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Administrative Measures for the Examination and Approval of the Resident Representative Institutions of Foreign Air Transportation Enterprises

外国航空运输企业常驻代表机构审批管理办法

Issued By **General Administration of Civil Aviation of China**
Subject **Air Transportation, Administrative Measures**
Promulgated on **April 3rd 2006**
Effective from **May 3rd 2006**
Source **www.caac.gov.cn**

The Administrative Measures for the Examination and Approval of the Resident Representative Institutions of Foreign Air Transportation Enterprises (the “Measures”) have classified the candidate enterprises that desire to establish resident representative institutions in China into two categories. First, the foreign air transportation enterprises which have already acquired the designated qualification to operate air transportation between the country where such enterprises are incorporated and China according to relating international agreements shall establish representative institutions in China. Second, other foreign air transportation enterprises that have not yet obtained such designated qualification should apply to the General Administration of Civil Aviation of China (the “ACCA”) in order to establish representative institutions in China.

The Measures clearly stipulate that the examination and approval procedures for the appointment of chief delegates or representatives of foreign air transportation enterprises should be undertaken according to Chinese laws and regulations. The ACCA shall supervise the resident representative institutions of foreign air transportation enterprises, and such enterprises should be liable for any illegality that undertaken by their resident representative institutions in China.

Measures of the People’s Republic of China for the Customs’ Supervision over Inward and Outward Express Consignments (Revised 2006)

中华人民共和国海关对进出境快件监管办法（2006修订）

Issued By **General Administration of Customs of China**
Subject **Inward and Outward Express Consignments**
Promulgated on **April 28th 2006**
Effective from **May 1st 2006**
Source **www.customs.gov.cn**

The Measures of the People’s Republic of China for the Customs’ Supervision over Inward and Outward Express Consignments (the “Measures”) no longer require that

1. The Chinese party in a Chinese-foreign joint venture or cooperative operation enterprise shall have engaged in international freight agency for one year or more.
2. A foreign party, nonetheless, must have engaged in international freight agency for three years or more and in international express delivery for one year or more.
3. A domestically funded enterprise shall have engaged in international freight agency for one year or more.

An inward and outward express consignment operator (“Operator”) as mentioned in the Measures refers to an international freight agency enterprise lawfully registered in China as well as registered and recorded with the customs authorities to engage in the operation of inward and outward express consignments.

No Operator may undertake to or actually carry any of the articles listed in the “Form of the People’s Republic of China on the Articles Prohibited from Entering or Exiting the Territory”, nor shall it discretionally deal with any of such articles it has found, but shall immediately notify the customs and assist the customs in dealing with the article instead. Without approval of the postal institution of the People’s Republic of China, no Operator may provide the service of carrying any private mails.

The Measures divide inward and outward express consignments into three categories, namely, the documental category, the individual articles category, and the goods category.

Right of Domain Names Was Sealed-Up for the First Time by the People's Court in Beijing

北京法院首次查封域名权

Subject **Right of Domain Names**

Source www.law-star.com

On April 21, 2006, the Dong Cheng District People's Court of the Beijing Municipality held that an internet domain name can be considered as a form of property that could be adopted to compensate debts. This was the first time for a domain name to be accepted and recognized as substantial property in China.

In the case before the Beijing court, a legal consultancy was charged to pay its creditor around Renminbi 300,000. However, it failed to fulfil such obligations and its substantial assets were found not sufficient to compensate the relating debts. The court confirmed that the right of domain name is a new type of right which has actual property values as an intellectual property right. Therefore, the internet domain name was detained and about to be auctioned for fulfilling the debtor's debt.

Such breakthrough has attracted attention from companies and scholars alike since it is the first time for a court to evaluate the right of domain name as similar to the property rights. This step has been accepted as a progress of justice in China.

Wenger & Vieli, Beijing, May 7, 2006

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