

Notice of the Ministry of Civil Affairs on Issuing the “Regulation on the Evaluation and Management of Domestic Social Organisations”, Ministry of Civil Affairs [2021] No. 96

Domestic social organizations:

The “Regulations on the Evaluation and Management of Domestic Social Organizations” have been studied and approved by the Office of the Minister of Civil Affairs.

Ministry of Civil Affairs

December 2, 2021

Regulations on the Evaluation and Management of Domestic Social Organizations

Chapter I General Provisions

Article 1 To standardize the evaluation work of domestic social organizations and promote the high-quality development of social organizations, and according to the “Charity Law of the People’s Republic of China” and the “General Office of the State Council of the Communist Party of China, the Reform of the Social Organization Management System to Promote the Healthy and Orderly Development of Social Organizations Opinions” and the “Measures for the Management of Social Organizations Evaluation”, combined with the practice of social organization evaluation, these regulations are formulated.

Article 2 The domestic social organizations mentioned in these regulations refer to social groups, foundations, and social service organizations registered with the Ministry of Civil Affairs.

Article 3 The evaluation work of domestic social organizations shall follow the principles of voluntary application, openness and transparency, objectiveness and fairness, and implement classified evaluation and dynamic management.

Article 4 The Ministry of Civil Affairs is responsible for the evaluation of domestic social organizations, and establishes a domestic evaluation committee of social organizations

(hereinafter referred to as “the Evaluation Committee”) to undertake the evaluation of domestic social organizations.

An office under the Evaluation Committee (hereinafter referred to as “the Evaluation Office”) is specifically responsible for the formulation of evaluation implementation plans, the management of evaluation experts, the organization and implementation of on-site evaluations, and the management of evaluation levels.

Article 5 The evaluation funds of domestic organizations shall be included in the fiscal budget. No evaluation fee may be charged to the evaluation object.

Article 6 The evaluation results of domestic social organizations are divided into five levels, from highest to lowest as 5A (AAAAA), 4A (AAAA), 3A (AAA), 2A (AA), and 1A (A).

The evaluation grade of social organization is valid for five years.

Article 7 The evaluation level of domestic social organizations shall be included in the credit system of social organizations. Domestic social organizations with a grade of 3A or above can enjoy relevant policies in accordance with relevant regulations during the validity period of the evaluation grade.

Chapter II Evaluation Object and Content

Article 8 Domestic social organizations that apply to participate in the evaluation shall meet one of the following conditions:

- (1) Has held the social organization legal personal registration certificate for two years, and has not participated in the evaluation of the social organizations;
- (2) The five-year validity period of the evaluation grade has been obtained;
- (3) Those who have obtained the evaluation level for at least two years within the validity period of the evaluation level.

Article 9 Domestic social organizations shall not be assessed if they have any of the following circumstances:

- (1) Failing to participate in the previous year’s annual inspection or failing to perform the obligation of the previous year’s annual work report as required;

- (2) Those who failed the previous year's annual inspection or just met the minimum requirements of qualification for two consecutive years;
- (3) Relevant administrative penalties received by the registration management agency or other government departments in the previous year, or the administrative penalties have not been fully implemented;
- (4) Being included in the list of abnormal activities of social organizations or the list of serious violations of the law and social credit system;
- (5) Being involved in cases that are investigated by relevant government departments or judicial organs;
- (6) Others circumstances that do not meet the evaluation conditions.

Article 10 The evaluation of national social organizations shall reflect the social organizations' adherence to and strengthening of the party's overall leadership, participation in economic construction, social undertakings, and grassroots governance, serving the country, serving society, serving the public, and serving various industries and sectors. The assessment content mainly includes basic conditions, internal governance, work performance, opinions from the public, etc.

Chapter III Evaluation Procedures

Article 11 Prior to the evaluation of social organizations, the Ministry of Civil Affairs shall issue an evaluation notice or announcement.

Domestic social organizations that apply to participate in the evaluation shall submit an evaluation application form to the Evaluation Office in accordance with the relevant regulations and requirements of the evaluation work.

Article 12 The Evaluation Office shall review the qualifications of social organizations to participate in the evaluation within ten working days from the date of receipt of the application, and if the conditions are met, it shall be accepted; if the conditions are not met, it shall be rejected and the reasons shall be notified and explained.

Article 13 The Evaluation Committee shall set up an evaluation expert group to conduct on-site evaluations of domestic social organizations that have obtained evaluation qualifications.

Article 14 The methods of on-site assessment mainly include:

- (1) Discussion and inquiry. Understanding the work of participating social organizations.
- (2) Consult files. Checking and verifying relevant meeting minutes, documents, financial vouchers, and business activities of participating social organizations.
- (3) Individual interviews. Through conversations with full-time and part-time staff of participating social organizations, heads of party organizations, ordinary party members and the masses, heads of social organizations and financial personnel to learn about the development of relevant work.

Participating social organizations shall provide relevant information truthfully and reflect relevant conditions in accordance with the requirements of the evaluation expert group.

Article 15 The Evaluation Office shall use online and offline channels to learn about its social opinions from relevant departments such as business supervisors, industry management departments, party building agencies, and members, directors, supervisors, donors, and beneficiaries of participating social organizations.

Article 16 After the on-site assessment is completed, the assessment expert team shall submit on-site assessment opinions to the assessment office within seven working days.

After the review and summary, the Evaluation Office will feedback on-site evaluation and related opinions and suggestions to the participating social organizations.

Article 17 After the on-site evaluation and social evaluation of social organizations are completed, an evaluation report will be formed within 30 days, and evaluation grade recommendations will be submitted to the Evaluation Committee for deliberation.

Article 18 The Evaluation Committee shall convene a meeting to review the evaluation level and publish the result.

The number of members present at the meeting shall account for more than two-thirds of the total number of members. The meeting adopts a registered voting method, and the evaluation grade must be approved by more than half of all members.

Article 19 Participating social organizations that disagree with the evaluation result may submit a written appeal letter to the evaluation office for re-assessment during the publicity period.

The Evaluation Office will re-evaluate the result and original certification materials of the social organization concerned. If necessary, on-site verification will be carried out again.

Article 20 The Evaluation Office shall formulate a review opinion based on the new evaluation, and after submitting it to the Evaluation Committee for review, within 15 working days, it shall notify the social organization in writing.

Article 21 The Evaluation Office shall set up a hotline for complaints of the evaluation work from the public, and accept public supervision. Complaints and reports related to the evaluation work received during the evaluation period shall be verified in a timely manner, and the relevant conditions shall be objectively reflected in the evaluation report.

Article 22 After the publicity is over, the evaluation committee shall report to the Ministry of Civil Affairs the evaluation result of social organizations and related matters for publicity. After confirming the evaluation result, the Ministry of Civil Affairs will issue an announcement and issue certificates and plaques to domestic social organizations that have obtained an evaluation level of 3A or above.

Chapter IV Evaluation Expert Management

Article 23 The Evaluation Committee shall establish a database for social organization evaluation experts. The appointment system is implemented for the evaluation experts in the database, and the appointment period is 3 years; upon expiration of the appointment period, it will be decided whether to renew the appointment according to the actual situation.

Article 24 Evaluation experts shall have the following qualifications:

- (1) Support the leadership of the Communist Party of China, support the party's national strategies, principles, and policies, abide by disciplines and laws, and possess good ideological and political qualities and professional ethics;
- (2) Possess professional knowledge for social organization evaluation work;
- (3) Have relevant working experience with social organizations;

(4) The health condition is competent for social organization assessment work.

Article 25 Evaluation experts shall strictly abide by relevant laws and regulations and evaluation work measures; being diligent, responsible, honest, objective, fair and self-disciplined.

Article 26 Evaluation experts shall strictly keep confidential state secrets, commercial secrets, personal privacy, and other information of participating social organizations involved in the evaluation.

Article 27 Evaluation experts shall avoid any of the following circumstances:

- (1) Being an interested party of the participating social organizations;
- (2) Having served in the participating social organizations and left their posts for less than two years;
- (3) Being in a position that may affect the fairness of the evaluation results.

If participating social organizations submit an application for withdrawal of any member of the expert group to the Evaluation Office, the Evaluation Office shall make a timely decision on whether the individual should withdraw.

Article 28 If an evaluation expert engages in any of the following behaviours, his expert qualification shall be cancelled:

- (1) Accepting banquet invitations or gifts from participating social organizations or related personnel;
- (2) Having inappropriate contact with participating social organizations or related personnel in private;
- (3) Leaking the evaluation results and related information before the evaluation results are announced;
- (4) The evaluation expert did not participate in the evaluation work during the employment period, failed the expert evaluation twice in a row, or was absent twice without leave after accepting the task;

(5) Carrying out paid activities in the name of evaluation experts, privately carrying out evaluation-related training, counselling, cooperative activities, or engaging in other activities that damage the image of social organization evaluation work;

(6) Having a situation that should be avoided and it is not actively raised;

(7) Being involved in other activities that may affect the fair assessment.

Article 29 The Evaluation Office shall strengthen the management of evaluation experts, establish a sound evaluation mechanism on experts, and improve the evaluation expert training system. Expert evaluation shall be carried out based on the use of evaluation expertise, the performance of the evaluation work undertaken, professional ethics, and the training received. The evaluation result serves as an important reference for the renewal and release of evaluation experts.

Chapter V Supervision and Management

Article 30 The Evaluation Office selects a certain percentage of domestic social organizations whose evaluation results are within the validity period each year, and conducts follow-up evaluations in accordance with the relevant provisions in Chapter III of these regulations. The Ministry of Civil Affairs will make corresponding grade adjustments or confirmations to relevant social organizations based on the follow-up assessment, and make an announcement to the public.

Article 31 If a domestic social organization whose evaluation result is within the validity period has one of the following circumstances, the evaluation office shall conduct verification and re-evaluation.

(1) Providing false information and materials during the evaluation, or colluding with relevant personnel in the evaluation work to cheat and causing the evaluation result to be inaccurate;

(2) Altering, forging, renting, or lending evaluation grade certificates, or forging, renting, or lending evaluation grade plaques;

(3) Failing to participate in the previous year's annual inspection or failing to perform the obligations of the previous year's annual work report as required;

- (4) Those who failed the previous year's annual inspection or failed to meet the minimum requirements for qualification for two consecutive years;
- (5) Being involved in the list of abnormal activities of social organizations or a list of serious violations of the law and social credit system;
- (6) Having received administrative penalties by the registration management agency or other government departments in the previous year;
- (7) Having received complaints on its evaluation result;
- (8) Other situations that may affect the evaluation result.

The Ministry of Civil Affairs will make corresponding grade adjustments or confirmations to relevant social organizations based on the results of the verification and re-evaluation, and make an announcement to the public.

Article 32 Domestic social organizations that have obtained the evaluation result may present the evaluation level certificate as a credibility certificate when carrying out external activities and promotion. The evaluation grade plaque shall be hung in a conspicuous place in the service place or office, and consciously accept social supervision.

Article 33 Domestic social organizations within the validity period of the evaluation level shall return the original evaluation level certificate and plaque within 15 days from the date of receiving the notice if they participate in the evaluation in advance or their evaluation result has been adjusted due to the follow-up evaluation. The evaluation office shall re-issue the corresponding evaluation grade certificate and plaque. If it refuses to return (exchange), the Ministry of Civil Affairs shall announce the invalidation of the original evaluation result according to regulations.

Chapter VI Supplementary Provisions

Article 34 The evaluation criteria for domestic social organizations and the format of the evaluation grade certificate plaque shall be formulated by the Ministry of Civil Affairs.

Article 35 These regulations shall come into force on January 1, 2022.