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# 中华人民共和国价格法

# Price Law of the PRC

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主席令第九十二号

Presidential Decree No. 92

（全国人民代表大会 1997年12月29日颁布 中华人民共和国主席令第92号）

(Adopted by the National People 's Congress on December 29, 1997)

第一章 总则

Chapter 1 General Provisions

第一条   为了规范价格行为，发挥价格合理配置资源的作用，稳定市场价格总水平，保护消费者和经营者的合法权益，促进社会主义市场经济健康发展，制定本法。

Article 1. This Law is formulated in order to standardise pricing acts, to give full play to the role of pricing in the rational allocation of resources, to stabilise the overall market price level, to protect the legal rights and interests of consumers and operators and to promote the healthy development of the socialist market economy.

第二条   在中华人民共和国境内发生的价格行为，适用本法。

Article 2 This Law shall apply to price acts occurring within the territory of the People's Republic of China.

本法所称价格包括商品价格和服务价格。

For the purposes of this Law, prices will include commodity prices and service charges.

商品价格是指各类有形产品和无形资产的价格。

Commodity prices refer to the prices of various types of tangible products and intangible assets.

服务价格是指各类有偿服务的收费。

The prices of services refer to the fees charged for various types of paid services.

第三条   国家实行并逐步完善宏观经济调控下主要由市场形成价格的机制。价格的制定应当符合价值规律，大多数商品和服务价格实行市场调节价，极少数商品和服务价格实行政府指导价或者政府定价。

Article 3 The State shall implement and gradually improve the market-based prices under the regulation and control of the macro-economy. Price setting must comply with the law of value, with most commodity prices and service charges being subject to market readjusted prices and only a small number of commodity prices and service charges being subject to government guided prices or government set prices.

市场调节价，是指由经营者自主制定，通过市场竞争形成的价格。

Market-regulated prices mean those prices determined autonomously by operators and formed through market competition.

本法所称经营者是指从事生产、经营商品或者提供有偿服务的法人、其他组织和个人。

For the purpose of the Law, the operators refer to the legal persons, other organizations and individuals engaging in the production and operation of commodities or providing paid services.

政府指导价，是指依照本法规定，由政府价格主管部门或者其他有关部门，按照定价权限和范围规定基准价及其浮动幅度，指导经营者制定的价格。

Government guided prices will refer to prices set by an operator under the guidance of the government department in charge of pricing or other relevant departments which, in accordance with the provisions of this Law, will determine the base prices and their floating range in accordance with the pricing jurisdiction and scope.

政府定价，是指依照本法规定，由政府价格主管部门或者其他有关部门，按照定价权限和范围制定的价格。

Government set prices will refer to prices set by the government departments in charge of pricing or other relevant departments in accordance with the provisions of this Law and the price setting jurisdiction and scope.

第四条   国家支持和促进公平、公开、合法的市场竞争，维护正常的价格秩序，对价格活动实行管理、监督和必要的调控。

Article 4 The State supports and promotes fair, open and lawful market competition, maintains normal price order and exercises administration, supervision and necessary regulation and control over pricing activities.

第五条   国务院价格主管部门统一负责全国的价格工作。国务院其他有关部门在各自的职责范围内，负责有关的价格工作。

Article 5. The State Council department in charge of pricing will be uniformly responsible for pricing work nationwide. Other relevant State Council departments will be responsible for pricing work within the scope of their respective responsibility.

县级以上地方各级人民政府价格主管部门负责本行政区域内的价格工作。县级以上地方各级人民政府其他有关部门在各自的职责范围内，负责有关的价格工作。

The competent price departments of the local people's governments at or above the county level shall be responsible for the work related to prices within their respective administrative regions. Other relevant departments of the various local people's governments at county level or above will be responsible for pricing matters within the scope of their respective responsibility.

第二章 经营者的价格行为

Chapter 2 Price Acts of Operators

第六条   商品价格和服务价格，除依照本法第十八条规定适用政府指导价或者政府定价外，实行市场调节价，由经营者依照本法自主制定。

Article 6 Commodity prices and service prices, with the exception of those subject to government-guided prices or government-set prices under Article 18 of the Law, shall be subject to market - regulated prices and set by operators on their own in accordance with the Law.

第七条   经营者定价，应当遵循公平、合法和诚实信用的原则。

Article 7 Operators shall follow the principles of fairness, lawfulness and good faith in fixing prices.

第八条   经营者定价的基本依据是生产经营成本和市场供求状况。

Article 8 Production and operation costs and the market supply and demand situation shall be the basis for the determination of prices by operators.

第九条   经营者应当努力改进生产经营管理，降低生产经营成本，为消费者提供价格合理的商品和服务，并在市场竞争中获取合法利润。

Article 9 Business operators shall work hard to improve production and operation management, reduce production and operation costs, provide consumers with goods and services at reasonable prices, and reap lawful profits through market competition.

第十条   经营者应当根据其经营条件建立、健全内部价格管理制度，准确记录与核定商品和服务的生产经营成本，不得弄虚作假。

Article 10 The operators shall establish and perfect the internal price management system, accurately record and verify the production and operation costs of commodities and services in light of their operation conditions, and shall not practice fraud.

第十一条   经营者进行价格活动，享有下列权利：

Article 11 Operators enjoy the following rights in price activities:

（一）自主制定属于市场调节的价格；

1. to fix on their own prices that are regulated by the market;

（二）在政府指导价规定的幅度内制定价格；

2. Fixing prices within the range as prescribed by the government for guiding prices;

（三）制定属于政府指导价、政府定价产品范围内的新产品的试销价格，特定产品除外；

(III) Setting prices for trial sale of new products falling within the scope of products whose prices are subject to the government-guided prices or government-set prices, with the exception of specially designated products; and

（四）检举、控告侵犯其依法自主定价权利的行为。

(IV) to inform against or accuse infringement upon their rights to fix prices on their own in accordance with the law.

第十二条   经营者进行价格活动，应当遵守法律、法规，执行依法制定的政府指导价、政府定价和法定的价格干预措施、紧急措施。

Article 12 In conducting price activities, operators shall abide by laws and regulations, follow the government-guided prices and government-set prices set in accordance with the law and carry out the statutory intervention and emergency measures regarding prices.

第十三条   经营者销售、收购商品和提供服务，应当按照政府价格主管部门的规定明码标价，注明商品的品名、产地、规格、等级、计价单位、价格或者服务的项目、收费标准等有关情况。

Article 13 When selling or purchasing commodities or providing services, operators shall, as required by the government departments in charge of price, clearly mark the prices and clearly indicate the name, place of origin, specifications, grade, charge unit and price of a commodity or service item, charging standard and other relevant information.

经营者不得在标价之外加价出售商品，不得收取任何未予标明的费用。

Operators shall not sell goods at a price higher than the marked price and shall not collect any charges which are not clearly indicated.

第十四条   经营者不得有下列不正当价格行为：

Article 14 Operators shall not undertake the following behaviors in pricing:

（一）相互串通，操纵市场价格，损害其他经营者或者消费者的合法权益；

1. Colluding with each other to control the market price and thus damage the lawful rights and interests of other operators or consumers;

（二）在依法降价处理鲜活商品、季节性商品、积压商品等商品外，为了排挤竞争对手或者独占市场，以低于成本的价格倾销，扰乱正常的生产经营秩序，损害国家利益或者其他经营者的合法权益；

(II) Disrupting the normal order of production and operation process to the detriment of the lawful rights and interests of the Sate or other consumers and operators, which results from distributing or supplying goods at a price lower than the market price which has been determined by the forces of demand and supply or otherwise, for the purpose of ousting competitors or monopolizing the market; or

（三）捏造、散布涨价信息，哄抬价格，推动商品价格过高上涨的；

(III) fabricating and spreading information about price rises to drive up prices and push up commodity prices excessively;

（四）利用虚假的或者使人误解的价格手段，诱骗消费者或者其他经营者与其进行交易；

(IV) inducing consumers or other operators to trade with it by using false or misleading price means;

（五）提供相同商品或者服务，对具有同等交易条件的其他经营者实行价格歧视；

(V) Practicing price discriminations against other operators who are under the same transaction conditions when supplying the same goods and or services;

（六）采取抬高等级或者压低等级等手段收购、销售商品或者提供服务，变相提高或者压低价格；

(VI) procuring, selling goods or providing services at prices raised or reduced in disguised form by raising or lowering the grade;

（七）违反法律、法规的规定牟取暴利；

(VII) seeking exorbitant profits in violation of laws and regulations;

（八）法律、行政法规禁止的其他不正当价格行为。

(VIII) other unfair price acts prohibited by laws and administrative regulations.

第十五条   各类中介机构提供有偿服务收取费用，应当遵守本法的规定。法律另有规定的，按照有关规定执行。

Article 15. All types of intermediary agencies must abide by the provisions of this Law when collecting fees in the provision of reimbursable services. Where laws provide otherwise, such provisions shall prevail.

第十六条   经营者销售进口商品、收购出口商品，应当遵守本章的有关规定，维护国内市场秩序。

Article 16 In selling imported commodities and purchasing export commodities, operators shall abide by the relevant provisions of this Chapter and maintain the order of the domestic market.

第十七条   行业组织应当遵守价格法律、法规，加强价格自律，接受政府价格主管部门的工作指导。

Article 17 Trade organizations shall abide by laws and regulations concerning prices, enhance the self-discipline with regard to prices and accept the guidance of the government departments in charge of price.

第三章 政府的定价行为

Chapter III Pricing Acts of the Government

第十八条   下列商品和服务价格，政府在必要时可以实行政府指导价或者政府定价：

Article 18 The government may adopt the government- guided prices or government-set prices when necessary for the prices of the following commodities and services:

（一）与国民经济发展和人民生活关系重大的极少数商品价格；

1. a very small number of commodities that have a vital bearing on the development of the national economy and the living of the people;

（二）资源稀缺的少数商品价格；

2. a small number of commodities for which resources are scarce;

（三）自然垄断经营的商品价格；

(III) the prices of commodities under natural monopoly management;

（四）重要的公用事业价格；

(IV) important public utilities;

（五）重要的公益性服务价格。

(V) important public welfare services.

第十九条   政府指导价、政府定价的定价权限和具体适用范围，以中央的和地方的定价目录为依据。

Article 19 The pricing authority and the specific scope of application of the government-guided prices and government-set prices shall be based on the central and local pricing catalogues.

中央定价目录由国务院价格主管部门制定、修订，报国务院批准后公布。

The Central Pricing Catalog shall be compiled and revised by the competent department of price under the State Council and published upon the approval of the State Council.

地方定价目录由省、自治区、直辖市人民政府价格主管部门按照中央定价目录规定的定价权限和具体适用范围制定，经本级人民政府审核同意，报国务院价格主管部门审定后公布。

Local priced catalogues shall be compiled by the competent price departments of the people's governments of the provinces, autonomous regions and municipalities directly under the Central Government according to the pricing authority and the specific scope of application defined in the central priced catalogue, and published after being examined and approved by the said people's governments and being submitted to the competent price department under the State Council for examination and approval.

省、自治区、直辖市人民政府以下各级地方人民政府不得制定定价目录。

Local people's governments below the level of province, autonomous region or directly administered municipality will not be permitted to formulate pricing lists.

第二十条   国务院价格主管部门和其他有关部门，按照中央定价目录规定的定价权限和具体适用范围制定政府指导价、政府定价；其中重要的商品和服务价格的政府指导价、政府定价，应当按照规定经国务院批准。

Article 20. The State Council department in charge of pricing and other relevant departments will formulate government guided prices and government set prices in accordance with the pricing jurisdiction and actual scope of application stipulated in the Central Government pricing catalogue. Of these, the government guided prices and government set prices for important commodities and services will be subject to State Council approval in accordance with regulations.

省、自治区、直辖市人民政府价格主管部门和其他有关部门，应当按照地方定价目录规定的定价权限和具体适用范围制定在本地区执行的政府指导价、政府定价。

The competent price departments and other relevant departments of the people's governments of the provinces, autonomous regions and municipalities directly under the Central Government shall set government-guided prices and government-set prices for their own regions according to the pricing authority and the specific scope of application defined in the local pricing catalogues.

市、县人民政府可以根据省、自治区、直辖市人民政府的授权，按照地方定价目录规定的定价权限和具体适用范围制定在本地区执行的政府指导价、政府定价。

Based on authorisation from the provincial, autonomous region or directly administered municipal people's government, municipal and county people's governments may formulate government guided prices and government set prices for implementation within their own regions in accordance with the pricing jurisdiction and actual scope of application stipulated in the local pricing lists.

第二十一条   制定政府指导价、政府定价，应当依据有关商品或者服务的社会平均成本和市场供求状况、国民经济与社会发展要求以及社会承受能力，实行合理的购销差价、批零差价、地区差价和季节差价。

Article 21. When formulating government guided prices and government set prices, reasonable purchase and sale price differentials, wholesale and retail price differentials, regional price differentials and seasonal price differentials shall be implemented in accordance with the social average costs of the relevant goods or services, the market supply and demand situation, the requirements of national economic and social development and the social acceptability.

第二十二条   政府价格主管部门和其他有关部门制定政府指导价、政府定价，应当开展价格、成本调查，听取消费者、经营者和有关方面的意见。

Article 22 When setting government-guided prices and government-set prices, the government departments in charge of price and other relevant departments shall carry out the investigation of prices and costs and listen to the opinions of consumers, operators and other parties concerned.

政府价格主管部门开展对政府指导价、政府定价的价格、成本调查时，有关单位应当如实反映情况，提供必需的账簿、文件以及其他资料。

When the government departments in charge of price carry out the price and cost investigation of the government-guided prices and government-set prices, the units concerned shall truthfully report the situation and provide necessary account books, documents as well as other materials.

第二十三条   制定关系群众切身利益的公用事业价格、公益性服务价格、自然垄断经营的商品价格等政府指导价、政府定价，应当建立听证会制度，由政府价格主管部门主持，征求消费者、经营者和有关方面的意见，论证其必要性、可行性。

Article 23 The system of hearings shall be established for setting government-guided prices and government-set prices on public utilities, public welfare services and commodities operated under the natural monopoly that have a bearing on the immediate interests of the masses, and the department in charge of prices shall preside over hearings, solicit opinions of consumers, operators and other parties concerned to demonstrate necessity and feasibility thereof.

第二十四条   政府指导价、政府定价制定后，由制定价格的部门向消费者、经营者公布。

Article 24 The government-guided prices and government-set prices, after being set, shall be made known to the consumers and operators by the department that sets the prices.

第二十五条   政府指导价、政府定价的具体适用范围、价格水平，应当根据经济运行情况，按照规定的定价权限和程序适时调整。

Article 25 The specific scope of application of government-guided prices and government-set prices and the price level shall be adjusted in due time on the basis of the economic operation situation, and according to the pricing authority and procedures as prescribed.

消费者、经营者可以对政府指导价、政府定价提出调整建议。

The consumers and operators may make proposals for adjustment of the government-guided prices and government-set prices.

第四章 价格总水平调控

Chapter 4 Control of General Price Level

第二十六条   稳定市场价格总水平是国家重要的宏观经济政策目标。国家根据国民经济发展的需要和社会承受能力，确定市场价格总水平调控目标，列入国民经济和社会发展计划，并综合运用货币、财政、投资、进出口等方面的政策和措施，予以实现。

Article 26. Stabilising general market price levels will be an important macro-economic policy objective of the State. According to the needs of the development of the national economy and the affordability of society, the State determines the control target of the general level of market prices, incorporates it into the plan for national economic and social development, and realizes it by comprehensively applying policies and measures concerning currency, finance, investment, and import and export.

第二十七条   政府可以建立重要商品储备制度，设立价格调节基金，调控价格，稳定市场。

Article 27 The government may establish a reserve system for important commodities and set up a price regulation fund in order to regulate prices and stabilize the market.

第二十八条   为适应价格调控和管理的需要，政府价格主管部门应当建立价格监测制度，对重要商品、服务价格的变动进行监测。

Article 28 In order to meet the needs of price regulation and management, the government departments in charge of price shall establish a price monitoring system to monitor changes in the prices of important commodities and services.

第二十九条   政府在粮食等重要农产品的市场购买价格过低时，可以在收购中实行保护价格，并采取相应的经济措施保证其实现。

Article 29. The government may implement price protection measures during the purchasing process in respect of grain and other important agricultural products when the market purchase price is excessively low, as well as adopt corresponding economic measures to ensure its realisation.

第三十条   当重要商品和服务价格显著上涨或者有可能显著上涨，国务院和省、自治区、直辖市人民政府可以对部分价格采取限定差价率或者利润率、规定限价、实行提价申报制度和调价备案制度等干预措施。

Article 30 When the prices of important commodities and services rise noticeably or are likely to do so, the State Council and the people's governments of provinces, autonomous regions and municipalities directly under the Central Government may take intervention measures for some prices, such as restricting the price differential rates or profit rates, prescribing price limits, implementing the system of price rise declaration and the price adjustment record system, etc.

省、自治区、直辖市人民政府采取前款规定的干预措施，应当报国务院备案。

People's governments of the provinces, autonomous regions and municipalities directly under the Central Government shall, in adopting the intervention measures prescribed in the preceding paragraph, report the same to the State Council for the record.

第三十一条   当市场价格总水平出现剧烈波动等异常状态时，国务院可以在全国范围内或者部分区域内采取临时集中定价权限、部分或者全面冻结价格的紧急措施。

Article 31. When general market prices experience violent fluctuations or other abnormal conditions, the State Council may adopt emergency measures nationwide or in certain regions to temporarily centralise pricing jurisdiction or to partially or completely freeze prices.

第三十二条   依照本法第三十条、第三十一条的规定实行干预措施、紧急措施的情形消除后，应当及时解除干预措施、紧急措施。

Article 32 Upon elimination of the circumstances for implementation of the intervention measures and emergency measures pursuant to the provisions of Article 30 and Article 31 of this Law, the intervention measures and emergency measures shall be promptly lifted.

第五章 价格监督检查

Chapter 5 Price Supervision and Inspection

第三十三条   县级以上各级人民政府价格主管部门，依法对价格活动进行监督检查，并依照本法的规定对价格违法行为实施行政处罚。

Article 33 The competent departments of price of the people's governments at or above the county level shall conduct supervision and inspection over price activities in accordance with law and impose administrative sanctions against law-breaking acts in price in pursuance of the provisions of this Law.

第三十四条   政府价格主管部门进行价格监督检查时，可以行使下列职权：

Article 34 When conducting price supervision and inspection, the government departments in charge of price may exercise the following functions and powers:

（一）询问当事人或者有关人员，并要求其提供证明材料和与价格违法行为有关的其他资料；

1. Inquiring of the parties concerned or the relevant personnel, and requiring them to provide evidential materials and other materials relating to their illegal price acts;

（二）查询、复制与价格违法行为有关的账簿、单据、凭证、文件及其他资料，核对与价格违法行为有关的银行资料；

(II) inquiring into and copying the account books, invoices, vouchers, documents and other materials relating to illegal price acts, and checking the bank materials relating to illegal price acts;

（三）检查与价格违法行为有关的财物，必要时可以责令当事人暂停相关营业；

(III) inspecting the property related to illegal price acts, and ordering the parties to suspend relevant business if necessary; and

（四）在证据可能灭失或者以后难以取得的情况下，可以依法先行登记保存，当事人或者有关人员不得转移、隐匿或者销毁。

(IV) Under circumstances where there is a likelihood that the evidence may be destroyed or lost or difficult to obtain later, the evidence may be registered and preserved in advance in accordance with the law; the party concerned or the relevant persons shall not transfer, conceal or destroy the evidence.

第三十五条   经营者接受政府价格主管部门的监督检查时，应当如实提供价格监督检查所必需的账簿、单据、凭证、文件以及其他资料。

Article 35 When subject to the supervision and inspection by the governmental competent administration for price, the operator shall truthfully provide the account books, bills, vouchers, documents and other materials necessary for the supervision and inspection.

第三十六条   政府部门价格工作人员不得将依法取得的资料或者了解的情况用于依法进行价格管理以外的任何其他目的，不得泄露当事人的商业秘密。

Article 36. The personnel of government departments in charge of pricing must not use any information obtained in accordance with the law for any purpose other than price control in accordance with the law and must not divulge the commercial secrets of the parties concerned.

第三十七条   消费者组织、职工价格监督组织、居民委员会、村民委员会等组织以及消费者，有权对价格行为进行社会监督。政府价格主管部门应当充分发挥群众的价格监督作用。

Article 37 Consumer organizations, employees' price supervision organizations, residents' committees, villagers' committees and other organizations as well as the consumers shall have the right to conduct social supervision over price acts. The government departments in charge of price shall give full play to the role of the masses in price supervision.

新闻单位有权进行价格舆论监督。

News entities have the right to conduct price supervision by public opinion.

第三十八条   政府价格主管部门应当建立对价格违法行为的举报制度。

Article 38 The government departments in charge of price shall establish a reporting system for illegal pricing.

任何单位和个人均有权对价格违法行为进行举报。政府价格主管部门应当对举报者给予鼓励，并负责为举报者保密。

All units and individuals have the right to report on law-breaking acts in price. The government departments in charge of price shall encourage such reporters and be responsible for keeping them secret.

第六章 法律责任

Chapter 6 Legal Liabilities

第三十九条   经营者不执行政府指导价、政府定价以及法定的价格干预措施、紧急措施的，责令改正，没收违法所得，可以并处违法所得五倍以下的罚款；没有违法所得的，可以处以罚款；情节严重的，责令停业整顿。

Article 39. If an operator does not implement government guided prices, government set prices or official price interventionary and emergency measures, authorities will order it to rectify the matter, will confiscate any illicit gains and may also impose a fine of up to five (5) times the amount of the illicit gains. A fine may be imposed if there are no illicit gains. In serious circumstances, the operator will be ordered to suspend operations while rectification is carried out.

第四十条   经营者有本法第十四条所列行为之一的，责令改正，没收违法所得，可以并处违法所得五倍以下的罚款；没有违法所得的，予以警告，可以并处罚款；情节严重的，责令停业整顿，或者由工商行政管理机关吊销营业执照。有关法律对本法第十四条所列行为的处罚及处罚机关另有规定的，可以依照有关法律的规定执行。

Article 40. If an operator is involved in any of the acts listed in Article 14 of this Law, authorities will order it to rectify the matter, will confiscate any illicit gains and may also impose a fine of up to five (5) times the amount of the illicit gains. A warning will be given and a fine may be imposed if there are no illicit gains. In serious circumstances, the operator will be ordered to suspend operations while rectification is being carried out or the administration for industry and commerce will revoke the business licence. If relevant laws have other provisions on penalties and penalty imposing organs for the acts listed in Article 14 of this Law, such provisions may be applied.

有本法第十四条 第（一）项、第（二）项所列行为，属于是全国性的，由国务院价格主管部门认定；属于是省及省以下区域性的，由省、自治区、直辖市人民政府价格主管部门认定。

An act listed in item (1) or (2) of Article 14 of this Law which is regarded as affecting matters nationwide will be determined by the State Council department in charge of pricing. An act which is regarded as affecting a province or area below provincial level will be determined by the pricing department of the people's government of the province, autonomous region or directly administered municipality.

第四十一条   经营者因价格违法行为致使消费者或者其他经营者多付价款的，应当退还多付部分；造成损害的，应当依法承担赔偿责任。

Article 41 Any operator who causes the overpayment by consumers or other operators due to the illegal price acts thereof shall return the overpaid part; if the damage is caused, such operator shall bear the liability for compensation in accordance with the law.

第四十二条   经营者违反明码标价规定的，责令改正，没收违法所得，可以并处五千元以下的罚款。

Article 42. If an operator violates the provisions on clearly marked prices, authorities will order it to rectify the matter, will confiscate any illicit gains and may also impose a fine of up to 5,000 yuan.

第四十三条   经营者被责令暂停相关营业而不停止的，或者转移、隐匿、销毁依法登记保存的财物的，处相关营业所得或者转移、隐匿、销毁的财物价值一倍以上三倍以下的罚款。

Article 43 Any operator who has been ordered to suspend relevant business operations but does not suspend the operations, or transfers, conceals or destroys properties registered for preservation in accordance with the law shall be imposed a fine of not less than one time but not more than three times the relevant business income or the value of the properties transferred, concealed or destroyed.

第四十四条   拒绝按照规定提供监督检查所需资料或者提供虚假资料的，责令改正，予以警告；逾期不改正的，可以处以罚款。

Article 44 Whoever refuses to provide materials needed for supervision and inspection as required or provides false materials shall be ordered to make a rectification and be given a warning; if such person fails to make a rectification within the time limit, a fine may be imposed.

第四十五条   地方各级人民政府或者各级人民政府有关部门违反本法规定，超越定价权限和范围擅自制定、调整价格或者不执行法定的价格干预措施、紧急措施的，责令改正，并可以通报批评；对直接负责的主管人员和其他直接责任人员，依法给予行政处分。

Article 45 Local people's governments at all levels or the relevant departments of people's governments at all levels that violate the provisions of this Law, overstep the pricing authority and scope in determining and adjusting prices without authorization or fail to implement the statutory price intervention or emergency measures shall be ordered to make rectification and may be criticized in a circular; the persons who are directly in charge and the other persons who are directly responsible shall be given administrative sanctions in accordance with law.

第四十六条   价格工作人员泄露国家秘密、商业秘密以及滥用职权、徇私舞弊、玩忽职守、索贿受贿，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，依法给予处分。

Article 46. If any pricing personnel disclose State or commercial secrets, abuse their powers of office, practise favouritism or other irregularities, neglect their duties, or demand or accept bribes in an act which constitutes a crime, criminal liability will be pursued in accordance with the law. Where a case does not constitute a crime, a penalty will be imposed in accordance with the law.

第七章 附则

Chapter 7 Supplementary Provisions

第四十七条   国家行政机关的收费，应当依法进行，严格控制收费项目，限定收费范围、标准。收费的具体管理办法由国务院另行制定。

Article 47 Fee collection by State administrative organs shall be conducted in accordance with law, items for fee collection shall be strictly controlled, and scope and standards of fee collection shall be limited. Specific administrative measures for fee collection shall be formulated separately by the State Council.

利率、汇率、保险费率、证券及期货价格，适用有关法律、行政法规的规定，不适用本法。

The provisions of the relevant laws and administrative regulations shall apply to interest rates, exchange rates, insurance premium rates, and prices of securities and futures, and this Law shall not apply thereto.

第四十八条   本法自1998年5月1日起施行。

Article 48 This Law shall go into effect as of May 1, 1998.