

中华人民共和国英文法规大系

SERIES OF STATUTE OF THE PEOPLE'S REPUBLIC OF CHINA IN ENGLISH

宪法卷 CONSTITUTIONAL LAW

国务院法制办公室 编 Compiled by the Legislative Affairs Office of the State Council

> 中国法制出版社 CHINA LEGAL PUBLISHING HOUSE

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编辑说明

- 一、我国改革开放 30 多年来,国民经济实现了由弱到强的举世瞩目的巨大转变,社会主义法治建设也取得了历史性成就。为适应我国对外开放和国内外各界人士全面、准确地了解我国法律的需要,我们编辑了《中华人民共和国英文法规大系》(法律编)。
- 二、本汇编以中国特色社会主义法律体系为标准,分为宪法卷,民商法卷,行政法卷(I、Ⅱ),经济法卷(I、Ⅱ),社会法卷和刑法、程序法卷6卷。

三、本汇编收入法律的英文译本与中文本有歧义的,以中文本为准。

四、本汇编汇集了截至 2012 年经全国人民代表大会或者全国人民代表大会常务委员会制定的法律共 195 件。法律文件的准确翻译需要付出极大的时间和精力,为保证译文的权威性、准确性,自 2013 年至 2015 年经全国人民代表大会或者全国人民代表大会常务委员会修订、修正、新通过的法律将以电子版的方式陆续免费发给读者,烦请读者填写所附问卷,并留下联系方式。

本书在编辑过程中,相关部门给予了大力支持和协助,在此谨致谢意。

中华人民共和国国务院法制办公室 2015年8月

EDITOR'S NOTE

- 1. Since the policy of reform and opening up was adopted in 1978, the national economy of China has witnessed a world-recognized change from mere subsistence to moderate prosperity, and we have also achieved a historical success in building the Socialist Country under the Rule of Law. With a view to meeting the needs of the country in implementing its policy of opening up to the outside world and those of people of various circles, both at home and abroad, to get a comprehensive knowledge of China's laws, Series of Statute of the People's Republic of China in English (Law) is compiled by China Legal Publishing House.
- 2. This Collection takes a socialist system of laws with Chinese characteristics as the standard, and are classified into six categories: Constitutional Law, Civil and Commercial Law, Administrative Law ($I\setminus II$), Economic Law ($I\setminus II$), Social Law, and Criminal Law and Procedure Law.
- 3. Where any discrepancy arises between the English translation and the original Chinese version in this Collection, the Chinese version shall prevail.
- 4. This Collection consists of 195 laws enacted respectively by the National People's Congress or its Standing Committee up to 2012. Because it is absolutely necessary to take a great deal of time and energy to guarantee the authority and accuracy of the translation of legal documents, we will send out electronic version of English translation of laws revised, amended and enacted by the National People's Congress or its Standing Committee from 2013 to 2015 after compilation. Please fill in the attached questionnaire, and leave contact information.

Particular thanks are due to the relevant departments for their generous assistance in the course of the compilation of this Collection.

Legislative Affairs Office of the State Council August, 2015

资料补充页 remark

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(1982年12月4日第五届全国人民代表大会第五次会议通过 1982年12月4日全国人民代表大会公告公布施行 根据1988年4月12日第七届全国人民代表大会第一次会议通过的《中华人民共和国宪法修正案》、1993年3月29日第八届全国人民代表大会第一次会议通过的《中华人民共和国宪法修正案》、1999年3月15日第九届全国人民代表大会第二次会议通过的《中华人民共和国宪法修正案》和2004年3月14日第十届全国人民代表大会第二次会议通过的《中华人民共和国宪法修正案》修正)

(Adopted at the Fifth Session of the Fifth National People's Congress on December 4,1982, promulgated for implementation by the Proclamation of the National People's Congress on December 4, 1982, amended in accordance with the Amendment to the Constitution of the People's Republic of China adopted at the First Session of the 7th National People's Congress on April 12, 1988, the Amendment to the Constitution of the People's Republic of China adopted at the First Session of the 8th National People's Congress on March 29, 1993, the Amendment to the Constitution of the People's Republic of China adopted at the Second Session of the 9th National People's Congress on March 15, 1999, and the Amendment to the Constitution of the People's Republic of China adopted at the Second Session of the 10th National People's Congress on March 14, 2004)

国家机构

State Organs

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(1979年7月1日第五届全国人民代表大会第二次会议通过 根据 1982年12月10 日第五届全国人民代表大会第五次会议《关于修改〈中华人民共和国全国人民代表 大会和地方各级人民代表大会选举法〉的若干规定的决议》第一次修正 根据 1986年 12月2日第六届全国人民代表大会常务委员会第十八次会议《关于修改〈中华人民共和国全国人民代表大会和地方各级人民代表大会选举法〉的决定》第二次修正 根据 1995年2月28日第八届全国人民代表大会常务委员会第十二次会议《关于修改〈中华人民共和国全国人民代表大会和地方各级人民代表大会选举法〉的决定》第三次修正 根据 2004年 10月27日第十届全国人民代表大会常务委员会第十二次会议《关于修改〈中华人民共和国全国人民代表大会和地方各级人民代表大会选举法〉的决定》第四次修正 根据 2010年3月14日第十一届全国人民代表大会第三次会议《关于修改〈中华人民共和国全国人民代表大会和地方各级人民代表大会选举法〉的决定》第五次修正)

Electoral Law of the National People's Congress and Local People's

Congresses of the People's Republic of China (55)

(Adopted at the Second Session of the Fifth National People's Congress on July 1, 1979; revised for the first time in accordance with the Resolution on the Revision of Certain Provisions in the Electoral Law of the National People's Congress and Local People's Congresses of the People's Republic of China, adopted at the Fifth Session of the Fifth National People's Congress on December 10, 1982; revised for the second time in accordance with the Decision on the Revision of the Electoral Law of the National People's Congress and Local People's Congresses of the People's Republic of China at the 18th Meeting of the Standing Committee of the Sixth National People's Congress on December 2, 1986; revised for the third time in accordance with the Decision on Revision of the Electoral Law of the National People's Congress and Local People's Congresses of the People's Republic of China at the 12th Meeting of the Standing Committee of the Eighth National People's Congress on February 28, 1995; revised for the fourth time in accordance with the Decision on Revision of the Electoral Law of the National People's Congress and Local People's Congresses of the People's Republic of China at the 12th Meeting of the Standing Committee of the Tenth National People's Congress on October 27, 2004; revised for the fifth time in accordance with the Decision on Revision of the Electoral Law of the National People's Congress and Local People's Congresses of the People's Republic of China at the Third Session of the Eleventh National People's Congress on March 14, 2010)

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(1992年4月3日第七届全国人民代表大会第五次会议通过 根据 2009年8月27日第十一届全国人民代表大会常务委员会第十次会议《关于修改部分法律的决定》第一次修正 根据 2010年10月28日第十一届全国人民代表大会常务委员会第十七次会议《关于修改〈中华人民共和国全国人民代表大会和地方各级人民代表大会代表法〉的决定》第二次修正)

Law of the People's Republic of China on Deputies to the National People's

	Congress and to the Local People's Congresses at Various Levels (85)
	(Adopted at the Fifth Session of the Seventh National People's Congress on April 3,
	1992; revised for the first time in accordance with the Decision on Revising Certain Laws
	adopted at the 10th Meeting of the Standing Committee of the Eleventh National People's
	Congress on August 27, 2009; revised for the second time in accordance with the Decision
	on Amending the Law of the People's Republic of China on Deputies to the National
	People's Congress and to the Local People's Congresses at Various Levels adopted at the
	17th Meeting of the Standing Committee of the Eleventh National People's Congress on
	October 28, 2010)
#	国人民解放军选举全国人民代表大会和县级以上地方各级人民代表大会
	代表的办法
	(1981年6月10日第五届全国人民代表大会常务委员会第十九次会议通过 1996
	年 10 月 29 日第八届全国人民代表大会常务委员会第二十二次会议修订 根据 2012
	年 6 月 30 日第十一届全国人民代表大会常务委员会第二十七次会议《关于修改〈中
	国人民解放军选举全国人民代表大会和县级以上地方各级人民代表大会代表的办法〉
	的决定》修正)
M	leasures for Election of Deputies from the Chinese People's Liberation
	Army to the National People's Congress and Local People's Congresses at
	or Above the County Level
	(Adopted at the 19th Meeting of the Standing Committee of the Fifth National People's
	Congress on June 10, 1981; revised at the 22nd Meeting of the Standing Committee of the
	Eighth National People's Congress on October 29, 1996; amended in accordance with the
	Decision on Amending the Measures for Election of Deputies from the Chinese People's
	Liberation Army to the National People's Congress and Local People's Congresses at
	or Above the County Level made by the Standing Committee of the Eleventh National
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全	国人民代表大会常务委员会关于县级以下人民代表大会代表直接选举的
	若干规定
	(1983年3月5日第五届全国人民代表大会常务委员会第二十六次会议通过)
P	rovisions of the Standing Committee of the NPC for the Direct Election of
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	中华人民共和国地方各级人民代表大会和地方各级人民政府组织法·······(130)
	1华人民共和国地方各级人民代表大会和地方各级人民政府组织法(130) (1979年7月1日第五届全国人民代表大会第二次会议通过 根据 1982年12月10 日第五届全国人民代表大会第五次会议《关于修改〈中华人民共和国地方各级人民

平 12 月 2 口第六届全国人民代表大会第分安贝会第十八次会议《大丁修议〈中华	
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正 根据 1995 年 2 月 28 日第八届全国人民代表大会常务委员会第十二次会议《关	
于修改〈中华人民共和国地方各级人民代表大会和地方各级人民政府组织法〉的决	
定》第三次修正 根据 2004 年 10 月 27 日第十届全国人民代表大会常务委员会第	
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Fifth National People's Congress on December 10, 1982, amended for the second time	
in accordance with the Decision on Amending the Organic Law of the Local People's	
Congresses and Local People's Governments of the People's Republic of China adopted	
at the 18th Meeting of the Standing Committee of the Sixth National People's Congress	
on December 2, 1986, amended for the third time in accordance with the Decision on	
Amending the Organic Law of the Local People's Congresses and Local People's	
Governments of the People's Republic of China adopted at the 12th Meeting of the	
Standing Committee of the Eighth National People's Congress on February 28, 1995, and	
amended for the fourth time in accordance with the Decision on Amending the Organic	
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National People's Congress on October 27, 2004)	
中华人民共和国全国人民代表大会组织法	()
(1982年12月10日第五届全国人民代表大会第五次会议通过 1982年12月10日	
全国人民代表大会公告公布施行)	
Organic Law of the National People's Congress of the People's Republic of	
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(Adopted at the Fifth Session of the Fifth National People's Congress on December 10,	
1982, and promulgated for implementation by the Proclamation of the National People's	
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(2006年8月27日第十届全国人民代表大会常务委员会第二十三次会议通过 2006年8月27日中华人民共和国主席令第53号公布 自2007年1月1日起施行)

	accordance with the Decision of the Standing Committee of the Sixth National People's
	Congress on Amending the Organic Law of the People's Courts of the People's Republic
	of China adopted at its 2nd Meeting on September 2, 1983, the Decision of the Standing
	Committee of the Sixth National People's Congress on Amending the Organic Law of the
	Local People's Congresses and Local People's Governments of the People's Republic of
	China adopted at its 18th Meeting on December 2, 1986, and the Decision of the Standing
	Committee of the Tenth National People's Congress on Amending the Organic Law of the
	People's Courts of the People's Republic of China adopted at its 24th Meeting on October
	31, 2006)
#	华人民共和国人民检察院组织法
	(1979年7月1日第五届全国人民代表大会第二次会议通过 1979年7月5日全国
	人民代表大会常务委员会委员长令第4号公布 自1980年1月1日起施行 根据
	1983年9月2日第六届全国人民代表大会常务委员会第二次会议通过的《关于修改
	〈中华人民共和国人民检察院组织法〉的决定》和1986年12月2日全国人民代表
	大会常务委员会《关于修改〈中华人民共和国地方各级人民代表大会和地方各级人
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O	rganic Law of the People's Procuratorates of the People's Republic of
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	(Adopted at the Second Session of the Fifth National People's Congress on July 1, 1979,
	promulgated by Order No.4 of the Chairman of the Standing Committee of the National
	People's Congress on July 5, 1979, and effective as of January 1,1980; amended according
	to the Decision on the Revision of the Organic Law of the People's Procuratorates of the
	People's Republic of China adopted at the Second Meeting of the Standing Committee
	of the Sixth National People's Congress on September 2, 1983, and the Decision of the
	Standing Committee of the National People's Congress on Amending the Organic Law of
	the Local People's Congresses and Local People's Governments of the People's Republic
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н	华人民共和国法官法
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	(1995年2月28日第八届全国人民代表大会常务委员会第十二次会议通过 根据 2001年6月30日第九届全国人民代表大会常务委员会第二十二次会议《关于修改〈中
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	(Adopted at the 12th Meeting of the Standing Committee of the 8th National People's
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	the Judges Law of People's Republic of China adopted at the 22nd Meeting of the
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Decision of the Standing Committee of the National People's Congress on
the Establishment of Maritime Courts in Coastal Port Cities (297)
(Adopted at the 8th Meeting of the Standing Committee of the 6th National People's
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Regional National Autonomy

中华人民共和国民族区域自治法
(1984年5月31日第六届全国人民代表大会第二次会议通过 根据2001年2月28
日第九届全国人民代表大会常务委员会第二十次会议《关于修改〈中华人民共和国
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Law of the People's Republic of China on Regional National Autonomy (299)
(Adopted at the 2nd Session of the 6th National People's Congress on May 31, 1984,
amended in accordance with the Decision on the Amending the Law of the People's
Republic of China on Regional National Autonomy made at the 20th Meeting of the
Standing Committee of the 9th National People's Congress on February 28, 2001)

特别行政区

Special Administrative Region

中华人民共和国杳港特别行政区基本法
(1990年4月4日第七届全国人民代表大会第三次会议通过 1990年4月4日中华
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The Basic Law of the Hong Kong Special Administrative Region of the
People's Republic of China ····· (331)
(Adopted at the Third Session of the Seventh National People's Congress on April 4,
1990, promulgated by Order No. 26 of the President of the People's Republic of China on
April 4, 1990, and effective as of July 1, 1997)
中华人民共和国香港特别行政区驻军法
(1996年12月30日第八届全国人民代表大会常务委员会第二十三次会议通
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(1993年3月31日第八届全国人民代表大会第一次会议通过 1993年3月31日中
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The Basic Law of the Macao Special Administrative Region of the People's
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(Adopted at the First Session of the Eighth National People's Congress on March 31,
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中华人民共和国澳门特别行政区驻军法
(1999年6月28日第九届全国人民代表大会常务委员会第十次会议通过 1999年6
月28日中华人民共和国主席令第18号公布 自1999年12月20日起施行)
Law of the People's Republic of China on Garrisoning the Macao Special
Administrative Region (457)
(Adopted at the 10th Meeting of the Standing Committee of the Ninth National People's

Congress on June 28, 1999, promulgated by Order No. 18 of the President of the People's Republic of China on June 28, 1999, and effective as of December 20, 1999)

相关法

Relevant Law

中华人民共和国国籍法
(1980年9月10日第五届全国人民代表大会第三次会议通过 1980年9月10日全
国人民代表大会常务委员会委员长令第8号公布 自公布之日起施行)
Nationality Law of the People's Republic of China $\cdots \cdots \cdots \cdots \cdots ($ 469 $)$
(Adopted at the third Session of the Fifth National People's Congress on September
10, 1980, promulgated by Order No. 8 of the Chairman of the Standing Committee of
the National People's Congress on September 10, 1980, and effective as of the date of
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(1990年6月28日第七届全国人民代表大会常务委员会第十四次会议通过 根据
2009年8月27日第十一届全国人民代表大会常务委员会第十次会议《关于修改部
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(Adopted at the 14th Meeting of the Standing Committee of the Seventh National People's
Congress on June 28, 1990, amended in accordance with the Decision on Revising Certain
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中华人民共和国国徽法
(1991年3月2日第七届全国人民代表大会常务委员会第十八次会议通过 根据
2009年8月27日第十一届全国人民代表大会常务委员会第十次会议《关于修改部
分法律的决定》修正)
Law of the People's Republic of China on the National Emblem $\cdots\cdots\cdots\cdots$ (483)
(Adopted at the 18th Meeting of the Standing Committee of the seventh National People's
Congress on March 2, 1991, amended in accordance with the Decision on Revising Certain
Laws adopted at the 10th Meeting of the Standing Committee of the Eleventh National
People's Congress on August 27, 2009)
中华人民共和国领海及毗连区法
(1992年2月25日第十届全国人民代表大会党各委员会第二十四次会议通过 1992

年 2 月 25 日中华人民共和国主席令第 55 号公布 自公布之日起施行)	
Law of the People's Republic of China on the Territorial Sea and the	
Contiguous Zone (491)
(Adopted at the 24th Meeting of the Standing Committee of the Seventh National People's	
Congress on February 25, 1992, promulgated by Order No. 55 of the President of	
the People's Republic of China on February 25, 1992, and effective as of the date of	
promulgation)	
中华人民共和国专属经济区和大陆架法)
(1998年6月26日第九届全国人民代表大会常务委员会第三次会议通过 1998年6	
月 26 日中华人民共和国主席令第 6 号公布 自公布之日起施行)	
Law on the Exclusive Economic Zone and the Continental Shelf of the	
People's Republic of China)
(Adopted at the 3rd Meeting of the Standing Committee of the Ninth National People's	
Congress on June 26, 1998, and promulgated by Order No. 6 of the President of the	
People's Republic of China on June 26, 1998, and effective as of the date of promul-	
gation)	
中华人民共和国城市居民委员会组织法)
(1989年12月26日第七届全国人民代表大会常务委员会第十一次会议通过 1989	
年 12 月 26 日中华人民共和国主席令第 21 号公布 自 1990 年 1 月 1 日起施行)	
Organic Law of the Urban Residents Committees of the People's Republic	
of China)
(Adopted at the 11th Meeting of the Standing Committee of the Seventh National People's	
Congress on December 26, 1989, promulgated by Order No. 21 of the President of the	
People's Republic of China on December 26, 1989, and effective as of January 1, 1990)	
中华人民共和国村民委员会组织法)
(1998年11月4日第九届全国人民代表大会常务委员会第五次会议通过 2010年	
10月28日第十一届全国人民代表大会常务委员会第十七次会议修订通过 2010年	
10月28日中华人民共和国主席令第37号公布 自公布之日起施行)	
Organic Law on Villagers' Committees of the People's Republic of China (511)
(Adopted at the 5th Meeting of the Standing Committee of the Ninth National People's	
Congress on November 4, 1998, revised at the 17th Meeting of the Standing Committee	
of the Eleventh National People's Congress on October 28, 2010, promulgated by Order	
No.37 of the President of the People's Republic of China on October 28, 2010, and	
effective as of the date of promulgation)	
中华人民共和国集会游行示威法)
(1989年10月31日第七届全国人民代表大会常务委员会第十次会议通过 根据	

2009年8月27日第十一届全国人民代表大会常务安贝会第十次会议《天丁修改部分法律的决定》修正)	
Law of the People's Republic of China on Assemblies, Processions and	
Demonstrations (531)
(Adopted at the 10th Meeting of the Standing Committee of the Seventh National People's	
Congress on October 31,1989, and amended in accordance with the Decision on Revising	
Certain Laws adopted at the 10th Meeting of the Standing Committee of the Eleventh	
National People's Congress on August 27, 2009)	
中华人民共和国国家赔偿法)
(1994年5月12日第八届全国人民代表大会常务委员会第七次会议通过 根据2010	
年 4 月 29 日第十一届全国人民代表大会常务委员会第十四次会议《关于修改〈中	
华人民共和国国家赔偿法〉的决定》第一次修正 根据 2012 年 10 月 26 日第十一	
届全国人民代表大会常务委员会第二十九次会议《关于修改〈中华人民共和国国家	
赔偿法〉的决定》第二次修正)	
State Compensation Law of the People's Republic of China (545	;)
(Adopted at the 7th Meeting of the Standing Committee of the Eighth National People's	
Congress on May 12, 1994; amended for the first time in accordance with the Decision	
on Revising the State Compensation Law of the People's Republic of China made by the	
Standing Committee of the Eleventh National People's Congress at its 14th Meeting on	
April 29, 2010; amended for the second time in accordance with the Decision on Revising	
the State Compensation Law of the People's Republic of China made by the Standing	
Committee of the Eleventh National People's Congress at its 29th Meeting on October 26,	
2012)	
中华人民共和国外交特权与豁免条例	5)
(1986年9月5日第六届全国人民代表大会常务委员会第十七次会议通过 1986年	
9月5日中华人民共和国主席令第44号公布 自公布之日起施行)	
Regulations of the People's Republic of China Concerning Diplomatic	
Privileges and Immunities (567)	7)
(Adopted at the 17th Meeting of the Standing Committee of the sixth National People's	
Congress on September 5, 1986, promulgated by Order No. 44 of the President of	
the People's Republic of China on September 5, 1986, and effective as of the date of	
promulgation)	
中华人民共和国领事特权与豁免条例	5)
(1990年10月30日第七届全国人民代表大会常务委员会第十六次会议通过 1990	
年 10 月 30 日中华人民共和国主席令第 35 号公布 自公布之日起施行)	