

Decision of the Wuhan Municipal People's Government on Amending and Repealing Certain Regulations

(Promulgated by Order No. 308 of Wuhan Municipal People's Government on March 23rd, 2021)

In order to implement the *Civil Code of the People's Republic of China* and *Regulations on Optimizing the Business Environment* (Order No. 722 of the State Council), *Regulations of Hubei Province on Optimizing the Economic Development Environment* and *Measures of Hubei Province on Optimizing the Business Environment* (Order No. 412 of the People's Government of Hubei Province), and relevant national, provincial and municipal regulations so as to ensure that the *Civil Code of the People's Republic of China* is taken as an important tool for regulating administrative actions, further accelerate the creation of a stable, fair, transparent and predictable business environment, stimulate market vitality and social creativity, and ensure and serve the high-quality economic

and social development of Wuhan City, after sorting out and considering the existing effective regulations of the municipal people's government, it has been decided to centrally amend certain provisions of 13 municipal government regulations and repeal 5 municipal government regulations.

I. The following modifications are made to the *Management Regulations for Water-saving Facilities in Supporting Construction of Construction Projects in Wuhan City*(Order No. 182 of the Municipal People's Government) are amended as follows:

In Article 17, “the water-saving facilities of the construction project have not been completed or fail to meet the prescribed requirements” is amended to “the water-saving facilities of the construction project have not been completed or fail to meet the national and provincial mandatory standards and the requirements stipulated in these regulations”.

II. The *Management Measures of Wuhan City on Urban Public Toilets* (Order No.206 of the Municipal People's Government) are amended as follows:

(1) Paragraph 2 of Article 19 is amended as follows: “For non-commercial entities by the street that provide free access to toilets, the district urban management department shall sign a contract with them, specifying the nature of public free-of-charge toilets, provision of operating subsidies by the municipal

management department and other related rights and obligations; any additional operating and maintenance costs incurred shall be appropriately subsidized by the municipal and district finances, and the specific measures shall be separately formulated by the municipal urban administrative department jointly with the municipal financial department. ”

(2) Paragraph 3 of Article 23 is deleted.

III. The *Administrative Measures on the Civilized Construction of Wuhan City Construction Projects* (Order No.211 of the Municipal People’s Government) are amended as follows:

(1) Article 8 is amended as follows: “ Before the construction project starts, the constructor shall formulate a civilized construction plan and organize the construction of civilized construction facilities at the construction site. ”

(2) Article 24 is amended as follows: “The setting up of staff accommodation, canteens and toilets at the construction site shall comply national and industrial standards. ”

IV. The *Administrative Measures of Wuhan City on House Leasing* (Order No. 214 of the Municipal People’s Government) are amended as follows:

(1) In Article 24, “ the housing lease contract shall specify the following main items ” is amended to “the housing lease contract may stipulate the following main items ”.

(2) Article 25 is amended as follows: “In case the lease term expires, the parties may renew the lease contract; if the lease contract is not renewed but the tenant continues to use the house and the lessor does not raise any objection, the original lease contract shall remain valid with an indefinite lease term.”

V. The Administrative Measures on Special Maintenance Funds for Residential Buildings in Wuhan City (Order No. 216 of the Municipal People’s Government) are amended as follows:

(1) In the first paragraph of Article 16, “after the establishment of the owners’ assembly, if there is a request to transfer residential special maintenance funds, it should be voted on by owners whose exclusive portions constitute over two-thirds of the total building area and represent over two-thirds of the total number of owners” shall be amended to “after the establishment of the owners’ assembly, if there is a request to transfer residential special maintenance funds, the participation in the vote should involve owners whose exclusive portions constitute over two-thirds of the total building area and represent over two-thirds of the total number of owners. Approval should be obtained from owners whose exclusive portions constitute over half of the total area of participating votes and over half of the total number of participating votes.

They should also conduct a vote on the following matters at the same time. ”

(2) Paragraph 2 of Article 25 is amended as follows:
“(2) The owners’ committee or community residents’ committee shall organize the owners to vote on the utilization plan, and approval should be obtained from owners whose exclusive portions within the scope of residential special maintenance funds constitute over two-thirds of the total area and represent over two-thirds of the total number of owners. Approval should also be obtained from owners whose exclusive portions within the scope of residential special maintenance funds constitute over half of the total area of participating votes and over half of the total number of participating votes. The utilization plan should be publicly displayed to owners within the scope of residential special maintenance funds for a period of no less than 7 days before the vote;”

VI. The *Administrative Measures of Wuhan City on Ready-mixed Concrete and Ready-mixed Mortar* (Order No.217 of the Municipal People’s Government) are amended as follows:

(1) Article 1 is amended as follows: “In order to promote the widespread application of ready-mixed concrete and ready-mixed mortar, ensure construction quality, advance technological progress in the construction industry, conserve resources, and

protect the environment, these Measures are formulated in accordance with the *Construction Law of the People's Republic of China*, *Circular Economy Promotion Law of the People's Republic of China* and other laws and regulations, in combination with the actual conditions of Wuhan City. ”

(2) Paragraph 1 of Article 3 is amended as follows: “The construction administrative department is responsible for the unified supervision and management of Wuhan City’s ready-mixed concrete and ready-mixed mortar. ”

(3) Paragraph 2 of Article 4 is deleted.

(4) Paragraph 1 of Article 5 is amended as follows: “Ready-mixed concrete production enterprises shall obtain the specialized contracting qualification for ready-mixed concrete according to the law, and carry out production within the scope specified in the qualification certificate. ”

(5) Article 6 is amended as follows: “The establishment of ready-mixed concrete and ready-mixed mortar production sites shall comply with the requirements of the relevant laws, regulations, urban planning, overall land use planning and environmental protection. No ready-mixed concrete or ready-mixed mortar production sites shall be set up within the Third Ring Road of Wuhan City. ”

(6) Article 14 is amended as follows: “The construction administrative department shall strengthen the quality supervision

and inspection of the ready-mixed concrete and ready-mixed mortar production processes. In case of any identified violations, corrective actions shall be promptly required, and deadlines for rectification shall be enforced. ”

(7) Article 16 is deleted.

(8) Article 26 is amended as follows: “For builders that explicitly or implicitly require contractors to use unqualified ready-mixed concrete and ready-mixed mortar, contractors that use unqualified ready-mixed concrete and ready-mixed mortar, and producers of ready-mixed concrete and ready-mixed mortar that use unqualified raw materials in violation of the provisions of these Measures, the construction administrative department shall, in accordance with the provisions of the *Regulations on Quality Management of Construction Projects* and other regulations, impose punishments according to law. ”

VII. The *Interim Provisions of Wuhan City on the Management of the Development and Utilization of Underground Space* (Order No.237 of the Municipal People’s Government) are amended as follows:

(1) Article 26 is deleted.

(2) Paragraph 2 of Article 28 is deleted.

VIII. *Regulations on the Management of Wuhan City on Kitchen Waste* (Order No. 238 of the Municipal People’s Government) are amended as follows:

(1) Article 13 is deleted.

(2) Article 14 is deleted.

(3) “Article 18” in Item 4 of Article 26 is amended to “Article 15”, and “Article 19” in Item 5 is amended to “Article 16”.

(4) Paragraph 1 of Article 28 is amended as follows:
“(1) Failure to establish, record or submit the ledger of kitchen waste or implement the joint transfer system shall be fined not less than RMB1,000 but not more than RMB10,000;”

(5) Paragraph 2 of Article 28 is amended as follows:
“(2) Failure to collect, transport or store kitchen waste separately as required, mixing it with domestic garbage shall be fined not less than RMB500 but not more than RMB3,000; and a fine of not less than RMB3,000 but not more than RMB5,000 shall be imposed for serious circumstances;”

IX. *The Measures of Wuhan City on the Supervision and Administration of Quality and Safety Production of Transportation Construction Projects* (Order No.265 of the Municipal People’s Government) are amended as follows:

(1) “Qualification grade” in Article 12, Items 1 and 2 of Paragraph 2 of Article 13 and Article 16 is uniformly replaced by “grade”.

(2) Items 3 and 7 of paragraph 1 of Article 20 are deleted.

(3) Article 26 is deleted.

X. The *Interim Measures of Wuhan City on the Service and Management of Residence Permits* (Order No. 277 of the Municipal People's Government) are amended as follows:

(1) Article 8 is amended as follows: “Citizens without Wuhan household registration who have resided in this city for more than half a year may apply for a residence permit.”

(2) Paragraph 1 of Article 9 is amended as follows: “Citizens without Wuhan household registration who apply for a residence permit may file the application at the public security authority or community service agency where they are registered, or may apply online or through other means.”

(3) Article 10 is amended as follows: “When applying for a residence permit, the original and copy of the applicant's ID card shall be submitted.”

(4) Paragraph 1 of Article 16 shall be amended as follows: “If the residence address of the holder of the residence permit changes, the holder shall, within 3 days, go through the information change formalities by presenting the residence permit and ID card to the public security organ or community service agency of the current residence, or go through the information change formalities online with the residence permit and ID card.”

(5) Paragraph 2 of Article 18 is amended as follows:
“When a residence permit holder goes through annotation formalities, the applicant’s resident ID card shall be verified.”

XI. The Administrative Measures of Wuhan City on the Prevention and Control of Dust Pollution (Order No. 287 of the Municipal People’s Government) are amended as follows:

(1) Item 2 of Article 9 is amended as follows: “(2) Organize the contactor to formulate the implementation plan for the prevention and control of dust pollution, and supervise the implementation of the plan;”

(2) Item 3 of Article 9 is amended as follows: “(3) Incorporate dust pollution prevention and control expenses into the project cost, allocate funds in full, and ensure that the funds are used exclusively for this purpose;”

XII. The Administrative Measures of Wuhan City on Non-motor Vehicles (Order No. 293 of the Municipal People’s Government) are amended as follows:

(1) Article 13 is amended as follows: “The municipal market regulation and management, municipal economy and information technology, and traffic management departments of the municipal public security organ shall establish relevant working mechanisms and strengthen the supervision and management of the production, sale and use of electric bicycles in Wuhan

according to the law, and the relevant expenses shall be included in the departmental budget.

“The traffic management department of the municipal public security organ shall establish Wuhan City’s electric bicycle registration management system. It shall inspect the pedal function, external dimensions, overall quality of electric bicycles applying for registration, as well as the national 3C certification certificate, sales invoice and other information, against national standards. Electric bicycles that meet the conditions shall be entered into the registration and administration system for timely registration and licensing. Electric bicycles without national 3C certification shall not be registered or licensed.

“The municipal market regulation and administration department shall strengthen the supervision of electric bicycles produced and sold in Wuhan City according to the law, and share with the traffic management department of the municipal public security organ the information on electric bicycle products sold in this Wuhan City that have passed national 3C certification, as well as information on related illegal acts investigated and dealt with according to law.”

(2) Article 14 is amended as follows: “Electric bicycles that are operated on roads shall be registered with the public security traffic management department to obtain a non-motor

vehicle license plate and a driving permit. Those that are not registered and licensed are not allowed to operate on roads within Wuhan City.

“Based on the specific conditions of the road and traffic flow, the traffic management department of the municipal public security organ may prohibit the operation of electric bicycles that are registered and licensed by the traffic management departments of public security organs of other places.”

(3) Paragraph 2 of Article 15 is amended as follows: “The traffic management department of the public security organ shall register qualified electric bicycles on the spot and issue the electric bicycle driving permit and license within 5 working days. Unqualified ones shall not be registered, and the traffic management department shall explain the reasons in writing to the applicant. For electric bicycles that have been granted licenses according to the law, the traffic and public security administrative departments of the public security organ shall create the conditions for gradual distribution of electronic identification chips so as to guarantee road traffic safety and property security of electric bicycle owners.”

(4) Article 17 is amended as follows: “Electric bicycle sales companies shall, through conspicuously publicizing at sales venues or stating in sales vouchers, make commitments to consumers that the vehicles they sell have passed national 3C

certification and can be registered and licensed in Wuhan City. ”

“Consumers who purchase electric bicycles in Wuhan City that cannot be registered and licensed are entitled to demand a refund or replacement of the vehicle with one that meets the criteria from the seller. If consumers purchase or discover vehicles that violate national standards or do not conform to certified parameters, they can report to the regulatory authorities. The regulatory authorities shall promptly accept and handle such reports in accordance with the law. ”

(5) Item 5 of Article 21 , Item 2 of Article 25 and Item 4 of Article 30 are deleted.

XIII. The *Administrative Measures of Wuhan City on Construction Waste*(Order No.294 of the Municipal People’s Government)are amended as follows:

(1) In the first paragraph of Article 11 , “the constructor shall apply to the district administrative examination and approval department where the project is located to be issued with a construction waste disposal certificate before the commencement of the project” shall be amended to “the builder or contractor shall apply to the district administrative examination and approval department where the project is located for the approval document for construction waste disposal” .

(2) Item 2 of Paragraph 1 of Article 11 is amended as follows: “(2) Sign a transportation and disposal contract with a transportation company approved to engage in the transportation of construction waste.”

(3) “Enterprises engaged in construction waste transportation services shall apply to the municipal urban management law enforcement department for the construction waste transportation service license” in Paragraph 1 of Article 14 is amended to “Enterprises engaged in construction waste transportation services shall apply to the municipal urban management law enforcement department for construction waste disposal approval documents”.

(4) Item 3 of Paragraph 2 of Article 14 is amended as follows: “(3) Having a suitable number and scale of self-owned transportation vehicles, all of which have obtained road transport permits.”

(5) Article 21 and Item 5 of Article 34 are deleted.

The sequence of the amended articles and certain wording in the aforementioned regulations of the Municipal People’s Government shall be adjusted accordingly, and the revised versions shall be re-promulgated.

XIV. The following five regulations of the Municipal People’s Government are repealed:

Administrative Measures of Wuhan City on Motor Vehicle

Cleaning(Order No.99 of the Municipal People's Government)

Measures of Wuhan City on Collective Contracts(Order No. 122 of the Municipal People's Government)

Measures of Wuhan City on the Implementation of Industrial Injury Insurance(Order No.161 of the Municipal People's Government)

Measures on the Implementation of Urban Passenger Taxi Operation Management in Wuhan City(Order No.201 of the Municipal People's Government)

Administrative Measures of Wuhan City on Public Credit Information(Order No.272 of the Municipal People's Government)

This Decision shall come into force as of the date of promulgation.