|  |  |  |
| --- | --- | --- |
| 发文机关  Promulgator | ：  : | 全国人民代表大会常务委员会  The Standing Committee of the National People's Congress |
| 发布日期  Date of Issue | ：  : | 2017.11.04  2017.11.04 |
| 生效日期  Effective Date | ：  : | 2018.01.01  2018.01.01 |
| 时效性  Effectiveness | ：  : | 现行有效  Current |
| 文号  No. | ：  : | 主席令第七十八号  Presidential Decree No. 78 |

# 中华人民共和国标准化法（2017修订）

# Standardization Law of the People’s Republic of China (Revised in 2017)

中华人民共和国标准化法（2017修订）

Standardization Law of the People’s Republic of China (Revised in 2017)

主席令第七十八号

Presidential Decree No. 78

《中华人民共和国标准化法》已由中华人民共和国第十二届全国人民代表大会常务委员会第三十次会议于2017年11月4日修订通过，现将修订后的《中华人民共和国标准化法》公布，自2018年1月1日起施行。

The Standardization Law of the People's Republic of China, revised and adopted at the 30th Session of the Standing Committee of the 12th National People's Congress of the People's Republic of China on 4 November 2017, is hereby promulgated, effective 1 January 2018.

中华人民共和国主席 习近平

President Xi Jinping

2017年11月4日

November 4, 2017

中华人民共和国标准化法

Standardization Law of the People's Republic of

（1988年12月29日第七届全国人民代表大会常务委员会第五次会议通过　2017年11月4日第十二届全国人民代表大会常务委员会第三十次会议修订）

(Adopted at the fifth session of the Standing Committee of the Seventh National People's Congress on December 29, 1988 and revised at the 30th session of the Standing Committee of the 12th National People's Congress on November 4, 2017)

第一章 总 则

Chapter 1 General Provisions

第一条   为了加强标准化工作，提升产品和服务质量，促进科学技术进步，保障人身健康和生命财产安全，维护国家安全、生态环境安全，提高经济社会发展水平，制定本法。

Article 1 This Law is formulated for the purposes of strengthening standardisation, improving product and service quality, promoting scientific and technological advancement, protecting human health and life and property safety, safeguarding national security and ecological safety, and raising economic and social development level.

第二条   本法所称标准（含标准样品），是指农业、工业、服务业以及社会事业等领域需要统一的技术要求。

Article 2 For the purpose of the Law, standards (including standard samples) refer to the technical requirements that need to be unified for such fields as agriculture, industry, services and social undertakings.

标准包括国家标准、行业标准、地方标准和团体标准、企业标准。国家标准分为强制性标准、推荐性标准，行业标准、地方标准是推荐性标准。

Such standards include national standards, industry standards, local standards, group standards, and corporate standards. National standards are divided into mandatory standards, recommended standards, industry standards, local standards are recommended standards.

强制性标准必须执行。国家鼓励采用推荐性标准。

Mandatory standards must be implemented. The State encourages the adoption of recommended standards.

第三条   标准化工作的任务是制定标准、组织实施标准以及对标准的制定、实施进行监督。

Article 3 The tasks of standardization include formulating standards, organizing the implementation of standards, and supervising the formulation and implementation of standards.

县级以上人民政府应当将标准化工作纳入本级国民经济和社会发展规划，将标准化工作经费纳入本级预算。

People's governments at and above the county level shall incorporate the standardization work into the national economic and social development plan of the corresponding level, and include the standardization funds in the budget of the corresponding level.

第四条   制定标准应当在科学技术研究成果和社会实践经验的基础上，深入调查论证，广泛征求意见，保证标准的科学性、规范性、时效性，提高标准质量。

Article 4 Formulation of standards shall, on the basis of scientific and technological research findings and social practical experience, further investigate and expound, seek opinions extensively, ensure scientificalness, standardness and timeliness, and improve upon the quality of standards.

第五条   国务院标准化行政主管部门统一管理全国标准化工作。国务院有关行政主管部门分工管理本部门、本行业的标准化工作。

Article 5 The administrative department of standardization under the State Council administers the nationwide standardization work in a unified manner. Competent administrative departments under the State Council shall administer the standardization work for their respective departments and industries according to their division of responsibilities.

县级以上地方人民政府标准化行政主管部门统一管理本行政区域内的标准化工作。县级以上地方人民政府有关行政主管部门分工管理本行政区域内本部门、本行业的标准化工作。

Administrative departments of standardization under the people's governments at and above the county level administer the standardization work in a unified manner within their respective administrative regions. Competent administrative authorities of the people's governments at or above the county level shall administer the standardization work for the departments and industries of their respective administrative regions according to their division of responsibilities.

第六条   国务院建立标准化协调机制，统筹推进标准化重大改革，研究标准化重大政策，对跨部门跨领域、存在重大争议标准的制定和实施进行协调。

Article 6 The State Council has established a coordination mechanism for the standardization, make overall arrangements to push ahead the major reform in standardization, research the formulation of major policies on standardization, and coordinate the formulation and implementation of certain greatly controversial standards that relate to multiple departments and a wide range of fields.

设区的市级以上地方人民政府可以根据工作需要建立标准化协调机制，统筹协调本行政区域内标准化工作重大事项。

Local people's governments at and above the level of city divided into districts may establish a coordination mechanism for standardization when necessary, and make overall arrangements to coordinate major standardization issues within their respective administrative regions.

第七条   国家鼓励企业、社会团体和教育、科研机构等开展或者参与标准化工作。

Article 7 The State encourages enterprises, social organisations, education and research institutes etc to carry out or participate in standardisation.

第八条   国家积极推动参与国际标准化活动，开展标准化对外合作与交流，参与制定国际标准，结合国情采用国际标准，推进中国标准与国外标准之间的转化运用。

Article 8 The State actively promotes participation in international standardisation activities, carries out foreign cooperation and exchange in standardisation, participates in formulation of international standards, adopts international standards in combination with national conditions, and promotes conversion and application between Chinese standards and foreign standards.

国家鼓励企业、社会团体和教育、科研机构等参与国际标准化活动。

The State encourages enterprises, social groups, educational institutions, scientific and technological institutions, and other entities to participate in international standardization activities.

第九条   对在标准化工作中做出显著成绩的单位和个人，按照国家有关规定给予表彰和奖励。

Article 9 Any entity or individual that has made prominent contributions to the standardization work shall be given recognition and rewards in accordance with the relevant provisions of the State.

第二章 标准的制定

Chapter 2 Formulation of Standards

第十条   对保障人身健康和生命财产安全、国家安全、生态环境安全以及满足经济社会管理基本需要的技术要求，应当制定强制性国家标准。

Article 10 For technical requirements for safeguarding the personal health, safety of life and property, national security, and security of the ecological environment, and for meeting the basic needs of economic and social management, mandatory national standards shall be formulated.

国务院有关行政主管部门依据职责负责强制性国家标准的项目提出、组织起草、征求意见和技术审查。国务院标准化行政主管部门负责强制性国家标准的立项、编号和对外通报。国务院标准化行政主管部门应当对拟制定的强制性国家标准是否符合前款规定进行立项审查，对符合前款规定的予以立项。

The relevant administrative authorities of the State Council shall, based on their duties, take charge of project initiation, organising and drafting, solicitation of opinions and technical review for mandatory national standards. The administrative department of standardization under the State Council shall be responsible for setting up projects for, numbering, and informing the public of mandatory national standards. The standardisation administrative authority of the State Council shall carry out examination of project proposal to see if the proposed mandatory national standards comply with the provisions of the preceding paragraph, and shall approve the project proposal if it complies with the provisions of the preceding paragraph.

省、自治区、直辖市人民政府标准化行政主管部门可以向国务院标准化行政主管部门提出强制性国家标准的立项建议，由国务院标准化行政主管部门会同国务院有关行政主管部门决定。社会团体、企业事业组织以及公民可以向国务院标准化行政主管部门提出强制性国家标准的立项建议，国务院标准化行政主管部门认为需要立项的，会同国务院有关行政主管部门决定。

Administrative departments of standardization under people's governments of provinces, autonomous regions and municipalities directly under the Central Government may propose to the administrative department of standardization under the State Council to set up projects for mandatory national standards, which shall be determined by the administrative department of standardization under the State Council in concert with the relevant competent administrative departments under the State Council. Social organisations, enterprises, institutions and citizens may give project proposal recommendations of mandatory national standards to the standardisation administrative authority of the State Council; where the standardisation administrative authority of the State Council deems that a project proposal is necessary, it shall decide jointly with the relevant administrative authorities of the State Council.

强制性国家标准由国务院批准发布或者授权批准发布。

The State Council shall approve and promulgate, or authorise approval and promulgation of, mandatory national standards.

法律、行政法规和国务院决定对强制性标准的制定另有规定的，从其规定。

Where the laws, administrative regulations and State Council decisions stipulate otherwise on formulation of mandatory standards, such provisions shall prevail.

第十一条   对满足基础通用、与强制性国家标准配套、对各有关行业起引领作用等需要的技术要求，可以制定推荐性国家标准。

Article 11 For technical requirements that satisfy basic and general purposes, supplement mandatory national standards, or play a leading role for relevant industries, recommended national standards may be formulated.

推荐性国家标准由国务院标准化行政主管部门制定。

Recommended national standards shall be formulated by the standardisation administrative authority of the State Council.

第十二条   对没有推荐性国家标准、需要在全国某个行业范围内统一的技术要求，可以制定行业标准。

Article 12 For technical requirements for which there are no recommended national standards in place yet and that need to be unified within a certain sector across the country, industry standards may be formulated.

行业标准由国务院有关行政主管部门制定，报国务院标准化行政主管部门备案。

Industry standards shall be formulated by the relevant administrative authorities of the State Council, and filed with the standardisation administrative authority of the State Council for record.

第十三条   为满足地方自然条件、风俗习惯等特殊技术要求，可以制定地方标准。

Article 13 Local standards may be formulated with a view to meeting local natural conditions, social customs and habits and other special technical requirements.

地方标准由省、自治区、直辖市人民政府标准化行政主管部门制定；设区的市级人民政府标准化行政主管部门根据本行政区域的特殊需要，经所在地省、自治区、直辖市人民政府标准化行政主管部门批准，可以制定本行政区域的地方标准。地方标准由省、自治区、直辖市人民政府标准化行政主管部门报国务院标准化行政主管部门备案，由国务院标准化行政主管部门通报国务院有关行政主管部门。

Local standards shall be formulated by the administrative departments of standardization under the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government; the administrative departments of standardization under the people's governments of cities divided into districts may formulate local standards for their respective administrative regions upon approval of the administrative departments of standardization under the people's governments of provinces, autonomous regions and municipalities directly under the Central Government at their own locality, in light of the special needs of their respective administrative regions. Local standards shall be filed by the standardisation administrative authority of the People's Government of the province, autonomous region or centrally-administered municipality, with the standardisation administrative authority of the State Council for record, and the standardisation administrative authority of the State Council shall notify the relevant administrative authorities of the State Council.

第十四条   对保障人身健康和生命财产安全、国家安全、生态环境安全以及经济社会发展所急需的标准项目，制定标准的行政主管部门应当优先立项并及时完成。

Article 14 For standards urgently required for protection of personal health, safety of life and property, national security, security of ecological environment and economic and social development, the administrative authorities in charge of formulation of standards shall give priority to project proposal and promptly complete the project.

第十五条   制定强制性标准、推荐性标准，应当在立项时对有关行政主管部门、企业、社会团体、消费者和教育、科研机构等方面的实际需求进行调查，对制定标准的必要性、可行性进行论证评估；在制定过程中，应当按照便捷有效的原则采取多种方式征求意见，组织对标准相关事项进行调查分析、实验、论证，并做到有关标准之间的协调配套。

Article 15 Before a project is established to formulate the mandatory standards or recommended standards, efforts shall be made to launch a survey to learn about the real demands from competent administrative departments, enterprises, social groups, consumers, educational institutions, and scientific research institutions, and expound on and evaluate the necessity and feasibility of the formulation of the proposed standards. And while the standards are being formulated, comments shall be solicited through multiple ways that are convenient and effective for this purpose, and the relevant personnel shall be gathered together to investigate, analyze, try out and expound on certain matters regarding the standards, in order to ensure that the relevant standards are coordinated with and support each other.

第十六条   制定推荐性标准，应当组织由相关方组成的标准化技术委员会，承担标准的起草、技术审查工作。制定强制性标准，可以委托相关标准化技术委员会承担标准的起草、技术审查工作。未组成标准化技术委员会的，应当成立专家组承担相关标准的起草、技术审查工作。标准化技术委员会和专家组的组成应当具有广泛代表性。

Article 16 To formulate recommended standards, the relevant parties shall be organized to set up the standardization technical committee which shall take charge of the drafting and technical review of standards. For formulation of mandatory standards, the relevant standardisation technical committee may be entrusted to undertake drafting and technical examination of the standards. Where there is no standardization technical committee in place, a panel of experts shall be assembled to take charge of the drafting and technical review of relevant standards. Members of the standardization technical committee and the expert panel shall be representative to a large extent.

第十七条   强制性标准文本应当免费向社会公开。国家推动免费向社会公开推荐性标准文本。

Article 17 Mandatory standards shall be published in full for free access by the public. The State proposes releasing the text of recommended standards to the public for free.

第十八条   国家鼓励学会、协会、商会、联合会、产业技术联盟等社会团体协调相关市场主体共同制定满足市场和创新需要的团体标准，由本团体成员约定采用或者按照本团体的规定供社会自愿采用。

Article 18 The State encourages social groups, such as academies, associations, chambers of commerce, unions, and industry technology alliances, to coordinate with relevant market players in jointly formulating group standards that meet the needs of the market and innovations; these group standards may be voluntarily adopted by members of such social groups as agreed or by other social parties as stipulated by the groups concerned.

制定团体标准，应当遵循开放、透明、公平的原则，保证各参与主体获取相关信息，反映各参与主体的共同需求，并应当组织对标准相关事项进行调查分析、实验、论证。

Formulation of group standards shall adhere to the principles of openness, transparency and fairness, ensure that all participating entities obtain the relevant information, reflect the common needs of all participating entities, and organise investigation, analysis, experimentation and expounding for matters in relation to the standards.

国务院标准化行政主管部门会同国务院有关行政主管部门对团体标准的制定进行规范、引导和监督。

The administrative department of standardization under the State Council shall, in concert with the relevant competent administrative departments under the State Council, regulate, provide guidance to, and supervise the formulation of group standards.

第十九条   企业可以根据需要自行制定企业标准，或者与其他企业联合制定企业标准。

Article 19 Enterprises may formulate enterprise standards based on their needs, or formulate enterprise standards jointly with other enterprises.

第二十条   国家支持在重要行业、战略性新兴产业、关键共性技术等领域利用自主创新技术制定团体标准、企业标准。

Article 20 The State supports important industries, strategic emerging industries, key common technologies etc in their use for formulation of community standards and enterprise standards.

第二十一条   推荐性国家标准、行业标准、地方标准、团体标准、企业标准的技术要求不得低于强制性国家标准的相关技术要求。

Article 21 Technical requirements of recommended national standards, industry standards, local standards, community standards, enterprise standards shall not be less than the relevant technical requirements of mandatory national standards.

国家鼓励社会团体、企业制定高于推荐性标准相关技术要求的团体标准、企业标准。

The State encourages social organisations and enterprises to formulate community standards and enterprise standards which are higher than the relevant requirements of recommended standards.

第二十二条   制定标准应当有利于科学合理利用资源，推广科学技术成果，增强产品的安全性、通用性、可替换性，提高经济效益、社会效益、生态效益，做到技术上先进、经济上合理。

Article 22 Standards shall be formulated in a way to facilitate the scientific and reasonable use of resources, promote scientific and technological achievements, increase the safety, universality, and replaceability of products, boost economic, social, and ecological benefits, and make them technologically advanced and economically reasonable.

禁止利用标准实施妨碍商品、服务自由流通等排除、限制市场竞争的行为。

Any practice of taking advantage of standards to eliminate or restrict market competition, such as hindering the free flow of goods and services, is prohibited.

第二十三条   国家推进标准化军民融合和资源共享，提升军民标准通用化水平，积极推动在国防和军队建设中采用先进适用的民用标准，并将先进适用的军用标准转化为民用标准。

Article 23 The State promotes military-civilian integration and resource sharing of standardisation, raises the interoperability level of military and civilian standards, actively promotes adoption of advanced applicable civilian standards in national defence and development of armed forces, and conversion of advanced applicable military standards to civilian standards.

第二十四条   标准应当按照编号规则进行编号。标准的编号规则由国务院标准化行政主管部门制定并公布。

Article 24 Standards shall be given serial numbers in accordance with the numbering rules. The Rules for numbering standards shall be laid down and released by the administrative department of standardization under the State Council.

第三章 标准的实施

Chapter 3 Implementation of Standards

第二十五条   不符合强制性标准的产品、服务，不得生产、销售、进口或者提供。

Article 25 Products and services which do not comply with mandatory standards shall not be manufactured, sold, imported or provided.

第二十六条   出口产品、服务的技术要求，按照合同的约定执行。

Article 26 Technical requirements for exported products and services shall be subject to clauses as agreed in relevant contracts.

第二十七条   国家实行团体标准、企业标准自我声明公开和监督制度。企业应当公开其执行的强制性标准、推荐性标准、团体标准或者企业标准的编号和名称；企业执行自行制定的企业标准的，还应当公开产品、服务的功能指标和产品的性能指标。国家鼓励团体标准、企业标准通过标准信息公共服务平台向社会公开。

Article 27 The State runs a system of letting groups and enterprises announce and publish their standards and supervising their standards themselves. Enterprises shall make public the serial numbers and names of the mandatory standards, recommended standards, group standards or corporate standards they implement; where enterprises adopt their own standards, they shall also make public the functional indexes of their products and services, and performance indexes of products. The State encourages announcement of community standards and enterprise standards through the standards information public services platform.

企业应当按照标准组织生产经营活动，其生产的产品、提供的服务应当符合企业公开标准的技术要求。

Enterprises shall carry out their business activities in accordance with standards, and the products manufactured and services provided by them shall be in conformity with the technical requirements set forth in the standards they have made public.

第二十八条   企业研制新产品、改进产品，进行技术改造，应当符合本法规定的标准化要求。

Article 28 Enterprises shall abide by the standardization requirements set forth herein to research and develop new products, improve products and carry out technical transformation.

第二十九条   国家建立强制性标准实施情况统计分析报告制度。

Article 29 The State has established a statistical analysis and reporting system for the implementation of mandatory standards.

国务院标准化行政主管部门和国务院有关行政主管部门、设区的市级以上地方人民政府标准化行政主管部门应当建立标准实施信息反馈和评估机制，根据反馈和评估情况对其制定的标准进行复审。标准的复审周期一般不超过五年。经过复审，对不适应经济社会发展需要和技术进步的应当及时修订或者废止。

The administrative department of standardization under the State Council, related departments under the State Council and administrative departments of standardization under the people's governments at or above the municipal level of cities with districts shall establish an information feedback and evaluation mechanism for the implementation of standards, and review the standards they have worked out depending on the feedback and evaluation results. The review cycle for standards shall generally not exceed five years. Upon review, standards which do not adapt to economic and social development needs and technological advancement shall be promptly revised or repealed.

第三十条   国务院标准化行政主管部门根据标准实施信息反馈、评估、复审情况，对有关标准之间重复交叉或者不衔接配套的，应当会同国务院有关行政主管部门作出处理或者通过国务院标准化协调机制处理。

Article 30 Where there is repetition between the relevant standards or the relevant standards do not converge or complement each other, the standardisation administrative authority of the State Council shall, based on the information feedback, evaluation and review information for implementation of standards, handle the matter jointly with the relevant administrative authorities of the State Council or through the standardisation coordination mechanism of the State Council.

第三十一条   县级以上人民政府应当支持开展标准化试点示范和宣传工作，传播标准化理念，推广标准化经验，推动全社会运用标准化方式组织生产、经营、管理和服务,发挥标准对促进转型升级、引领创新驱动的支撑作用。

Article 31 People's governments at and above the county level shall support the standardization pilot and demonstration program and publicity in this regard, to popularize the concept of standardization, promote the standardization-related experience, urge the application of standardized methods by the whole of society to organize the production, operation, management and service, and give play to the supportive role of standards in facilitating the transformation and upgrading and leading the innovation orientation.

第四章 监督管理

Chapter 4 Supervision and Administration

第三十二条   县级以上人民政府标准化行政主管部门、有关行政主管部门依据法定职责,对标准的制定进行指导和监督，对标准的实施进行监督检查。

Article 32 The standardisation administrative authorities and the relevant administrative authorities of the People's Governments of county level and above shall, based on their statutory duties, guide and supervise formulation of standards, supervise and inspect implementation of standards.

第三十三条   国务院有关行政主管部门在标准制定、实施过程中出现争议的，由国务院标准化行政主管部门组织协商；协商不成的，由国务院标准化协调机制解决。

Article 33 Where a dispute arises in the course of formulation and implementation of standards by the relevant administrative authorities of the State Council, the standardisation administrative authority of the State Council shall organise negotiation; where negotiation is unsuccessful, the dispute shall be resolved by the standardisation coordination mechanism of the State Council.

第三十四条   国务院有关行政主管部门、设区的市级以上地方人民政府标准化行政主管部门未依照本法规定对标准进行编号、复审或者备案的，国务院标准化行政主管部门应当要求其说明情况，并限期改正。

Article 34 Where the relevant administrative authorities of the State Council or the standardisation administrative authority of the People's Government of a municipality divided into districts do/does not number, review or file standards pursuant to the provisions of this Law, the standardisation administrative authority of the State Council shall require them to provide an explanation and to make correction within a stipulated period.

第三十五条   任何单位或者个人有权向标准化行政主管部门、有关行政主管部门举报、投诉违反本法规定的行为。

Article 35 Any entity or individual has the right to report and make a complaint about any acts in violation of the provisions herein to the administrative departments of standardization and the relevant administrative departments.

标准化行政主管部门、有关行政主管部门应当向社会公开受理举报、投诉的电话、信箱或者电子邮件地址，并安排人员受理举报、投诉。对实名举报人或者投诉人，受理举报、投诉的行政主管部门应当告知处理结果，为举报人保密，并按照国家有关规定对举报人给予奖励。

Administrative departments of standardization and related administrative departments shall make public the hotline, mail box or e-mail address for tip-offs and complaints, and allocate certain personnel in charge of accepting tip-offs and complaints. In the event that a case is reported or complained of by individuals with real names, the administrative departments that have accepted the tip-offs and complaints shall notify such individuals of the handling results, keep any information about such individuals secret, and give them rewards in accordance with the applicable provisions of the State.

第五章 法律责任

Chapter 5 Legal Liabilities

第三十六条   生产、销售、进口产品或者提供服务不符合强制性标准，或者企业生产的产品、提供的服务不符合其公开标准的技术要求的，依法承担民事责任。

Article 36 Where products produced, sold or imported or services provided are not in conformity with the mandatory standards, or the products manufactured or services provided by an enterprise are not consistent with the technical requirements specified in the standards it has published, such enterprises shall bear civil liability in accordance with the law.

第三十七条   生产、销售、进口产品或者提供服务不符合强制性标准的，依照《中华人民共和国产品质量法》、《中华人民共和国进出口商品检验法》、《中华人民共和国消费者权益保护法》等法律、行政法规的规定查处，记入信用记录，并依照有关法律、行政法规的规定予以公示；构成犯罪的，依法追究刑事责任。

Article 37 Where the products manufactured, sold or imported or the services provided do not comply with mandatory standards, the offender shall be punished pursuant to the provisions of the Product Quality Law of the People's Republic of China, the Law of the People's Republic of China on Import and Export Commodity Inspection, the Consumer Rights Protection Law of the People's Republic of China and related laws and administrative regulations, and be included in the creditworthiness records, and announced pursuant to the provisions of the relevant laws and administrative regulations; where the case constitutes a criminal offence, criminal liability shall be pursued in accordance with the law.

第三十八条   企业未依照本法规定公开其执行的标准的，由标准化行政主管部门责令限期改正；逾期不改正的，在标准信息公共服务平台上公示。

Article 38 Where any enterprise fails to make public the standards it implements in accordance with the provisions herein, the administrative department of standardization concerned shall order it to make corrections within a specified time limit; if it fails to do so within the time limit, the department shall announce such circumstance on the public service platform for information about standards.

第三十九条   国务院有关行政主管部门、设区的市级以上地方人民政府标准化行政主管部门制定的标准不符合本法第二十一条第一款、第二十二条第一款规定的，应当及时改正；拒不改正的，由国务院标准化行政主管部门公告废止相关标准；对负有责任的领导人员和直接责任人员依法给予处分。

Article 39 Where the standards formulated by the relevant administrative authorities of the State Council or the standardisation administrative authority of the People's Government of a municipality divided into districts do/does not comply with the provisions of the first paragraph of Article 21 and/or the first paragraph of Article 22 of this Law, correction shall be made promptly; where correction is not made, the standardisation administrative authority of the State Council shall announce that the relevant standards shall be repealed; the accountable leaders and directly accountable personnel shall be punished pursuant to the law.

社会团体、企业制定的标准不符合本法第二十一条第一款、第二十二条第一款规定的，由标准化行政主管部门责令限期改正；逾期不改正的，由省级以上人民政府标准化行政主管部门废止相关标准，并在标准信息公共服务平台上公示。

Where the standards formulated by a social organisation or an enterprise do not comply with the provisions of the first paragraph of Article 21 and/or the first paragraph of Article 22 of this Law, the standardisation administrative authority shall order the social organisation or the enterprise to make correction within a stipulated period; where correction is not made within the stipulated period, the standardisation administrative authority of a People's Government of provincial level and above shall repeal the relevant standards, and make an announcement on the standards information public services platform.

违反本法第二十二条第二款规定，利用标准实施排除、限制市场竞争行为的，依照《中华人民共和国反垄断法》等法律、行政法规的规定处理。

Persons who violate the provisions of the second paragraph of Article 22 of this Law in making use of standards to eliminate or restrict market competition shall be dealt with pursuant to the provisions of the Anti-monopoly Law of the People's Republic of China and related laws and administrative regulations.

第四十条   国务院有关行政主管部门、设区的市级以上地方人民政府标准化行政主管部门未依照本法规定对标准进行编号或者备案，又未依照本法第三十四条的规定改正的，由国务院标准化行政主管部门撤销相关标准编号或者公告废止未备案标准；对负有责任的领导人员和直接责任人员依法给予处分。

Article 40 Where the relevant administrative authorities of the State Council or the standardisation administrative authority of the People's Government of a municipality divided into districts do/does not number or file a standard pursuant to the provisions of this Law, and do/does not make correction pursuant to the provisions of Article 34 of this Law, the standardisation administrative authority of the State Council shall revoke the relevant standard serial number, or announce abolition of the standard which has not been filed; the accountable leaders and directly accountable personnel shall be punished pursuant to the law.

国务院有关行政主管部门、设区的市级以上地方人民政府标准化行政主管部门未依照本法规定对其制定的标准进行复审，又未依照本法第三十四条的规定改正的，对负有责任的领导人员和直接责任人员依法给予处分。

Where the relevant administrative authorities of the State Council or the standardisation administrative authority of the People's Government of a municipality divided into districts do/does not review standards formulated by them pursuant to the provisions of this Law, and do/does not make correction pursuant to the provisions of Article 34 of this Law, the accountable leaders and directly accountable personnel shall be punished pursuant to the law.

第四十一条   国务院标准化行政主管部门未依照本法第十条第二款规定对制定强制性国家标准的项目予以立项，制定的标准不符合本法第二十一条第一款、第二十二条第一款规定，或者未依照本法规定对标准进行编号、复审或者予以备案的，应当及时改正；对负有责任的领导人员和直接责任人员可以依法给予处分。

Article 41 Where the standardisation administrative authority of the State Council does not approve project proposal for formulation of mandatory national standards pursuant to the provisions of the second paragraph of Article 10 of this Law, or the formulated standards do not comply with the provisions of the first paragraph of Article 21 and the first paragraph of Article 22 of this Law, or does not number, review or process filing of a standard pursuant to the provisions of this Law, correction shall be promptly made; the accountable leaders and directly accountable personnel shall be punished pursuant to the law.

第四十二条   社会团体、企业未依照本法规定对团体标准或者企业标准进行编号的，由标准化行政主管部门责令限期改正；逾期不改正的，由省级以上人民政府标准化行政主管部门撤销相关标准编号，并在标准信息公共服务平台上公示。

Article 42 Where social groups and enterprises fail to number their own group standards or corporate standards in accordance with the provisions herein, the administrative departments of standardization shall order them to make corrections within a specified time limit; if they fail to do so within the time limit, the administrative departments of standardization under the people's governments at and above the provincial level shall cancel the number of standards concerned, and announce the circumstance to the public on the public service platform for information about standards.

第四十三条   标准化工作的监督、管理人员滥用职权、玩忽职守、徇私舞弊的，依法给予处分；构成犯罪的，依法追究刑事责任。

Article 43 Personnel in charge of supervision and administration of standardization who abuse their powers, neglect their duties or commit illegalities for personal gains shall be punished in accordance with the law; where a crime is constituted, criminal liability shall be investigated for in accordance with the law.

第六章 附 则

Chapter 6 Supplementary Provisions

第四十四条   军用标准的制定、实施和监督办法，由国务院、中央军事委员会另行制定。

Article 44 The measures for formulating, implementing and supervising military standards will be formulated separately by the State Council and the Central Military Commission.

第四十五条   本法自2018年1月1日起施行。

Article 45 This Law shall come into force as of January 1, 2018.