



Self-

Credit



Red list



blacklist

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"Administrative Measures on Credit Files of Member Enterprises of the China International Contractors Association"

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Chapter One General Provisions

Article 1 is to strengthen the credit construction of foreign contracted projects, foreign investment and foreign labor cooperation industries, enhance corporate credit concepts, enhance credit risk prevention awareness, promote the establishment of trustworthy incentives and untrustworthy punishment mechanisms, and realize the disclosure and sharing of corporate credit information, and promote For enterprises to operate in good faith, these measures are formulated for the management of enterprise credit files in accordance with the provisions of relevant laws and regulations and in combination with the actual situation of the industry.

Article 2 The term "corporate credit files" mentioned in these Measures refers to the service process of the China International Contractors Association (hereinafter referred to as the "Contractors' Association") collected from relevant national ministries and commissions, other industry associations and other relevant units, and the contractor's associations carrying out services such as credit evaluation and industry coordination. Credit information and records related to business operations collected in the.

Article 3 The management of enterprise credit archives includes activities such as the establishment of enterprise credit archives, the disclosure and use of credit information, and related activities shall safeguard the national and social public interests and safeguard the legal rights of the enterprise. Follow the principles of objectivity, fairness, impartiality and regulation; keep state secrets and business secrets, and protect personal privacy.

Chapter II Establishment of Enterprise Credit File

Article 4 The establishment of enterprise credit files refers to the activities of collecting, categorizing, sorting out, and storing the credit information of foreign contracted projects, foreign investment and foreign labor service cooperation enterprises to form enterprise credit files.

Article 5 The scope of enterprise credit files:

(1) Basic information of the enterprise:

1. The basic information of enterprise registration, special administrative license, qualification level and other information, including the contents of registration, modification, cancellation or cancellation;

2. Enterprise operation and management: enterprise operation performance, enterprise financial status, enterprise finance, human resource management system, etc.;

3. The basic credit information of the enterprise: the results of the credit rating evaluation of participating in the contractor's association over the years.

(2) Good corporate information:

1. The company and its legal representative or main person in charge have been commended by domestic and foreign government agencies;

2. Other honors given to the enterprise by the contractor's association or related industry associations;

3. Outstanding deeds of the company in fulfilling its social responsibilities and participating in social welfare activities;

4. Other good information that can be recorded in credit files.

(3) Bad company information:

The bad information mainly includes the following corporate bad behaviors and relevant administrative punishment opinions of the competent government departments:

1. Major labor disputes caused by the company's violation of labor contracts or labor laws and regulations of the country where the company resides, causing adverse effects;

2. Undertake engineering projects by unfair methods such as vicious bidding and commercial bribery;

3. Defame or use other means to disrupt the normal operation of other Chinese-funded enterprises and cause substantial damage;

4. Major quality and safety accidents occurred in overseas engineering projects contracted or implemented due to enterprise reasons;

5. The contracted or implemented overseas engineering projects are seriously delayed due to enterprise reasons, causing disputes and causing adverse effects;
6. Major losses in the project caused by enterprise decision-making mistakes or poor management, etc., causing adverse effects;
7. Commit to external financing in the name of the Chinese government or financial institutions without authorization;
8. Fail to go through legal entry and exit procedures, health check-ups, vaccination and work permits for personnel dispatched in China;
9. Failed to conduct safe, civilized and law-abiding training for dispatched personnel, and failed to take effective safety precautions against local safety risks;
10. Disrespect local customs, religious beliefs and living habits, leading to conflicts with local people;
11. Failure to comply with local labor laws and regulations leads to major labor disputes;
12. Destroy the local ecological environment and threaten local public safety;
13. Other serious violations of laws and regulations, lack of integrity, and bad business behaviors that the contractor will determine in accordance with the industry regulations.
14. Violating relevant state regulations to entrust other enterprises, intermediary agencies and individuals to recruit labor personnel, or accept other enterprises, intermediary agencies and natural persons to operate as affiliates;
15. Exceeding standard charges from laborers and performance bonds from laborers or in disguised forms;
16. Failure to apply for overseas work permits for laborers or dispatch laborers by means of tourist or business visas;
17. Fail to sign the contract with the laborer or fail to fulfill the contract agreement;
18. A major labor dispute has occurred, and administrative penalties or adverse effects have occurred, or the court has decided to bear legal responsibility, etc.;
19. Failed to handle health checkups and vaccination for labor workers;
20. Failed to conduct safety, civilized and law-abiding training for labor personnel;
21. Other bad information that can be recorded in credit files.

Article 6 The collection of enterprise credit file information adopts two methods: the contractor will actively collect it and the enterprise will submit it by itself. The contractor will actively collect corporate credit information including from relevant

government departments, financial institutions and relevant industry associations. The self-reporting by the enterprise includes the information submitted by the enterprise in activities such as the declaration of member information, credit rating evaluation, project filing and coordination, and social responsibility evaluation.

Article 7 The record period of enterprise credit files shall be set according to the following regulations:

(1) The period for recording the basic information of the enterprise is until the enterprise terminates operations or withdraws from the contractor's association;

(2) The good information record period of the enterprise is 5 years

(3) If the recording period of bad information of an enterprise is 5 years, but the limitation period of the enterprise by laws, regulations, rules and administrative decisions exceeds 5 years, it shall be recorded in accordance with the period of the laws, regulations, rules and administrative decisions.

Chapter III Use of Enterprise Credit Files

Article 8 The use of enterprise credit files mainly includes the application of file information in the internal work of the contractor's association and the publicity and inquiry facing the society.

Article 9 The contractor will use the corporate credit file as an important basis for business coordination when carrying out project coordination, market access, enterprise recommendation and other activities or providing personalized services;

Article 10 The contractor will publicize the good information of the enterprise and the bad information such as the administrative punishment information of the competent business department and the industry punishment in the form of the industry credit red and black list.

Article 11 In addition to the business performance and financial status of the information in the corporate credit file, good information and bad information within a certain period of time will be provided to the society for inquiries.

Article 12 The publicity period of good information is the validity period for the enterprise to be commended and awarded the title, and the query period is up to 5 years.

Article 13 The publicity period of bad information is 2 years. Where laws, regulations, rules, and administrative decisions clearly specify the time limit, the time limit for publicity shall follow those provisions. When the publicity period expires, it will

no longer be published as credit file information, but the general public can obtain relevant information through inquiries, and the inquiry period is up to 5 years.

Article 14 For minor unintentional violations of the law by an enterprise, upon a written application by the enterprise and the review and approval of the relevant administrative department, it is not necessary to record bad information.

For credit deficiencies caused by illegal or untrustworthy behaviors, enterprises can take substantive rectification measures to restore credit. After review and approval by relevant administrative departments, they can shorten the period for publishing bad information on the Internet, but the shortest bad information publication should be no less than 6 months, not less than 1 year if the circumstances are serious.

Article 15: Disclosure of information in an enterprise's credit files shall comply with relevant laws, regulations, and rules, and shall not disclose other contents that are state secrets, commercial secrets, personal privacy, and laws, regulations, and rules that must not be disclosed.

Article 16 If the enterprise and other interested parties believe that the relevant credit information disclosed by the contractor is different, they may apply in writing to the contractor to change or cancel the record.

Article 17 The contractor's committee shall verify the accuracy of the relevant information within 15 working days from the date of receipt of the objection application. If it is inconsistent with the original information provided, it shall be corrected immediately; if it is consistent with the original information provided, the dissident shall be notified in writing to apply for correction to the information providing unit, and at the same time a copy of the information providing unit shall be reported.

Chapter IV Penalty Provisions

Article 18 If an enterprise violates the provisions of these Measures and declares fraudulent credit information, causing serious consequences or other adverse effects, the contractor will record the behavior as bad information.

Article 19 If the contractor violates these Measures and makes mistakes or mistakes in the collection, disclosure, use and management of enterprise credit information, which causes significant impact or damage to the enterprise, it shall bear corresponding liabilities.

Chapter 5 Supplementary Provisions

Article 20: These Measures shall be interpreted by the Industry Credit System Construction Committee of the Contractor' s Association, and shall be implemented from the date of issuance.

Related Reading

"Administrative Measures for Enterprise Credit Rating Evaluation Funds of the China International Contractors Association (2021 Revised Edition)"

"Administrative Measures for Enterprise Credit Rating Evaluation of the China Chamber of International Contractors (2021 Revised Edition)"

"Administrative Measures for the Credit Rating Evaluation of Foreign Contracted Projects and Labor Service Cooperation Enterprises (Revised Draft in July 2017)"

"Administrative Measures for the Credit Rating Evaluation of Foreign Contracted Projects and Labor Service Cooperation Enterprises"

"Administrative Measures for the Credit Red and Black List of Enterprises of the China Chamber of Foreign Contractors"



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