



# 中华人民共和国 涉外法规汇编 (2011)

LAWS AND REGULATIONS OF  
THE PEOPLE'S REPUBLIC OF CHINA  
GOVERNING INTERNATIONAL MATTERS

中华人民共和国国务院法制办公室编  
Compiled by the Legislative Affairs Office of the  
State Council of the People's Republic of China

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## 编辑说明

一、为了适应我国对外开放和国内外各界人士全面、准确地了解我国涉外法律、行政法规的需要,中华人民共和国国务院法制办公室编辑了本汇编。

二、本汇编汇集了2011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和有关法律问题的决定以及国务院制定的行政法规(以下称“法规”)共41件。本汇编分为:宪法相关法、民法商法、行政法、经济法、社会法、刑法等6类,每一类下分为若干项。

三、本汇编按照分类、先法律后行政法规以及法律、法规发布的时间先后排列。

四、本汇编收入的法律的英文译本,由全国人民代表大会常务委员会法制工作委员会提供;行政法规的英文译本,由国务院法制办公室组织翻译和审定。参加行政法规英文译本审定工作的专家有姜桂华、褚广友、童孝华、Brandt Jordan Harris等。

五、本汇编收入法规的英文译本与中文本有歧义的,以中文本为准。

六、本汇编在编辑和翻译过程中,国务院有关部门和其他有关方面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

2014年1月24日

国家赔偿法

(2010年12月29日国务院第138次常务会议通过,2010年1月17日)

日中华人民共和国国务院令(第589号公布)



## EDITOR'S NOTE

1. This Collection is compiled by the Legislative Affairs Office of the State Council of the People's Republic of China, 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 and regulations governing foreign – related matters.

2. This Collection consists of 41 laws and resolutions on legal issues, administrative regulations and rules (hereinafter referred to as “laws and regulations”) enacted respectively by the National People's Congress or its Standing Committee, or the State Council in 2011. The laws and regulations contained in this Collection are classified into six categories: Constitutional Law, Civil and Commercial Law, Administrative Law, Economic Law, Social Law, and Criminal Law, with each category divided into several items.

3. This Collection is edited and arranged in light of the classification of the laws and regulations, with laws preceding administrative regulations and in the order of the time sequence of their promulgation.

4. The English translation of the laws contained in this Collection is provided by the Legislative Affairs Commission of the Standing Committee of the National People's Congress. The English translation of the administrative regulations and rules contained in this Collection is translated and finalized under the aegis of the Legislative Affairs Office of the State Council. Experts participating in the finalization of the English version of the administrative regulations and rules are Jiang Guihua, Chu Guangyou, Tong Xiaohua and Brandt Jordan Harris. Gao Yudong, Wang Xin, Jiang Pengtao and other staff members from the Legislative Affairs Office of the State Council participated in the work of revising and finalizing.

5. Where any discrepancy arises between the English translation and the original Chinese version in this Collection, the Chinese version shall prevail.

6. Particular thanks are due to the relevant departments under the State Council and various other organizations for their generous assistance in the course of the compilation and translation of this Collection.

Legislative Affairs Office of the State Council  
January 24, 2014

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(1980年9月10日第五届全国人民代表大会第三次会议通过 根据1993年10月31日第八届全国人民代表大会常务委员会第四次次会议《关于修改〈中华人民共和国个人所得税法〉的决定》第一次修正 根据1999年8月30日第九届全国人民代表大会常务委员会第十一次会议《关于修改〈中华人民共和国个人所得税法〉的决定》第二次修正 根据2005年10月27日第十届全国人民代表大会常务委员会第十八次会议《关于修改〈中华人民共和国个人所得税法〉的决定》第三次修正 根据2007年6月29日第十届全国人民代表大会常务委员会第二十八次会议《关于修改〈中华人民共和国个人所得税法〉的决定》第四次修正 根据2007年12月29日第十届全国人民代表大会常务委员会第三十一次会议《关于修改〈中华人民共和国个人所得税法〉的决定》第五次修正 根据2011年6月30日第十一届全国人民代表大会常务委员会第二十一次会议《关于修改〈中华人民共和国个人所得税法〉的决定》第六次修正)

**Individual Income Tax Law of the People's Republic of China ..... (501)**

(Adopted at the Third Session of the Fifth National People's Congress on September 10, 1980, amended for the first time in accordance with the Decision on Amending the Individual Income Tax Law of the People's Republic of China adopted at the 4th Meeting of the Standing Committee of the Eighth National People's Congress on October 31, 1993, amended for the second time in accordance with the Decision on Amending the Individual Income Tax Law of the People's Republic of China adopted at the 11th Meeting of the Standing Committee of the Ninth National People's Congress on August 30, 1999, amended for the third time in accordance with the Decision on Amending the Individual Income Tax Law of the People's Republic of China adopted at the 18th Meeting of the Standing

Committee of the Tenth National People's Congress on October 27, 2005, amended for the fourth time in accordance with the Decision on Amending the Individual Income Tax Law of the People's Republic of China adopted at the 28th Meeting of the Standing Committee of the Tenth National People's Congress on June 29, 2007, amended for the fifth time in accordance with the Decision on Amending the Individual Income Tax Law of the People's Republic of China adopted at the 31st Meeting of the Standing Committee of the Tenth National People's Congress on December 29, 2007, and amended for the sixth time in accordance with the Decision on Revising the Individual Income Tax Law of the People's Republic of China adopted at the 21st Meeting of the Standing Committee of the Eleventh National People's Congress on June 30, 2011)

**国务院关于修改《中华人民共和国个人所得税法实施条例》的决定** ..... (512)  
(2011年7月19日中华人民共和国国务院令 第600号公布)

**Decision of the State Council on Amending the Regulations for the Implementation of the Individual Income Tax Law of the People's Republic of China** ..... (513)

(Promulgated by Decree No. 600 of the State Council of the People's Republic of China on July 19, 2011)

**中华人民共和国个人所得税法实施条例** ..... (514)

(1994年1月28日中华人民共和国国务院令 第142号发布 根据2005年12月19日《国务院关于修改〈中华人民共和国个人所得税法实施条例〉的决定》第一次修订 根据2008年2月18日《国务院关于修改〈中华人民共和国个人所得税法实施条例〉的决定》第二次修订 根据2011年7月19日《国务院关于修改〈中华人民共和国个人所得税法实施条例〉的决定》第三次修订)

**Regulations for the Implementation of the Individual Income Tax Law of the People's Republic of China** ..... (515)

(Promulgated by Decree No. 142 of the State Council of the People's Republic of China on January 28, 1994, revised for the first time in accordance with the Decision of the State Council on Amending the Regulations for the Implementation of the Individual Income Tax Law of the People's Republic of China on December 19, 2005, revised for the second time in accordance with the Decision of the State Council on Amending the Regulations for the Implementation of the Individual Income Tax Law of the People's Republic of China on February 18, 2008, and revised for the third time in accordance with the Decision of the State Council on Amending the Regulations for the Implementation of the Individual Income Tax Law of the People's Republic of China on July 19, 2011)

(国务院)关于修改《中华人民共和国资源税暂行条例》的决定 ..... (532)

(2011年9月21日国务院第173次常务会议通过 2011年9月30日  
中华人民共和国国务院令 第605号公布)

**Decision of the State Council on Amending the Interim Regulations of  
the People's Republic of China on Resources Tax ..... (533)**

(Adopted at the 173rd Executive Meeting of the State Council on  
September 21, 2011, and promulgated by Decree No. 605 of the State  
Council of the People's Republic of China on September 30, 2011)

**中华人民共和国资源税暂行条例 ..... (536)**

(1993年12月25日中华人民共和国国务院令 第139号发布 根据  
2011年9月30日《国务院关于修改〈中华人民共和国资源税暂行条  
例〉的决定》修订)

**Interim Regulations of the People's Republic of China on Resources Tax ... (537)**

(Promulgated by Decree No. 139 of the State Council of the People's  
Republic of China on December 25, 1993, and revised in accordance with  
the Decision of the State Council on Amending the Interim Regulations of  
the People's Republic of China on Resources Tax on September 30, 2011)

**中华人民共和国船舶吨税暂行条例 ..... (542)**

(2011年11月23日国务院第182次常务会议通过 2011年12月5  
日中华人民共和国国务院令 第610号公布)

**Interim Regulations of the People's Republic of China on Vessel  
Tonnage Tax ..... (543)**

(Adopted at the 182nd Executive Meeting of the State Council on  
November 23, 2011, and promulgated by Decree No. 610 of the State  
Council of the People's Republic of China on December 5, 2011)

**中华人民共和国车船税法实施条例 ..... (552)**

(2011年11月23日国务院第182次常务会议通过 2011年12月5  
日中华人民共和国国务院令 第611号公布)

**Regulations for the Implementation of the Law of the People's Republic  
of China on Vehicle and Vessel Tax ..... (553)**

(Adopted at the 182nd Executive Meeting of the State Council on  
November 23, 2011, and promulgated by Decree No. 611 of the State  
Council of the People's Republic of China on December 5, 2011)

## 国土资源

### Land and Resources

**土地复垦条例 ..... (562)**

(2011年2月22日国务院第145次常务会议通过 2011年3月5日  
中华人民共和国国务院令 第592号公布)



**Regulations on Land Reclamation ..... (563)**

(Adopted at the 145th Executive Meeting of the State Council on February 22, 2011, and promulgated by Decree No. 592 of the State Council of the People's Republic of China on March 5, 2011)

**建筑、房地产**

**Construction and Real Estate**

**全国人民代表大会常务委员会关于修改《中华人民共和国建筑法》的决定 ... (582)**

(2011年4月22日第十一届全国人民代表大会常务委员会第二十次会议通过 2011年4月22日中华人民共和国主席令第46号公布)

**Decision of the Standing Committee of the National People's Congress on Revising the Construction Law of the People's Republic of China ..... (583)**

(Adopted at the 20th Meeting of the Standing Committee of the Eleventh National People's Congress on April 22, 2011, and promulgated by Order No. 46 of the President of the People's Republic of China on April 22, 2011)

**中华人民共和国建筑法 ..... (584)**

(1997年11月1日第八届全国人民代表大会常务委员会第二十八次会议通过 根据2011年4月22日第十一届全国人民代表大会常务委员会第二十次会议《关于修改〈中华人民共和国建筑法〉的决定》修正)

**Construction Law of the People's Republic of China ..... (585)**

(Adopted at the 28th Meeting of the Standing Committee of the Eighth National People's Congress on November 1, 1997; and revised in accordance with the Decision on Revising the Construction Law of the People's Republic of China adopted at the 20th Meeting of the Standing Committee of the Eleventh National People's Congress on April 22, 2011)

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(Adopted at the 141st Executive Meeting of the State Council on January 19, 2011, and promulgated by Decree No. 590 of the State Council of the People's Republic of China on January 21, 2011)

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(2011年4月22日第十一届全国人民代表大会常务委员会第二十次会议通过 2011年4月22日中华人民共和国主席令第45号公布)