

Content

Title :	Enforcement Rules of the Refrigeration and Air Conditioning Industries Governance Act 
Date :	2005.02.22
Legislative :	February 22,2005 (Announced)
Content :	<p>Article 1</p> <p>These Enforcement Rules are enacted in accordance with Article 26 of the Refrigeration and Air Conditioning Industries Governance Act (the "Act").</p> <p>Article 2</p> <p>The simple design, construction supervision, installation or maintenance under Paragraph 3, Article 3 of the Act shall refer to the design, construction supervision, installation or maintenance of a single main machine of less than 10 refrigeration tons or 5 horsepower.</p> <p>Article 3</p> <p>An enterprise may apply for refrigeration and air conditioning company or business incorporation or alteration registration only after obtaining a permit from the central competent authority; upon such incorporation or alteration registration, the enterprise shall apply to the central competent authority for issuance of a refrigeration and air conditioning enterprise registration certificate.</p> <p>If, after an enterprise has obtained a permit to operate a refrigeration and air conditioning business, there is any alteration in the permitted matters of the enterprise before the application for issuance of a registration certificate is filed, it shall reapply for a permit.</p> <p>Article 4</p> <p>To apply for a permit to operate a refrigeration and air conditioning enterprise, the applicant shall file a duly completed application form together with the following documents with the central competent authority:</p> <ol style="list-style-type: none">1. Photocopies of its responsible person's ID and certificates and supporting documents of his/her education and work experience.2. Documents certifying its registered capital.3. Documents certifying its experience or capability in manufacturing or installing refrigeration and air conditioning engineering work.4. Roster and photocopied certificates of the full-time engineers or technicians to be employed by it. <p>Article 5</p> <p>To apply for a refrigeration and air conditioning enterprise registration certificate, the applicant shall file a duly completed application form together with the following documents with the central competent authority:</p> <ol style="list-style-type: none">1. The permit.2. Documents proving its company or business registration.3. Roster of its directors, supervisors, executive salespersons, shareholders representing the enterprise or its responsible person.4. Roster and certificates of the full-time engineers or technicians employed by it.

Article 6

The refrigeration and air conditioning enterprise directory set forth in Article 8 of the Act shall be prepared by the central competent authority.

Article 7

A "full-time" engineer or technician as referred to in Paragraphs 1 and 2, Article 9 of the Act shall mean an engineer or technician who performs services in the offices of a refrigeration and air conditioning enterprise that employs him/her or outside the offices of the enterprise as arranged by the enterprise during all business hours of the enterprise and is paid for all such business hours, and during his/her employment by the enterprise, does not undertake any part-time business or duties other than those assigned by the enterprise during all its business hours, except for any part-time disaster-relief work, disaster surveys or other business or duties recognized by the central competent authority.

Article 8

The application documents set forth in Paragraph 3, Article 10 of the Act shall mean the application forms as well as the documents set forth in Items 2 to 4 of Article 5 of these Enforcement Rules.

Article 9

A refrigeration and air conditioning enterprise intending to alter any of the following matters but not its class shall file a duly completed application form together with the relevant materials to request alteration registration:

1. Its registered capital.
2. A full-time engineer or technician employed by it.

A refrigeration and air conditioning enterprise intending to alter any of the following matters shall file a duly completed application form together with the relevant materials to request alteration registration, as well as submit the original registration certificate to request the replacement of its original registration certificate with a new one:

1. Its name.
2. Its place of business.
3. Its unified company or business code.
4. Name of its responsible person.

A refrigeration and air conditioning enterprise intending to alter any of the following matters shall apply for a new permit and a new registration certificate, and its original registration certificate shall be revoked:

1. Alteration of its organization.
2. The class it is classified under.

An application filed under any of the preceding three paragraphs shall be filed with the central competent authority within 30 days after the alteration is made.

A refrigeration and air conditioning enterprise whose registration certificate is lost, destroyed or damaged may apply to the central competent authority for the reissuance thereof.

Article 10

A new registration certificate reissued or replaced under the preceding Article shall bear the number of the original certificate, as well as the date of reissuance (replacement) and the words This is a Reissued/Replaced Certificate.

Article 11

A foreign refrigeration and air conditioning enterprise applying to the central competent authority for a permit under Article 22 of the Act shall complete the procedures set forth in Article 4 of these Enforcement Rules, as well as submit documents to prove that it has been incorporated and registered as a refrigeration and air conditioning enterprise in accordance with the laws of its home country.

Article 12

Where a certificate or document required under the preceding Article is produced in a foreign language, such certificate or document shall be subject to the notarization or certification by a local notarizing or certifying institution and attached with a Chinese translation certified or authenticated by the R.O.C. embassy/consulate/representative office/office in the foreign country or another institution authorized by the Ministry of Foreign Affairs of the R.O.C.

Article 13

An enterprise applying for replacement of its original refrigeration and air conditioning engineering enterprise registration license with a refrigeration and air conditioning enterprise registration certificate under Paragraph 1, Article 23 of the Act shall submit the following documents to the central competent authority:

1. Its original refrigeration and air conditioning engineering enterprise registration license.
2. Documents set forth in Items 2 to 4 of Article 5 of these Enforcement Rules.

Article 14

These Enforcement Rules shall come into force from the date of promulgation.