

Notice of Guangdong Provincial Development and Reform Commission and Department of Justice of Guangdong Province on the Charge Policy of Judicial Appraisal in Guangdong Province

Yue Fa Gai Jia Ge Han [2019] No. 3103

To all development and reform bureaus and justice bureaus in prefecture-level cities,

With a view to further narrowing the scope of government pricing and the level of pricing items, in accordance with the *Notice of the National Development and Reform Commission on further Cleaning up and Standardizing Government Pricing and Operating Service Charges* (Fa Gai Jia Ge [2019] No. 798) and the *Notice on the Issuance of the Measures of Guangdong Provincial Development and Reform Commission and Department of Justice of Guangdong Province on the Administration of the Charge for Judicial Appraisal* (Yue Fa Gai Gui [2017] No. 9), the charge policy of judicial appraisal in Guangdong Province is hereby defined as follows:

1. The service charge for judicial appraisal, which is subject to government-guided price, should include forensic identification, physical evidence identification and audio-visual identification. If a judicial appraisal institution accepts the entrustment to provide the appraisal service which does not fall within the litigious activities, the charge is subject to the market adjustment price and shall be reasonably determined by the appraisal institution and the client through consultations.

The benchmark price of the judicial appraisal items subject to the government-guided price is set out in the Annex. A judicial appraisal institution may float up and down the benchmark price set by the government, but rising range shall not be more than 20%. The charge standard shall be agreed on by the parties.

2. If a judicial appraisal item involves major cases or complex and difficult or special technical issues, its charge standard may be agreed, on and accepted, provided that the rising range shall not be more than 40% of the benchmark price listed in the Annex. The standards for the determination of judicial appraisal items involving major cases or especially complex, difficult or special technical problems shall be separately formulated by the Department of Justice of Guangdong Province in accordance with relevant state regulations.

If a judicial appraisal institution has charged the appraisal fee for major, difficult and complex appraisal item, the institution will not charge the client for the expert consultation fee.

3. If a person who conforms to the legal aid regulation of Guangdong Province applies for judicial appraisal, the judicial appraisal institution shall, in accordance with the provisions, reduce or waive the relevant judicial appraisal fees.

4. If a judicial appraisal institution unilaterally invites experts to participate in the appraisal or issue an advisory opinion in the appraisal service, the expenses shall be borne by the judicial appraisal institution; if such invitation is approved by the client, the agreement between the parties shall apply.

5. If a judicial appraisal institution accepts the entrustment to provide judicial appraisal service according to law, it shall sign a *Power of Attorney for Judicial Appraisal* with the client, specifying the appraisal contents, charging items, charge

standard, charging amount, charging method, settlement method, dispute settlement and other relevant issues agreed on by the parties.

6. The judicial appraisal institution shall strictly follow the charge standard stipulated in this Notice, and shall not charge the client for any fees other than the judicial appraisal fees and the fees related to the judicial appraisal item as stipulated in the *Power of Attorney for Judicial Appraisal*. The judicial appraisal institution shall clearly mark prices, and publicize the charging items, charge standard, supervision and reporting telephone in the prominent position of the service place or the portal website, and take the initiative to accept public oversight.

This Notice shall be effective as of September 1, 2019. In case of any discrepancy between other provisions and the provisions of this Notice, the provisions of this Notice shall prevail. The *Notice of Guangdong Provincial Development and Reform Commission and Department of Justice of Guangdong Province on the Related Issues concerning the Re-definition of the Charge for Judicial Appraisal in Guangdong Province* (Yue Fa Gai Jia Ge Han [2017] No. 3359) shall be repealed simultaneously.

Annex: Table of Charging Items and Standards for Judicial Appraisal in Guangdong Province

Guangdong Provincial Development and Reform Commission
Department of Justice of Guangdong Province
August 26, 2019