrom.

**Article 25** Where means of transportation fall into any of the following circumstances, the frontier inspection station shall have the power to postpone or forbid their leaving or entering the country:

(1) leaving or entering the country without approval from the frontier inspection station;

(2) refusing to accept frontier inspection or supervision;

(3) being believed to be carrying any person or article harmful to national security, interests or social order;

(4) being believed to be carrying any person illegally leaving or entering the country;

(5) refusing to accept the penalty or decision lawfully made by the frontier inspection station; or

(6) changing ports for exit or entry without permission.

The frontier inspection station shall allow means of transportation to leave or enter the country immediately after the relative circumstances listed above no longer exist.

**Article 26** Where vessels or aircraft leaving or entering the country have sailed or flown into any areas other than the open ports under unforeseeable emergencies or owing to force majeure, they must report at once to the frontier inspection station nearby or to the local public security authorities and accept inspection and supervision, and once the causes bringing about their entry no longer exist, they must depart within the time and along the routes as they are notified of.

#### Chapter IV Inspection on Luggage, Articles and Freight

**Article 27** According to the need of maintaining national security and public order, frontier inspection stations may carry out focal inspection on luggage and articles carried by persons leaving or entering the country and on freight carried by means of transportation leaving or entering the country.

**Article 28** Persons and means of transportation leaving or entering the country are prohibited to carry any contraband articles which are harmful to national security and public order as prescribed by laws and administrative regulations. The frontier inspection stations shall detain such articles and shall, in accordance with relevant laws and administrative regulations, dispose of the persons who carry them or the persons in charge of the means of transportation that carry them.

**Article 29** No persons shall carry out of the country unlawfully any documents, data, or other articles classified as national secrets. The frontier inspection stations shall confiscate any unlawfully carried documents, data or other articles classified as national secrets and shall, in accordance with relevant laws and administrative regulations, dispose of the persons who carried them.

**Article 30** Persons leaving or entering the country who need to carry or consign firearms or ammunition must abide by relevant laws and administrative regulations and apply to the frontier inspection stations for going through the carrying or consigning formalities. Without approval, no persons may carry or consign any firearms or ammunition out of or into the country.

#### Chapter V Penalties

**Article 31** Penalties for any contravention of these Regulations shall be ruled by frontier inspection stations.

**Article 32** Any person leaving or entering the country who is under any of the following circumstances shall be fined 500 to 2,000 yuan or detained in accordance with relevant laws or administrative regulations:

- (1) failing to hold exit-entry certificates;
- (2) holding and using invalid exit-entry certificates;
- (3) holding and using exit-entry certificates other than his own; or

(4) holding and using forged or altered exit-entry certificates.

**Article 33** Any person who assist other persons to illegally leave or enter the country shall be fined 2,000 and 10,000 yuan if the circumstances of the case are not serious enough to constitute a crime and the illegal profits, if there is any, shall be confiscated.

**Article 34** Any person who carries or consigns firearms or ammunition out of or into the country without approval shall be fined 1,000 to 5,000 yuan with all the firearms and ammunition confiscated.

**Article 35** Any person who is under any of the following circumstances shall be given a warning or punished with a fine not exceeding 500 yuan:

(1) entering restricted areas in ports without permission or after his entry, disobeying administration or disturbing the port administration order;

(2) insulting frontier inspectors; or

(3) landing or lodging without permission or not in compliance with relevant regulations.

**Article 36** Where means of transportation have carried out of or into the country any persons who are forbidden to leave or enter the country, persons who are crossing the border illegally or persons holding no valid exit-entry certificates, the persons in charge shall be fined 5,000 to 10,000 yuan for each such person they have carried.

**Article 37** When means of transportation are under any of the following circumstances, the persons in charge shall be fined 10,000 to 30,000 yuan:

(1) leaving or entering the country without the permission from the frontier inspection station when leaving or arriving at ports;

(2) failing to furnish the frontier inspection station with information on their working personnel, passengers or freight according to regulations, or refusing to assist inspection; or

(3) taking on board or discharging any persons, cargoes or articles without the permission from the frontier inspection station during the period from the time of their arrival in the country to the time before entry inspection or during the period from the time after exit inspection to the time of their departure from the country.

**Article 38** When means of transportation are under any of the following circumstances, the persons in charge shall be given a warning and concurrently punished with a fine of 500 and 5,000 yuan:

(1) failing to proceed along the routes in China as specified when leaving or entering the country;

(2) alien vessels anchoring or mooring at non-open ports without approval; or

(3) Chinese vessels making fast to alien vessels without approval.

**Article 39** Where vessels or aircraft leaving or entering the country have sailed or flown into any areas other than the open ports under unforeseeable emergencies or owing to force majeure, the persons in charge shall be punished with a fine not exceeding 10,000 yuan, if they fail to report without reasonable causes to the frontier inspection station nearby or to the local public security authorities or if they fail to depart within the time and along the routes as they are notified of once the causes bring their entry no longer exist.

**Article 40** The frontier inspection stations shall furnish the penalized person with a receipt upon receiving the fine. The fine and money confiscated shall be turned over to the state treasury according to regulation.

**Article 41** Any person leaving or entering the country who has violated the provisions of these Regulations, criminal responsibility shall be investigated according to law if the circumstances of the case are serious enough to constitute a crime.

**Article 42** If a person refuses to accept the penalty decision made by a frontier inspection station, he may, within 15 days from his receipt of the penalty decision, apply for reconsideration to the public security organs of the county level in the locality of the frontier inspection station. The public security organ of the county level concerned shall, within 15 days from his receipt of the application for reconsideration, make a reconsideration decision. If a person refuses to accept the reconsideration decision, he may, within 15 days from his receipt of the reconsideration decision, bring a suit to the people's court.

#### Chapter VI Supplementary Provisions

**Article 43** Frontier inspection on entry and exit of persons enjoying diplomatic privileges and immunities shall be conducted according to special provisions in law if there is any.

**Article 44** Where a foreign country has special regulations on the entry, transit or exit inspection and control on the citizens and means of transportation of the People's Republic of China, the frontier inspection stations may take corresponding measures in line with the decisions by the competent authorities.

**Article 45** These Regulations shall be applicable to the frontier inspection on citizens and means of transportation of the People's Republic of China traveling to and from Hong Kong, Macao and Taiwan. Where there are

special provisions by laws and administrative regulations, such provisions shall prevail.

**Article 46** For the purpose of these Regulations,

"persons leaving or entering the country" means all the persons, whether of Chinese nationality or alien nationality or stateless, who are leaving, entering or transiting through the border of the People's Republic of China;

"means of transportation leaving or entering the country" means all the vessels, aircraft, trains, motor vehicles, non-motor vehicles and pack animals that are leaving, entering or transiting through the border of the People's Republic of China; and

"working personnel" means all the persons in charge, drivers or pilots, stewards, and other workers of the vessels, aircraft, trains and motor vehicles that are leaving or entering the country.

**Article 47** These Regulations shall enter into force on September 1, 1995. The "Interim Regulations on Exit-Entry Public Security Inspection" promulgated by the Central People's Government Administration Council on July 29, 1952 and the "Regulations on Frontier Inspection" promulgated by the State Council on April 30, 1965 shall be abrogated therefrom.