Implementation Measures for the Regulations of the People’s Republic of China on Chinese-foreign Cooperation in Running Schools

Order of the Ministry of Education No. 20

The Implementation Measures for the Regulations of the People’s Republic of China on Chinese-foreign Cooperation in Running Schools, which were adopted at the Minister’s Meeting on March 1, 2004, are hereby promulgated and shall come into force as of July 1, 2004.

Minister of Education Zhou Ji

June 2, 2004

**Chapter 1 General Provisions**

**Article 1** These Measures are formulated for the purpose of implementing the Regulations of the People’s Republic of China on Chinese-foreign Cooperation in Running Schools (hereinafter referred to as the Regulations on Chinese-foreign Cooperation in Running Schools).

**Article 2** These Measures shall apply to the specific requirements for the establishment, activities and management of Chinese-foreign cooperatively-run schools and the examination, approval and administration of Chinese-foreign cooperatively-run educational projects for offering education for academic qualifications, tutoring self-taught students for examinations, supplementary teaching of school courses and pre-school education, etc. in accordance with the Regulations on Chinese-foreign Cooperation in Running Schools.

The Chinese-foreign cooperatively-run educational projects as mentioned in these Measures shall refer to educational and teaching activities in the aspects of subjects, specialties and courses, etc., which mainly aim to enroll Chinese citizens and are operated jointly by foreign educational institutions and Chinese educational institutions without establishing any educational institution.

In accordance with the provisions of the Regulations on Chinese-foreign Cooperation in Running Schools, the specific measures for examination, approval and administration of Chinese-foreign cooperatively-run educational projects for offering vocational skill training shall be otherwise formulated by the labor administrative department of the State Council.

**Article 3** The State encourages cooperation in running schools between Chinese educational institutions and foreign educational institutions whose academic level as well as educational and teaching quality are universally acknowledged; it encourages cooperative educational activities in the fields of subjects and specialties that are newly developing and urgently needed in China.

The State encourages Chinese-foreign cooperation in running schools in China’s western regions and remote and poverty-stricken regions.

**Article 4** Chinese-foreign cooperatively-run schools shall, in accordance with the provisions of the Law of the People’s Republic of China on Promotion of Privately-run Schools, be entitled to enjoy the support and awards given by the State to privately-run schools.

The education administrative departments shall give awards and honors to social organizations or individuals who have made great contributions to the development of Chinese-foreign cooperation in running schools.

**Chapter 2 Establishment of Chinese-foreign Cooperatively-run Schools**

**Article 5** Chinese and foreign cooperators in running a school shall enter into a cooperative agreement on the basis of equality and negotiation.

A cooperative agreement shall contain the name and address of the proposed cooperatively-run school, the names, addresses and legal representatives of the Chinese and foreign cooperators in running the school, aim of running the school and educational objective, details and duration of cooperation, amount and way of contribution by both parties, time limit for capital payment, rights and obligations, methods for settlement of disputes and other contents.

The cooperative agreement shall have a Chinese version. In case there is a foreign version, it shall be consistent with the Chinese version.

**Article 6** Chinese and foreign cooperators in running a school who apply for establishing a Chinese-foreign cooperatively-run school shall have relevant qualifications and relatively high educational quality.

Where Chinese and foreign cooperators in running a school who have already established any Chinese-foreign cooperatively-run school apply for establishing a new cooperatively-run school, the Chinese-foreign cooperatively-run school that has been established shall have passed the evaluation by the original examination and approval authority or its entrusted social intermediary organization.

**Article 7** No Chinese-foreign cooperatively-run school may establish any branch school or any other Chinese-foreign cooperatively-run school.

**Article 8** If it is confirmed, upon evaluation, that high-quality foreign educational resources are introduced, either the Chinese or foreign cooperator may sign an agreement with any other social organization or individual so as to receive capital contribution. Such social organization or individual may, as the representative of either the Chinese or foreign cooperator signing the agreement, be a member of the board of trustees, the board of directors or the joint managerial committee of the proposed Chinese-foreign cooperatively-run school. However, it shall not assume the chairman of the board of trustees, the chairman of the board of directors or the director of the joint managerial committee, nor participate in the educational and teaching activities of the Chinese-foreign cooperatively-run school.

**Article 9** The capital contribution made by a Chinese or foreign cooperator shall be compatible with the level and scale of the proposed Chinese-foreign cooperatively-run school, and shall subject to verification pursuant to law.

The Chinese or foreign cooperator shall make capital contribution in full as scheduled in accordance with the cooperative agreement. During the existence of the Chinese-foreign cooperatively-run school, neither the Chinese nor foreign cooperator shall withdraw the capital contribution, or misappropriate the operational funds.

**Article 10** With respect to the intellectual property right contributed by a Chinese or foreign cooperator, its price shall be determined by both parties of Chinese and foreign cooperators based on the principle of fairness and reasonableness or shall be evaluated by a hired social intermediary organization as agreed by both parties and relevant formalities shall be undertaken pursuant to law.

Where a Chinese educational institution contributes state-owned assets in the establishment of a Chinese-foreign cooperatively-run school, it shall, in accordance with the relevant regulations of the State, hire a social intermediary organization with assessment qualifications to evaluate such assets pursuant to law, reasonably determine the value of state-owned assets based on the assessment result and perform obligations of managing state-owned assets pursuant to law.

**Article 11** Where a Chinese or foreign cooperator contributes in the form of intellectual property right, it shall submit relevant materials of such intellectual property right, including a photocopy of the intellectual property certificate, validity status, practical value, basis for price computation, the pricing agreement concluded between both parties and other relevant documents.

**Article 12** In accordance with the agreements concluded between China and foreign governments or upon the requests of Chinese educational institutions, the education administrative department of the State Council and the people's governments of the provinces, autonomous regions or municipalities directly under the Central Government may invite foreign educational institutions to cooperate with Chinese educational institutions in running schools.

A foreign educational institution invited shall be an institution of higher learning or a vocational education institution renowned in the world or in the country where it is located.

**Article 13** With respect to an application for establishing a Chinese-foreign cooperatively-run school offering higher education for academic qualifications at or above the regular college education, the people's government of the province, autonomous region or municipality directly under the Central Government where the proposed school is to be located shall give its opinion and then report to the education administrative department of the State Council for examination and approval.

The extent of power in examination and approval of the application for establishment of a Chinese-foreign cooperatively-run school issuing academic certificates or certificates of academic degrees of a foreign educational institution shall be implemented with reference to the provisions in Article 12 of the Regulations on Chinese-foreign Cooperation in Running Schools and the preceding paragraph.

**Article 14** When applying for preparation for establishment or directly applying for formal establishment of a Chinese-foreign cooperatively-run school, the Chinese educational institution shall submit the documents as prescribed by the Regulations on Chinese-foreign Cooperation in Running Schools. Of all documents, the application report or application form for formal establishment shall be filled out in accordance with the content and format of the Application Form for the Chinese-foreign Cooperatively-run School made by the education administrative department of the State Council in accordance with Item 1 of Article 14 and Item 1 of Article 17 of the Regulations on Chinese-foreign Cooperation in Running Schools.

**Article 15** In case of any of the following circumstances, the examination and approval authorities shall not approve the preparation for establishment of a Chinese-foreign cooperatively-run school and shall explain reasons in a written form:
1. Where it is in violation of public interests, historical and cultural traditions and the public welfare nature of education, and it is inconsistent with the requirements for the development of national or local educational undertaking;
2. Where either the Chinese or foreign cooperator does not meet conditions;
3. Where the cooperative agreement does not meet statutory requirements and the applicant fails to make corrections after having been informed of the circumstance;
4. Where the application documents contain any false information; or
5. There is any other circumstance under which approval may not be granted as prescribed by laws and administrative regulations.

**Article 16** The articles of association of a Chinese-foreign cooperatively-run school shall specify the following issues:
1. The name and address of the proposed cooperatively-run school;
2. Educational objective, scale, type and level, etc.;
3. Sources, amount and nature of assets and financial system;
4. Whether the Chinese and foreign cooperators demand reasonable return;
5. Methods for the establishment of the board of trustees, the board of directors or the joint managerial committee, its members, power, term of office and rules of procedure, etc.;
6. Procedures for the appointment and dismissal of legal representative;
7. Forms of democratic management and supervision;
8. Reasons and procedures for school termination and liquidation methods;
9. Procedures for modifying the articles of association; and
10. Other issues that shall be specified by the articles of association.

**Article 17** A Chinese-foreign cooperatively-run school shall only have one name, and its translated foreign name shall be consistent with its name in Chinese.

The name of a Chinese-foreign cooperatively-run school shall reflect its nature, level and type and shall not contain such characters as “China”, “Chinese” and “national”. It shall not violate laws and administrative regulations of China, nor impair public interests.

The name of a Chinese-foreign cooperatively-run school without the legal person status shall contain the title of a Chinese institution of higher learning.

**Article 18** Where an applicant applies for formal establishment upon completion of the preparations for establishment or directly applies for formal establishment of a Chinese-foreign cooperatively-run school, it shall not only submit the relevant materials as listed in Article 17 of the Regulations on Chinese-foreign Cooperation in Running Schools, but also submit the following materials in accordance with the provisions of the relevant articles of the Regulations on Chinese-foreign Cooperation in Running Schools.
1. A list of the members of its first board of trustees, board of directors, or joint managerial committee and relevant certifications; and
2. Documents verifying relevant qualifications of foreign teachers and administrators being employed.

**Article 19** An application for establishment of a Chinese-foreign cooperatively-run school offering education for academic qualifications shall be filed in March or September each year and the examination and approval authorities shall organize experts to make an evaluation.

The time for expert evaluation shall not be included in the time limit for examination and approval. However, the examination and approval authorities shall inform the applicant in a written form of the required time for expert evaluation.

**Article 20** In case of any of the following circumstances, the examination and approval authorities shall not approve the application for formal establishment of a Chinese-foreign cooperatively-run school upon completion of the preparations for establishment, and shall explain reasons in a written form:
1. Having no relevant conditions for offering education and failing to meet the standards for establishment;
2. Members and composition of its board of trustees, board of directors, or joint managerial committee do not meet statutory requirements and the president or principal administrator, teachers or financial staff do not have legal qualifications, and the applicant fails to make corrections after having been informed of the circumstance;
3. The articles of association do not meet the requirements of the provisions of the Regulations on Chinese-foreign Cooperation in Running Schools and these Measures, and the applicant fails to make corrections after having been informed of the circumstance; or
4. There is any behavior that is in violation of laws and regulations during the period of preparations for establishment.
The examination and approval authorities shall not approve the direct application for establishment of a Chinese-foreign cooperatively-run school in case of any of the circumstances specified in Article 15 of these Measures besides the subparagraphs 1., 2. and 3. of the preceding paragraph.

**Chapter 3 Organization and Activities of Chinese-foreign**

 **Cooperatively-run Schools**

**Article 21** Members in the board of trustees, the board of directors or the joint managerial committee of a Chinese-foreign cooperatively-run school shall abide by laws and regulations of China, love the educational undertaking, possess moral integrity and have full civil capacity.

No functionary of a state organ may be a member of the board of trustees, the board of directors or the joint managerial committee of a Chinese-foreign cooperatively-run school.

**Article 22** A Chinese-foreign cooperatively-run school shall hire a full-time president or principal administrator.

The president or the principal administrator of a Chinese-foreign cooperatively-run school shall independently exercise its powers in education and teaching and administrative management pursuant to law.

**Article 23** The proposal for establishment of internal organizations of a Chinese-foreign cooperatively-run school shall be put forward by the president or the principal administrator and reported to the board of trustees, the board of directors or the joint managerial committee for approval.

**Article 24** A Chinese-foreign cooperatively-run school shall establish rules and bylaws concerning the training of teachers, and provide employed teachers with relevant professional training conditions.

**Article 25** A Chinese-foreign cooperatively-run school shall, in accordance with its commitments in the enrollment brochures and advertisements, offer relevant courses, carry on educational and teaching activities and ensure educational and teaching quality.

The Chinese-foreign cooperatively-run school shall provide schoolhouses and teaching facilities and equipment which meet the standards.

**Article 26** A Chinese-foreign cooperatively-run school may independently determine its enrollment scope, standards and manners pursuant to law. However, those offering education for Chinese academic qualifications shall abide by the relevant regulations of the State.

**Article 27** Where a Chinese-foreign cooperatively-run school offering higher education for academic qualifications satisfies with the requirements for granting Chinese degrees, it shall apply for relevant qualifications for granting degrees in accordance with the relevant regulations of the State.

**Article 28** A Chinese-foreign cooperatively-run school shall independently manage and use its assets pursuant to law. However, it shall not change the use of land and schoolhouses obtained in the name of public welfare undertaking.

No Chinese-foreign cooperatively-run school shall engage in for-profit activities.

**Article 29** By the end of each fiscal year, a Chinese-foreign cooperatively-run school shall retain 25% of annual increase of net assets if Chinese and foreign cooperators do not demand reasonable return or 25% of annual net yields if Chinese and foreign cooperators demand reasonable return as the development funds for the construction and maintenance of the Chinese-foreign cooperatively-run school and the purchase and replacement of teaching equipment, etc.

**Article 30** The supervision and management of state-owned assets among assets of a Chinese-foreign cooperatively-run school shall be implemented in accordance with the relevant regulations of the State.

The use and management of donation received by a Chinese-foreign cooperatively-run school shall be implemented in accordance with the relevant provisions of the Welfare Donations Law of the People's Republic of China.

**Article 31** Where Chinese and foreign cooperators demand reasonable return; it shall be implemented in accordance with the provisions of the Regulations on the Implementation of the Law of the People’s Republic of China on Promotion of Privately-run Schools.

**Article 32** In case of any of the following circumstances of a Chinese-foreign cooperatively-run school, the Chinese and foreign cooperators shall not demand reasonable return:
1. Issuing false enrollment brochures or advertisements and swindling money or property;
2. Adding items of fees charged or raising the level of fees charged without approval;
3. Illegally issuing or forging academic certificates, certificates of academic degrees or other education certificates;
4. Defrauding a permit for running a school or forging, altering, buying or selling, leasing or lending a permit for running a school;
5. Where it fails to carry on financial accounting, compile financial accounting report in accordance with the Accounting Law of the People’s Republic of China and the unified accounting system of the State and has poor financial and asset management;
6. Where it violates the laws and administrative regulations on tax collection and administration of the State and is punished by taxation authorities;
7. Where the schoolhouses or other educational and teaching facilities and equipment have severe hidden safety troubles, and no measures are taken in a timely manner, thus causing serious accidents; or
8. Causing adverse social influences due to its inferior educational and teaching quality.
Chinese and foreign cooperators who withdraw capital contribution or misappropriate operational funds shall not obtain return.

**Chapter 4 Examination, Approval and Activities of Chinese-foreign Cooperatively-run Educational Projects**

**Article 33** The level and type of education offered in Chinese-foreign cooperatively-run educational projects shall be consistent with the level and type of education offered by a Chinese educational institution and a foreign educational institution, and shall be generally offered based on the already existed or similar specialties and courses in the Chinese educational institution. Where new specialties or courses are offered through cooperation, the Chinese educational institution shall be provided with teachers, equipment, facilities and other conditions for offering such specialties or courses.

**Article 34** A Chinese educational institution may conduct Chinese-foreign cooperatively-run educational projects through making educational and teaching plans jointly with a foreign educational institution of relevant kind and level, issuing Chinese academic certificates and certificates of academic degrees or foreign academic certificates and certificates of academic degrees, and carrying on some educational and teaching activities out of the territory of China.

**Article 35** A Chinese educational institution and foreign educational institution shall enter into a cooperative agreement in accordance with the provisions of Article 5 of these Measures in conducting Chinese-foreign cooperatively-run educational projects.

**Article 36** With respect to an application for conducting Chinese-foreign cooperatively-run educational projects offering higher education for academic qualifications at or above the regular college education, the people's government of the province, autonomous region or municipality directly under the Central Government where the proposed school is to be located shall give its opinion and then report to the education administrative department of the State Council for examination and approval; an application for conducting Chinese-foreign cooperatively-run educational projects offering specialized higher education, higher education for non-academic qualifications, secondary education of higher level, programs of tutoring self-taught students for examinations, programs offering supplementary teaching of school courses and pre-school education shall be reported to the people's government of the province, autonomous region or municipality directly under the Central Government where the proposed school is to be located and then reported to the education administrative department of the State Council for the record.

Examination and approval of an application for conducting Chinese-foreign cooperatively-run educational projects issuing academic certificates and certificates of academic degrees of a foreign educational institution and introducing name, logo or educational service brand of a foreign educational institution shall be implemented with reference to the provisions of the preceding paragraph.

**Article 37** A Chinese educational institution shall submit the following documents when applying for conducting Chinese-foreign cooperatively-run educational projects:
1. The Application Form for Chinese-foreign Cooperatively-run Educational Projects;
2. A cooperative agreement;
3. Documents verifying the legal status of Chinese and foreign cooperators;
4. A capital verification certificate (with asset and capital contribution); and
5. A donation agreement for assets and the relevant certifications (with donations).
Where a foreign educational institution has established any Chinese-foreign cooperatively-run school or conducted any Chinese-foreign cooperatively-run educational project through cooperation within the territory of China, it shall submit the evaluation report made by the original examination and approval authority or its entrusted social intermediary organization.

**Article 38** An application for conducting Chinese-foreign cooperatively-run educational projects offering education for academic qualifications shall be filed in March or September each year and the examination and approval authorities shall organize experts to make an evaluation.

The time for expert evaluation shall not be included in the time limit for examination and approval. However, the examination and approval authorities shall inform the applicant in a written form of the required time for expert evaluation.

**Article 39** With respect to an application for conducting Chinese-foreign cooperatively-run educational projects, the examination and approval authorities shall decide whether to grant the approval or not within the time limit prescribed by the Administrative License Law of the People's Republic of China. If the application is approved, a letter of approval for Chinese-foreign cooperatively-run educational projects printed in a standard format and numbered in a unified way shall be issued; if the application is not approved, reasons shall be explained in a written form.

The format of the letter of approval for Chinese-foreign cooperatively-run educational projects shall be determined and it shall be numbered in a unified way by the education administrative department of the State Council; the way of numbering shall be determined by the education administrative department of the State Council with reference to the numbering way of the permit for Chinese-foreign cooperation in running a school.

**Article 40** Chinese-foreign cooperatively-run educational projects are a component of educational and teaching activities of a Chinese educational institution, and shall be subject to the management of the Chinese educational institution. With respect to Chinese-foreign cooperatively-run educational projects offering Chinese education for academic qualifications, the Chinese educational institution shall make an evaluation of courses offered by the foreign educational institution and its educational quality.

**Article 41** With respect to Chinese-foreign cooperatively-run educational projects, the enrollment scope, standards and manners can be independently determined; however, for those offering Chinese education for academic qualifications, the relevant regulations of the State shall be abided by.

**Article 42** A Chinese educational institution conducting Chinese-foreign cooperatively-run educational projects shall manage financial accounts of Chinese-foreign cooperatively-run educational projects pursuant to law, set up a special account for Chinese-foreign cooperatively-run educational projects in the financial account of the school, and transact with receipt and payment.

**Article 43** The items and standards of charges of Chinese-foreign cooperatively-run educational projects shall be determined in accordance with the relevant regulations of the State and notified in enrollment brochures or advertisements.

The balance for operation of Chinese-foreign cooperatively-run educational projects shall be continually used in the educational and teaching activities of projects and improving the conditions for offering education.

**Chapter 5 Administration and Supervision**

**Article 44** A Chinese-foreign cooperatively-run school and Chinese educational institution that conducts Chinese-foreign cooperatively-run educational projects shall, in accordance with the relevant regulations of the State, introduce teaching materials through legal channels. The introduced teaching materials shall be advanced and their contents shall not contravene the constitution and relevant laws and regulations of China.

A Chinese-foreign cooperatively-run school and Chinese educational institution that conducts Chinese-foreign cooperatively-run educational projects shall carry on examination towards courses offered and contents of introduced teaching materials, and timely report the list of courses and teaching materials and their explanations to the examination and approval authorities for the record.

**Article 45** A Chinese-foreign cooperatively-run school and Chinese educational institution that conducts Chinese-foreign cooperatively-run educational projects shall establish a management system of student records and report it to the examination and approval authorities for the record.

**Article 46** The employment of teachers and managers for a Chinese-foreign cooperatively-run school and educational project shall follow the principle of equal status of both parties. The Chinese-foreign cooperatively-run school and Chinese educational institution that conducts Chinese-foreign cooperatively-run educational projects shall enter into employment contracts with their teachers and managers, specifying rights, obligations and responsibilities of both parties.

**Article 47** The sample of the enrollment brochures and advertisements of a Chinese-foreign cooperatively-run school and educational project shall be timely reported to the examination and approval authorities for the record.

**Article 48** Chinese and foreign cooperators that establish a Chinese-foreign cooperatively-run school and educational project issuing academic certificates and certificates of academic degrees of a foreign educational institution shall be a Chinese educational institution offering education for academic qualifications of the relevant level and kind.

Where a Chinese-foreign cooperatively-run school and educational project issue academic certificates and certificates of academic degrees of a foreign educational institution, its courses and teaching content shall not under the standard and requirements of such foreign educational institution in its own country.

**Article 49** Academic certificates or certificates of academic degrees of a foreign educational institution issued by a Chinese-foreign cooperatively-run educational project shall be identical with the certificates of academic certificates or certificates of academic degrees issued by the foreign educational institution in its own country and shall be recognized by that country.

**Article 50** A Chinese-foreign cooperatively-run school and educational project offering education for academic qualifications shall publicize the level and type of education offered, specialties, content of courses, enrollment scale, and items and standards of charges, etc. of such school or educational project through network, newspaper or other channels.

A Chinese-foreign cooperatively-run school shall publicize the auditing result of its annual financial report by a public auditing institution before April, one each year.

**Article 51** A Chinese-foreign cooperatively-run school and educational project offering education for academic qualifications shall charge fees on the basis of each academic year or semester and shall not charge in advance before such academic year or semester.

**Article 52** A Chinese-foreign cooperatively-run school and Chinese educational institution that conducts Chinese-foreign cooperatively-run educational projects shall submit a report for offering education to the examination and approval authorities before the end of March each year, which shall contain student enrollment, courses, teachers, teaching quality, financial situation, and other information of the Chinese-foreign cooperatively-run school and educational project.

**Article 53** The examination and approval authorities shall organize or entrust social intermediary organizations to carry on educational quality evaluation for Chinese-foreign cooperatively-run educational projects offering education for academic qualifications based on the principle of openness, fairness and justice and publicize evaluation results.

**Article 54** Where the examination and approval authorities for Chinese-foreign cooperatively-run educational projects or their personnel, by taking advantage of their official duties, accept money or property from others or obtain other interests, or, by abusing their power or neglecting their duty, issue a letter of approval for Chinese-foreign cooperatively-run educational projects to those that do not meet the requirements prescribed by these Measures, or fail to conduct investigation when an illegal act is discovered, if the consequences are serious and a crime is constituted, criminal liability shall be investigated pursuant to law. If a crime is not constituted, they shall be given administrative sanctions pursuant to law.

**Article 55** Where any authority, in violation of the provisions of these Measures, examines and approves a Chinese-foreign cooperatively-run educational project beyond the scope of power, the document of approval shall be null and void and the higher level authorities shall order it to make corrections; the persons in charge who are responsible and other persons directly responsible shall be given administrative sanctions pursuant to law.

**Article 56** Where anyone, in violation of the provisions of these Measures, conducts a Chinese-foreign cooperatively-run educational project without approval, the education administrative department shall order it to make corrections within a prescribed time limit and return the fees collected from the students; the persons in charge who are responsible and other persons directly responsible shall be given administrative sanctions pursuant to law.

**Article 57** In case of any of the following circumstances of a Chinese-foreign cooperatively-run educational project, the examination and approval authorities shall order it to make corrections within a prescribed time limit, give a warning or impose a fine of not more than RMB30,000 depending on the seriousness of a circumstance; the persons in charge who are responsible and other persons directly responsible shall be given administrative sanctions pursuant to law.
1. Issuing false enrollment brochures or advertisements and swindling money or property;
2. Adding items of fees charged or raising the level of fees charged without approval;
3. Where it has poor management or inferior educational and teaching quality;
4. Where it fails to conduct financial management in accordance with the relevant regulations of the State; or
5. Where the balance for operation is not distributed.

**Article 58** Where any Chinese-foreign cooperatively-run school or educational project issues academic certificates, certificates of academic degrees or other education certificates in violation of the provisions of the Education Law of the People’s Republic of China, it shall be punished in accordance with the relevant provisions of the Education Law of the People’s Republic of China.

**Chapter 6 Supplementary Provisions**

**Article 59** These Measures shall not apply to educational and training activities which are cooperatively conducted by Chinese for-profit training institutions registered at the administrative department for industry and commerce and foreign for-profit educational and training companies.

**Article 60** These Measures shall not apply to student exchange activities conducted by Chinese educational institutions and foreign educational institutions only through credit transfer without materially introducing foreign educational resources.

**Article 61** Cooperation in running educational projects between educational institutions from the Hong Kong Special Administrative Region, the Macao Special Administrative Region or Taiwan and mainland educational institutions shall be implemented with reference to the provisions of these Measures, unless otherwise prescribed by the State.

**Article 62** Chinese-foreign cooperatively-run educational projects approved before the implementation of the Regulations on Chinese-foreign Cooperation in Running Schools shall apply retroactively for a letter of approval for Chinese-foreign cooperatively-run educational projects with reference to the time limit and procedures as prescribed by Article 63 of the Regulations on Chinese-foreign Cooperation in Running Schools. For those that fail to meet the requirements prescribed by the Regulations on Chinese-foreign Cooperation in Running Schools and these Measures within the prescribed time limit, the examination and approval authorities shall not approve to issue the letter of approval for cooperatively-run educational projects.

**Article 63** These Measures shall come into force as of July 1, 2004. The original Tentative Regulations on Chinese-foreign Cooperation in Running Schools promulgated by the state education committee of the People’s Republic of China on January 26, 1995 shall be terminated at the same time.

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