



中华人民共和国 归侨侨眷权益保护法

Law of the People's Republic of China
on the Protection of the Rights and Interests
of Returned Overseas Chinese
and the Family Members of Overseas Chinese

(中英对照)

(Chinese-English)

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中华人民共和国主席令

第三十九号

《全国人民代表大会常务委员会关于修改〈中华人民共和国归侨侨眷权益保护法〉的决定》已由中华人民共和国第九届全国人民代表大会常务委员会第十八次会议于 2000 年 10 月 31 日通过,现予公布,自公布之日起施行。

中华人民共和国主席 江泽民

2000 年 10 月 31 日

Order of the President of the People's Republic of China

No. 39

The Decision of the Standing Committee of the National People's Congress on Revision of the Law of the People's Republic of China on the Protection of the Rights and Interests of Returned Overseas Chinese and the Family Members of Overseas Chinese, adopted at the 18th Meeting of the Standing Committee of the Ninth National People's Congress of the People's Republic of China on October 31, 2000, is hereby promulgated and shall go into effect as of the date of promulgation.

Jiang Zemin

President of the People's Republic of China

October 31, 2000

全国人民代表大会常务委员会 关于修改《中华人民共和国归侨 侨眷权益保护法》的决定

(2000年10月31日第九届全国人民代
表大会常务委员会第十八次会议通过)

第九届全国人民代表大会常务委员会第十八次会议决
定对《中华人民共和国归侨侨眷权益保护法》作如下修改：

一、增加一条，作为第四条：“县级以上各级人民政府及其负责侨务工作的机构，组织协调有关部门做好保护归侨、侨眷的合法权益的工作。”

Decision of the Standing Committee of the National People's Congress on Revision of the Law of the People's Republic of China on the Protection of the Rights and Interests of Returned Overseas Chinese and the Family Members of Overseas Chinese

(Adopted at the 18th Meeting of the Standing
Committee of the Ninth National People's Congress on
October 31, 2000)

At its 18th Meeting, the Standing Committee of the Ninth National People's Congress decided to make the following revisions of the Law of the People's Republic of China on the Protection of the Rights and Interests of Returned Overseas Chinese and the Family Members of Overseas Chinese:

1. One article is added as Article 4, which reads: "The people's governments at or above the county level and the departments under them in charge of the affairs of overseas Chinese shall enlist and coordinate the efforts of relevant departments to protect the lawful

二、第六条第一款改为第七条第一款,修改为:“归侨、侨眷有权依法申请成立社会团体,进行适合归侨、侨眷需要的合法的社会活动。”

三、增加一条,作为第八条:“中华全国归国华侨联合会和地方归国华侨联合会代表归侨、侨眷的利益,依法维护归侨、侨眷的合法权益。”

四、第七条第二款改为第九条第二款,修改为:“在安置归侨的农场、林场等企业所在的地方,可以根据需要合理设置学校和医疗保健机构,国家在人员、设备、经费等方面给予扶助。”

五、增加一条,作为第十条:“国家依法维护归侨、侨眷职工的社会保障权益。用人单位及归侨、侨眷职工应当依法参加当地的社会保险,缴纳社会保险费用。”

“对丧失劳动能力又无经济来源或者生活确有困难的归侨、侨眷,当地人民政府应当给予救救。”

rights and interests of returned overseas Chinese and the family members of overseas Chinese.”

2. The first paragraph of Article 6 shall be changed to be the first paragraph of Article 7 and is revised to read: “Returned overseas Chinese and the family members of overseas Chinese shall have the right to apply for the establishment of public organizations in accordance with law and to conduct legitimate social activities suitable to their needs.”

3. One article is added as Article 8, which reads: “All-China Federation of Returned Overseas Chinese and local federations of returned overseas Chinese shall represent the interests of returned overseas Chinese and the family members of overseas Chinese and preserve their legitimate rights and interests in accordance with law.”

4. The second paragraph of Article 7 is changed to be the second paragraph of Article 9 and is revised to read: “In areas where enterprises such as agricultural and forest farms have provided placement for returned overseas Chinese, schools and medical care and health institutions may be set up in light of needs and in a rational way, to which the State shall give support and aid with respect to personnel, facilities and funds.”

5. One article is added as Article 10, which reads: “The State shall safeguard the rights and interests of social security for returned overseas Chinese and the family members of overseas Chinese in accordance with law. The employers and the returned overseas Chinese employed shall participate in local social insurance in accordance with law and pay the insurance premium.

“To the returned overseas Chinese and the family members of overseas Chinese who are incapacitated and have no source of income or live in straitened circumstances, the local people’s governments at all levels shall provide relief.”

六、第八条改为第十一条,修改为:“国家鼓励和引导归侨、侨眷依法投资兴办产业,特别是兴办高新技术企业,各级人民政府应当给予支持,其合法权益受法律保护。”

七、第九条第二款改为第十二条第二款,修改为:“归侨、侨眷境外亲友捐赠的物资用于国内公益事业的,依照法律、行政法规的规定减征或者免征关税和进口环节的增值税。”

八、第十条第二款改为第十三条第二款,修改为:“依法征用、拆迁归侨、侨眷私有房屋的,建设单位应当按照国家有关规定给予合理补偿和妥善安置。”

九、第十一条改为第十四条,修改为:“各级人民政府应当对归侨、侨眷就业给予照顾,提供必要的指导和服务。”

“归侨学生、归侨子女和华侨在国内的子女升学,按照国家有关规定给予照顾。”

6. Article 8 is changed to be Article 11 and is revised to read: "The State shall encourage and guide returned overseas Chinese and the family members of overseas Chinese to invest in the establishment of industrial enterprises, especially the establishment of enterprises that use new and high technologies; the local people's governments at various levels shall support them and their lawful rights and interests shall be protected by law."

7. The second paragraph of Article 9 is changed to be the second paragraph of Article 12 and is revised to read: "Where returned overseas Chinese and the family members of overseas Chinese receive materials from donations made by their relatives or friends outside the country and will use them in domestic public welfare undertakings, the customs duty and the import value-added tax for the materials shall be reduced or exempted in accordance with the provisions of laws and administrative regulations."

8. The second paragraph of Article 10 is changed to be the second paragraph of Article 13 and is revised to read: "Construction units shall, in accordance with the relevant regulations of the State, make reasonable compensation and appropriate arrangements for those returned overseas Chinese and the family members of overseas Chinese whose private houses are requisitioned, dismantled or removed in accordance with law."

9. Article 11 is changed to be Article 14 and is revised to read: "People's governments at all levels shall give special considerations in respect of the employment of returned overseas Chinese and the family members of overseas Chinese and provide them with the necessary guidance and services."

"Students who are returned overseas Chinese, children of returned overseas Chinese and children, residing in the country, of overseas Chinese shall, in accordance with relevant State regulations,

十、第十三条第一款改为第十六条第一款,修改为:“归侨、侨眷有权接受境外亲友的遗赠或者赠与。”

增加一款,作为第十六条第二款:“归侨、侨眷继承境外遗产的权益受法律保护。”

第十三条第二款作为第十六条第三款。

十一、第十五条改为第十八条,修改为:“归侨、侨眷申请出境,有关主管部门应当在规定期限内办理手续。”

“归侨、侨眷确因境外直系亲属病危、死亡或者限期处理境外财产等特殊情况急需出境的,有关主管部门应当根据申请人提供的有效证明优先办理手续。”

十二、第十六条第二款改为第十九条第二款,修改为:“归侨、侨眷职工按照国家有关规定享受出境探亲的待遇。”

十三、第十七条改为第二十条,修改为:“归侨、侨眷可以按照国家有关规定申请出境定居,经批准出境定居的,任