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■ 进军中国出版业指南（一）

2002-01-01

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出版业在中国

在目前来讲，外国公司参与到中国的出版业中来，仍然受到非常严格的限制，主要体现在执业许可证的授予方面，但是许多国外杂志已经找到了一些比较富有创意的思路，用以打入这个市场。而且在这一领域当中，已经可以让人清晰地感受到一些更为乐观的氛围。

中国的入世很快地就显露出一个迹象，那就是对外的大门会得到更进一步的开放，国外公司直接地加入到中国的出版业来。政府已经表明，在入世后三年内，开放外国公司在平面媒体上的少量占有股份，尽管具体的时间表会持续一段时间。而且中国在WTO中的作用将可能会包含一些新的并购及接受，对改善经营技巧的推动，对处于发展中的电子媒体的更多重视，在知识产权方面的更大的合作，以及其他一些以开放市场为目标的举措，所有的一切都在昭示着，中国正期待着高质量的商业贸易杂志的进入，以满足中国在朝着这些目标迈进的过程中的信息需求。

在那之前，国外杂志都还得以在现在的紧张格局下谨言慎行。他们可以通过一些间接的方式，比如通过跟中国相关组织，部门，代理公司或是与政府相关的贸易组织的合作，来作为进入这个市场的跳板。另一个方法就是，在中国大陆以外的地方制作杂志---主要是在香港---然后进口。中国对出版业有这样一项规定，即要求与国外出版商联合出版，其出版内容和三分之一要由中国本地的合作者提供来，通过离岸翻译，编辑和印刷，出版商可以避免与这一规定相冲突。然而，进口杂志还必须遭遇其他方面的严格控制，诸如限制少数国家许可的出版物进口商的有偿分销。每一项举措，外国出版商们都需要认真评估其可能产生的正面及负面的反应，来找到哪一项最适合他们的杂志主旨与他们所期望的目标受众。

游戏规则

当前在中国搞杂志出版要了解的首要的一条规则就是，有很多规则你得去遵循。这不象在西方国家，你制订一项不错的商业出版计划，那么你只要按照一个相当普通的例行程序去执行它就行了，但是在中国你要想让这个计划得以成功实施，这中间就得遇到不少磕磕绊绊。专家安·史蒂文逊·杨在几年前的<中国商业回顾>一书中这样说到：

“国外的出版商初次了解到中国的规定，接触到相关部门的国际合作部门，通常会感到彻底的泄气。北京已经制订了一部出版法，但是目前计划到2010年才付诸实施。由于缺少这样的一部法令，中华人民共和国的法律明确规定，不允许任何私人组织或个人拥有或经营期刊或书刊出版社，相关的部门都要依照这些规定行事。现在主导这一行业的几个首要条例法规，1997年制订的出版管理规定，1997年制订的印刷行业管理规定和1998年制订的电子出版物规定，都规定了只有政府指定的出版组织可以从事出版业。1995到1998年的外商投资行业范围名录中指明，出版业是不对外商开放的，外国公司也被禁止在中国拥有分销公司或在合资的广告公司中占有多数股份，除非它的中国合作伙伴是一家私人广告公司。允许开展广告业务的出版物必须有一家在中国注册，并在中国获得营业许可证的广告代理为其代理广告。”史蒂文逊·杨接下来为大家描述了关于期刊内容和有关出版业的其他方面的更为严厉的法规。

这是不是让人有点泄气呢？国外的公司大多习惯了在美国或是其它国际市场的那种出版体系模式，如果想按照这种模式



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· 作为消费者的读者

作者：刘宏 | 2002-01-01

在过去的很长时间内，我们的许多媒介传播者习惯于把读者当成是受教育者，所以才会迟迟不舍得丢弃灌输的概念，所以才缺少对读者的人文关怀。但是，在今天的市场经济时代，读者的角色开始发生变化，他们开始作为消费者……

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· 把一次出报变成连续出报

作者：胡方松 | 2002-01-01

晚报早出引发的问题晚报的基本优势或者说基本特点，就是当日新闻。可这个基本优势，如今似乎成了一个问题，这就是一些有影响的晚报改为早报。从西安晚报改为早晨出版开始，武汉晚报、成都晚报等一批有影响的晚报，也……

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来进入中国市场的话，那当然就会遇到碰壁的情况。在中国，你必须依靠与你的中方合作伙伴之间的联合，依靠他们的能量，在现有的政府官能，部门及机构下框架范围内开展你的业务。你需要有足够的毅力来应对那些看起来会比较武断，不合逻辑，经常变来变去，却未必会事先通知你的各项法规条例。你还需要有足够的耐心去一点一点办理各种许可手续，直到最终看到有利的结果。

有一个迹象还是挺鼓舞人心的，那就是中国现在正在修订它的出版法规，使之更加现代化。中国第一部国家性的出版业法规，中华人民共和国出版法，正在起草之中。它的颁布将标志着中国的第一项出版业专项立法。新法规有望简化和取代现存的各项规定，总体上使整个行业流程更加顺畅。颁布之后，现存的运营单位不得不重新登记申请新的执照许可，会有些方便。该条款同样会殃及一些合资公司的利益，这些公司都是通过“灰色”渠道建立的。

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Guidelines for Publishing in China

Charles Buckwalter

THE PUBLISHING INDUSTRY IN CHINA

At the present time, participation in China's publishing industry by foreign companies is still severely restricted, mainly to licensing ventures, but many foreign magazines have found creative ways to enter the market. And there are clear indications of a more-positive ambience on the horizon.

China's joining in the World Trade Organization may soon signal an increased opening of the door for direct foreign participation in China's publishing industry. The government has indicated that foreign minority shareholding in print media could open within three years of China's WTO accession, although the debate on the timetable will probably continue for some time. And China's role in WTO will likely involve new mergers and acquisitions, a push for improving management skills, increased emphasis on developing electronic media, greater cooperation in aspects of intellectual property rights, and other open-market orientation' all of which enhances the picture for quality business and trade magazines being welcomed to serve the information needs China will have moving in those directions.

Until then, foreign magazines must operate within the current tight structure. They can enter the market through indirect access by collaborations with Chinese organizations, ministries, agencies or government-related trade associations. Another approach is that of producing the magazine off the China mainland - mainly in Hong Kong--and importing it. By translating, editing and printing the magazine offshore, publishers can avoid the rule which requires 1/3 of editorial content to be provided by the local Chinese national participating in mainland publishing affiliations with foreign publishers. However, imported magazines must meet other stringent controls, such as limiting paid distribution to the handful of State-approved publications importers. Foreign publishers need to evaluate the pros and cons of every approach to find which best suites their magazine title and the target audience it hopes to reach.

RULES OF THE GAME

The number one rule to learn about magazine publishing in China today is that there are lots of rules. Complex rules. Rigid rules. Frustrating rules. Unlike the Western world where you devise a smart business publishing plan and implement it through a fairly routine series of steps, the path to success in China is laden with stumbling blocks. One expert, Ann Stevenson-Yang, writing in The China Business Review a few years ago puts it this way:

“After foreign publishers first read China’s regulations and meet with the international cooperation sections of the relevant ministries, they are likely to be thoroughly discouraged. Beijing has yet to craft a law on publishing, but apparently plans to have one in place by 2010. In the absence of such a law, the sector is guided by PRC regulations that state that no private organization or individual is permitted to own or operate a periodical or book publishing house. The chief rule governing the industry, the 1997 Regulations on Publication management, the 1997 Regulations on Management of the Printing Industry, and the 1998 regulations on Electronic Publishing, stipulate that only government-designated publishing organizations may engage in publishing. Thus no private individuals or foreign entities may engage directly in publishing in China. The 1995 and 1998 guiding catalogues for foreign investment in industry indicate that publishing is off-limits to foreign investment...Foreign firms are also prohibited from owning distribution companies or taking the majority share in advertising joint ventures, unless the Chinese partner is a private advertising company. Publications that are permitted to accept advertising must have an advertising agent that is registered and licensed in China.” Stevenson-Yang goes on to describe even more severe regulations regarding editorial content and other aspects of publishing.

A dismal picture? Only if you expect to enter the China market by applying the same well-organized publishing patterns you may be accustomed to in the U.S.A. or in other international markets. In China you must rely on affiliations with Chinese partners and their capacity to help you operate within the framework of governing bodies and ministries and bureaus. You’ll require stamina to deal with regulations that may seem arbitrary, illogical, and can change without warning. You’ll need patience to plod through the process of approvals and, ultimately, to see profitable results.

One encouraging note is that China is in the process of revamping and modernizing its cumbersome publishing rules. China’s first national law for the publishing industry, the PRC Publications Law, is being drafted. When enacted it will be the first piece of legislation specific for the publishing industry. The new law is expected to streamline and supersede the existing set of regulations and generally smooth the process. When it is enacted, existing operations will be inconvenienced by having to re-register and apply for a new license. That provision may also make vulnerable some ventures that were established through “gray” channels, such as the enterprises that engage in the practice of producing multiple magazines under one license, or backdoor joint ventures, often incorporated in the more freewheeling regions of Southern China.

查尔斯·巴克沃特

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