

广州市人民政府法制丛书

2009年


# 广州市政府

## 规章汇编 (中英文对照本)

Compilation of Government  
Regulations of Guangzhou Municipality  
2009(Chinese-English)

广州市人民政府法制办公室 编

广州新华出版发行集团

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1. The Legislative Affairs Office of the People's Government of Guangzhou Municipality undertook the organization of editing the Chinese-English version of the *Compilation of Government Regulations of Guangzhou Municipality 2009* in accordance with the requirements of the Legislative Affairs Office of the State Council over translation and revision of laws and regulations.

2. This Compilation includes 7 regulations promulgated by the People's Government of Guangzhou Municipality from January 2009 to December 2009.

3. The translation and finalization of the English version of the Compilation was organized by the Legislative Affairs Office of the People's Government of Guangzhou Municipality. Where there is any disagreement between the Chinese and English versions, the Chinese text shall be regarded as the standard.

**Editorial and Examination Committee,  
The Legislative Affairs Office of the People's  
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May, 2012**

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一、按照国务院法制办对法规、规章译审工作的要求，广州市人民政府法制办公室组织编辑了《2009 年广州市政府规章汇编（中英文对照本）》。

二、本书收录了 2009 年 1 月至 2009 年 12 月广州市人民政府公布的规章 7 件。

三、本汇编英文译本由广州市人民政府法制办公室组织翻译、审定。凡英文与中文原文表述不一致的，以中文文本为准。

广州市人民政府法制办公室编审委员会

二〇一二年五月

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# Decree of the People's Government of Guangzhou Municipality

No. 16

The Provisions of Guangzhou Municipality for Expanding the Authority of County-Level Cities to Examine and Approve Sewage Treatment and Comprehensive Waterway Improvement has been adopted after deliberation at the Plenary Session of the Government of Guangzhou Municipality on January 15, 2009, is hereby promulgated and shall become effective as of the date of promulgation.

**Zhang Guangning**  
**Mayor of Guangzhou Municipality**  
**January 20, 2009**

## Provisions of Guangzhou Municipality for Expanding the Authority of County-Level Cities to Examine and Approve Sewage Treatment and Comprehensive Waterway Improvement

**Article 1** These Provisions are formulated in accordance with the Administrative License Law of the People's Republic China, the Provisions of Guangzhou Municipality for Implementation the Administrative License Law of the People's Republic China and other relevant provisions, in light of the specific situation of Guangzhou Municipality (hereinafter referred to as the "Municipality"), and with a view to thoroughly accelerating the progress of sewage treatment and comprehensive waterway improvement program in the Municipality, bringing into full play the enthusiasm and creativity of district and county-level city governments, and ensuring the successful fulfillment of the program.

**Article 2** These Provisions apply to the expansion of the authority of districts and county-level cities to examine and approve the sewage treatment, water diversion and replenishment, comprehensive waterway improvement, water immersed street improvement, and rainwater and sewage diversion projects.

**Article 3** The authority of districts and county-level cities to examine and approve sewage treatment projects and comprehensive waterway improvement projects shall be expanded based on following basic principles:

(1) Delegating the power of administration to a lower level. The examination and approval power which can be exercised by both the competent functional department of the Municipality and the competent functional departments of districts and county-level cities shall be exercised by the functional departments of districts and county-level cities; if the examination and approval power resides in the competent functional department of the Municipality, and the competent functional departments of districts and county-level cities belong to agencies dispatched by the competent functional department of the Municipality, then the power shall be exercised by the functional departments of districts and countylevel

cities; if the examination and approval power resides in the competent functional department of the Municipality, but the exercise by competent functional departments of districts and county-level cities of such power will be helpful for improving administrative efficiency and performance, then the power shall be delegated to competent functional departments of districts and county-level cities;

(2) Complying with laws, and adopting a rational, active, and proper approach. The expansion of the examination and approval authority of districts and county-level cities shall contribute to the resolution of the intense contradictions and problems on sewage treatment and comprehensive waterway improvement, facilitate work effectively, comply with laws and regulation, and become practical and feasible;

(3) Well-balanced power and responsibility, and well-defined responsibility. After the examination and approval authority of districts and county-level cities is expanded, the functional departments of districts and county-level cities shall take corresponding responsibilities, and power shall come with responsibility to prevent powers and responsibilities from being mismatched. The functional departments of the Municipality shall enhance the coordination and supervision in the course of exercising the power of examination and approval, investigate relevant persons for liability in case of any violation of provisions, and take back the power entrusted to them if circumstances are serious.

**Article 4** Each of the development and reform departments of Huadu, Panyu, Nansha and Luogang districts may examine and approve the feasibility study reports on urban sewage treatment and comprehensive waterway improvement projects and rural residential sewage treatment projects within the area under its jurisdiction.

**Article 5** Each of the development and reform departments of Yuexiu, Haizhu, Liwan, Tianhe, Baiyun, and Huangpu districts may examine and approve the feasibility study reports on comprehensive waterway improvement projects within the area under its jurisdiction, and shall report the results of examination and approval to the development and reform department of the Municipality for recordkeeping.

The feasibility study reports on water immersed street improvement projects or on rainwater and sewage diversion projects will no longer require examination and approval.

**Article 6** Each of the development and reform departments of Conghua and Zengcheng cities shall take charge of the examination and approval of the feasibility study reports on sewage treatment and comprehensive waterway improvement projects within the area under its jurisdiction.

The development and reform department of Guangzhou Municipality shall take charge of the examination and approval of the feasibility study reports on the sewage treatment projects within the area under the jurisdiction of Conghua city and wholly invested by the government of Guangzhou Municipality.

**Article 7** As for any sewage treatment or comprehensive waterway improvement project the implementation of which is organized by a district or by a county-level city, the bidding work for the project shall be organized by the district or county-level city where the project is located according to law.

**Article 8** Each of the environmental protection departments of districts shall conduct examination and approval of environmental impact assessment with respect to the sewage treatment and comprehensive waterway improvement projects within the area under its jurisdiction, provided that the feasibility study reports for such projects are subject to the examination and approval by the development and reform department at the same level.

**Article 9** Each of the environmental protection departments of districts shall conduct examination and approval of environmental impact assessment with respect to the sewage treatment and comprehensive waterway improvement projects within the area under its jurisdiction, provided that the feasibility study reports for such projects are subject to the examination and approval by the development and reform department of the Municipality and environment impact reports and registration forms are required to be prepared in accordance with the provisions of the Classified Directory for Environmental Impact Assessment of Construction Projects and the sewage treatment and comprehensive waterway improvement arrangements of the government of the Municipality.

**Article 10** Each of the environmental protection departments of Conghua and Zengcheng cities shall take charge of the examination and approval of the environmental

impact assessment with respect to the sewage treatment and comprehensive waterway improvement projects within the area under its jurisdiction.

**Article 11** Each of the environmental protection departments of districts and county-level cities shall exercise its authority, such as routine supervision, collection of sewage charges, verification and fixation of the total quantity of sewage, issuance of drainage permits, and supervision and administration over the idling, stoppage or removal of pollution treatment facilities.

**Article 12** Each of the planning branches of Yuexiu, Haizhu, Liwan, Tianhe, Baiyun, Huangpu, Huadu, Panyu, Luogang and Nansha districts shall take charge of the issuance of Construction Site Selection Opinions and Construction Site Planning Approvals with respect to sewage treatment and comprehensive waterway improvement projects within the area under its jurisdiction, provided that such projects comply with the detailed regulatory planning of the Municipality.

The planning department of the Municipality shall take charge of the issuance of the Construction Site Selection Opinions and the Construction Site Planning Approvals with respect to the sewage treatment and comprehensive waterway improvement projects other than those specified in the previous paragraph.

**Article 13** Each of the planning branches of Yuexiu, Haizhu, Liwan, Tianhe, Baiyun, Huangpu, Huadu, Panyu, Luogang and Nansha districts shall take charge of the issuance of the Construction Project Planning Approval Certificates and the Construction Project Planning Acceptance Certificates with respect to the sewage treatment and comprehensive waterway improvement projects within the area under its jurisdiction.

**Article 14** The items subject to the examination and approval by any district planning branch shall be filed with the planning department of the Municipality for recordkeeping.

Each of the district planning branches shall file its project completion, planning and acceptance records with the Urban Development Archives of the Municipality for filing purpose.

**Article 15** Each of the district planning branches and county-level city planning departments shall actively assist and cooperate with the owners of sewage treatment and comprehensive waterway improvement projects within the area under its jurisdiction in preparing land acquisition, demolition and settlement plans

and implementing reserved affordable land planning and site selection.

**Article 16** Each of the district land branches and county-level city land departments shall take charge of the pre-examination of land use with respect to sewage treatment and comprehensive waterway improvement projects within the area under its jurisdiction.

**Article 17** Each of the district land branches shall take charge of the implementation of the acquisition of collectively-owned land and the land acquisition case settlement work with respect to the sewage treatment and comprehensive waterway improvement projects within the area under its jurisdiction after such acquisition has been approved.

**Article 18** Each of the district land branches shall take charge of the examination and approval of the temporary occupation of State-owned or collectively-owned rural land with respect to sewage treatment and comprehensive waterway improvement projects within the area under its jurisdiction and the issuance of State-Owned Land Allotment Decisions and (State-Owned) Construction Site Use Approvals, and shall file them with the department of land of the Municipality for recordkeeping.

**Article 19** Each of the district land branches shall take charge of dealing with the following items with respect to sewage treatment and comprehensive waterway improvement projects within the area under its jurisdiction if urban housing demolition is involved:

- (1) Issuing a public announcement on urban housing demolition;
- (2) Implementing demolition funds monitoring and use control;
- (3) Reviewing and keeping records of demolition service contracts;
- (4) Issuing Urban Housing Demolition Permits;
- (5) Keeping records of demolition compensation and settlement agreements;
- (6) Resolving urban housing demolition disputes;
- (7) Approving compensation and settlement plans for the demolition of the housing the title to which is unclear; or
- (8) Issuing demolition case settlement reports and housing demolition

certificates.

**Article 20** Each of the district land branches shall take charge of the confirmation of land survey results involved with land registration with respect to sewage treatment and comprehensive waterway improvement projects within the area under its jurisdiction.

**Article 21** Each of the land departments of Conghua and Zengcheng cities shall take charge of the examination and approval of land use with respect to the sewage treatment and comprehensive waterway improvement projects within the area under its jurisdiction within the limits of its legal authority.

**Article 22** Each of the district water management ( water service, or urban utilities ) departments shall take charge of the examination and approval of the following items with respect to sewage treatment and comprehensive waterway improvement projects within the area under its jurisdiction, provided that the implementation of such projects is organized by the government at the same level:

- (1) Preliminary design;
- (2) Connection;
- (3) Work start reports ( and the issuance of construction permits ); and
- (4) The removal ( alteration ) of public drainage facilities or temporary occupation of public drainage facilities.

The examination and approval of preliminary design by the water management ( water service, or urban utilities ) departments of Yuexiu, Haizhu, Liwan, Tianhe, Baiyun and Huangpu districts shall be filed with the water service department of the Municipality for recordkeeping.

**Article 23** The water service department of the Municipality shall take charge of the examination and approval of the preliminary design of comprehensive waterway improvement projects on the river channels ( such as Pearl River channels, Zeng River, Liuxi River, etc. ) under the jurisdiction of Guangdong Province and the Municipality and the technical review of comprehensive waterway improvement projects across its administrative areas.

**Article 24** Each of the water management ( water service, or urban utilities ) departments of districts shall take charge of the final acceptance of the sewage



treatment and comprehensive waterway improvement projects within the area under its jurisdiction, provided that the implementation of such projects is organized by the government at the same level.

**Article 25** Each of the water management (water service, or urban utilities) departments of Conghua and Zengcheng cities shall take charge of the examination and approval of water-related affairs with respect to the sewage treatment and comprehensive waterway improvement projects within the area under its jurisdiction provided that the implementation of such projects is organized by the government at the same level, and the examination and approval of the work start reports (and the issuance in construction permits) on the residential sewage treatment projects within the area under its jurisdiction provided that the implementation of such projects is organized by Guangzhou Water Investment Group Co., Ltd. .

**Article 26** Each of the urban utilities (and landscaping) departments of districts shall take charge of the examination and approval of the following items with respect to the sewage treatment and comprehensive waterway improvement projects within the area under its jurisdiction, in accordance with the limits of road administration authority determined based on the plan of the people's government of the Municipality on the division of urban development and maintenance work among districts and county-level cities.

- (1) Temporary occupation of urban roads;
- (2) Removal or alteration of urban utility facilities;
- (3) Occupation of urban utility facilities for the purpose of erecting signs, poles, kiosks or stations;
- (4) Engaging in dredging, digging, piling or other operations and laying pipelines or other facilities within the protection zones for bridges or tunnels; and
- (5) Relying on urban roads to build various pipelines, pole lines or other facilities.

**Article 27** Each of the urban utilities (and landscaping) departments of Huadu, Panyu, Nansha and Luogang districts shall take charge of the examination and approval of the following items with respect to the sewage treatment and comprehensive waterway improvement projects within the area under its