

Announcement No. 52, 2007 of the State Administration of Quality Supervision, Inspection and Quarantine, on the Registration of Domestic Consignees of the Imported Waste Materials

2009-07-03

No. 52,2007

Announcement on the Registration of Domestic Consignees of the Imported Waste Materials

I. To protect our environment, improve the quality of imported waste materials, and regulate the supervision and management of the domestic consignees of the imported waste materials, registration management on domestic consignees of imported waste materials has been implemented, in accordance with the twenty-second article of the Regulations for the Implementation of the Law of the People's Republic of China on Import and Export Commodity Inspection.

Since April 1, 2007, the State Administration of Quality Supervision, Inspection and Quarantine (hereinafter referred to as AQSIQ) has been dealing with imports application for registration of domestic consignees of waste materials. Since September 1, 2007, applications for inspection of waste materials from domestic consignees, who have not been registered with the AQSIQ, may not be accepted by the entry inspection and quarantine institution at the port.

II. The term “domestic consignees of imported waste materials” means the buyers to the foreign trade contracts of imported waste materials(hereinafter referred to as the consignees).

III. AQSIQ is, in a unified manner, responsible for the management of consignee registration. Enter-Exit Inspection and Quarantine Bureaus (hereinafter referred to as Inspection and Quarantine Bureaus) set up by the AQSIQ throughout the country are responsible for the daily supervision and management of the registered consignees.

IV. Regardless whatever trade modes they adopt, consignees engaged in imported waste materials, are required to apply for the AQSIQ registration.

With the registration certificate and related materials, the consignee applies for inspection to the port inspection and quarantine institutions.

V. The consignee must meet the following requirements:

- (1) Being a legitimate business with the import and export trade rights;
- (2) Having a fixed office;
- (3) Complying with China's laws and regulations about the environmental protection technologies and related environmental control standards;
- (4) Having set up and implemented the quality management system;
- (5) Having relatively stable goods supply sources and domestic processing enterprises.

VI. The consignee filing an application for registration to the AQSIQ shall provide the following written materials:

- (1) The Application Form for Registration of the Domestic Consignees of Imported Waste Materials " (see the column of domestic consignees of imported waste materials registration on General Administration website);
- (2) The business license (copy);
- (3) Organization code certificate (copy);
- (4) The Record Registration Certificate for Foreign Trade Operators and other import and export licensing documents (copies);
- (5) Documents about the consignee's organization structure, departments and job responsibilities;
- (6) The quality control of imported waste materials, staff training, disposal of substandard goods, and other quality management system documents or Quality System Certificate (color copies);
- (7) The related descriptions of imported waste materials (about the types, quantity and quality of environmental protection) of the recent two years;
- (8) The Enterprise Registration Certificate of imported waste materials outside supplier" of the corresponding outside supplier (copy);
- (9) The agency commissioned documents of import, organization code certificate (copy) of the domestic processing enterprises, and the "The record table of firms using imported solid waste as raw materials".

VII. The consignee applying for registration may not be registered if one of the following circumstances occurs:

- (1) Being not in conformity with the provisions of Article V;
- (2) Being not in conformity with the provisions of article VI or having provided false materials;
- (3) That the consignee didn't actively return unqualified imported waste materials or the returned unqualified imported waste materials were re-imported from other ports;

(4) Other conducts in violation of laws and regulations.

VIII. AQSIQ will make decisions about whether to accept applications for registration or not within 5 working days as of the date when written application materials by the consignee are received.

IX. After accepting the application, AQSIQ will organize personnel to verify the consignee who has submitted an application for registration within 3 months. Documents and on-site auditing as two parts of the examination shall be implemented in accordance with the "Audit procedures of registration and acceptance application of domestic consignees of waste materials imports" (see the registered domestic consignees of waste materials import column at General Administration website).

X. The consignee examined and approved to be qualified by AQSIQ, will be registered and get a Registration Certificate for Domestic Consignee of Imported Waste Materials " (see the registered domestic consignees of imported waste materials column at General Administration website); The consignees failing the examination will get Notification of No-Registration of Domestic Consignee of Imported Waste Materials" (see the registered domestic consignees of imported waste materials column at General Administration website).

XI. After 6 months from the date the issuance of the Notification of No-Registration of Domestic Consignee of Imported Waste Materials, the consignees may re-apply for registration.

XII. Consignees shall provide the AQSIQ the Materials listed in the VI (2), VI (1) with changed addresses within 3 months after the change of addresses.

Consignees shall provide the AQSIQ with the VI (1), VI (6) and VI (9) Materials to file the application for the change of the domestic processing enterprises 3 months later after the registration certificate is issued.

The AQSIQ shall make a decision as to whether to agree the change application or not within one month as of the date of receiving the application.

Consignees shall re-submit the registration applications to the AQSIQ, if the company names or legal representatives have changed.

XIII. The valid period of registration certificate is five years. For the renewal request of the expiration, the consignee shall propose the application to the AQSIQ 6 months prior to the expiry.

XIV. Each Inspection and Quarantine Bureau is responsible for the implementation of the daily registered consignee supervision and management. Daily supervision and management include:

(1) Verifying whether registered consignees violate the relevant laws and regulations of

waste materials import;

- (2) Spot-checking to verify whether the registered consignees deliver imported waste raw materials to the corresponding processing and utilization enterprises;
- (3) Mastering the returning of the unqualified goods of the registered consignees;
- (4) Other supervision and management tasks assigned by the AQSIQ.

XV. If one of the following situations happens, waste materials imported by registered consignee shall be strictly inspected by the AQSIQ for 3 months, and shipping containers shall all be opened and inspected. The situations include:

- (1) Waste raw materials imported are not, to a large extent, in conformity with the goods certificate, or are falsely declared;
- (2) The content of the consignee registration has been changed without application for change to the AQSIQ according to the provisions; and
- (3) It's the first time within one year that imported waste materials are unqualified on environmental protection project test, while it is investigated that the responsibility does go to the consignee;

XVI. In case the registered consignees have the following behaviors, the waste materials imported by registered consignees shall be strictly inspected by the AQSIQ for 6 months, and shipping containers shall all be opened and inspected:

- (1) Behaviors listed in XV recur during or within one year after the expiry of the strictly inspection three months period;
- (2) Not bearing the disposal costs of unqualified goods for environmental protection, not returning nor the unqualified abandoning goods which are found unqualified after Inspection and Quarantine and which shall be returned; and
- (3) Other acts in violation of laws and regulations.

XVII. If one of the following situations happens, the AQSIQ will cancel the registration of the registered consignees. The situations include:

- (1) Situations listed in XV and XVI recur during or within one year after the expiry of the six months strictly inspection period;
- (2) Alteration or forgery of pre-shipment inspection certificates;
- (3) The consignee hasn't delivered the imported waste materials to processing agencies for twice or more times, which are confirmed after investigation;
- (4) The unqualified waste materials have been re-imported by transforming Ports, which are confirmed after investigation; and
- (5) Other serious violations of laws and regulations.

XVIII. Consignee who was of de-registration, shall be publicized by the AQSIQ, and may not reapply for registration to the AQSIQ until two years later after the date of the termination of the registration.

XIX. The application materials shall be sent to the following address:

State General Administration of Quality Supervision Inspection and Supervision Division
9 Ma Dian East Road,, Haidian District, Beijing, China

Postal Code: 100088

Telephone :010-82260372

March 12, 2007