



中华人民共和国职业教育法

Vocational Education Law of
the People's Republic of China

中华人民共和国高等教育法

Higher Education Law of
the People's Republic of China

(中英对照)

(Chinese-English)

法律出版社
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中华人民共和国主席令

第六十九号

《中华人民共和国职业教育法》已由中华人民共和国第八届全国人民代表大会常务委员会第十九次会议于 1996 年 5 月 15 日通过,现予公布,自 1996 年 9 月 1 日起施行。

中华人民共和国主席 江泽民

1996 年 5 月 15 日

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

No. 69

The Vocational Education Law of the People's Republic of China, adopted at the 19th Meeting of the Standing Committee of the Eighth National People's Congress of the People's Republic of China on May 15, 1996, is hereby promulgated and shall enter into force as of September 1, 1996.

Jiang Zemin

President of the People's Republic of China

May 15, 1996

中华人民共和国职业教育法

(1996年5月15日第八届全国人民代表大会常务委员会第十九次会议通过 1996年5月15日中华人民共和国主席令第69号公布 自1996年9月1日起施行)

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第一章 总 则

第一条 为了实施科教兴国战略,发展职业教育,提高

Vocational Education Law of the People's Republic of China

(Adopted at the 19th Meeting of the Standing Committee of the Eighth National People's Congress on May 15, 1996, promulgated by Order No. 69 of the President of the People's Republic of China on May 15, 1996, and effective as of September 1, 1996)

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Chapter I General Provisions

Article 1 This Law is enacted in accordance with the Education Law and the Labour Law, for the purpose of implementing the strategy for revitalizing the country by means of science and education,

劳动者素质,促进社会主义现代化建设,根据教育法和劳动法,制定本法。

第二条 本法适用于各级各类职业学校教育和各种形式的职业培训。国家机关实施的对本国家机关工作人员的专门培训由法律、行政法规另行规定。

第三条 职业教育是国家教育事业的重要组成部分,是促进经济、社会发展和劳动就业的重要途径。

国家发展职业教育,推进职业教育改革,提高职业教育质量,建立、健全适应社会主义市场经济和社会进步需要的职业教育制度。

第四条 实施职业教育必须贯彻国家教育方针,对受教育者进行思想政治教育和职业道德教育,传授职业知识,培养职业技能,进行职业指导,全面提高受教育者的素质。

第五条 公民有依法接受职业教育的权利。

第六条 各级人民政府应当将发展职业教育纳入国民经济和社会发展规划。

行业组织和企业、事业组织应当依法履行实施职业教育的义务。

第七条 国家采取措施,发展农村职业教育,扶持少数

developing vocational education, enhancing the quality of workers and promoting the socialist modernization drive.

Article 2 This Law applies to vocational schools of all types and levels and to all forms of vocational training. Specialized training provided by State organs for their functionaries shall be governed by separate laws and administrative rules and regulations.

Article 3 Vocational education constitutes an important component of the nation's educational undertakings as well as an important avenue for promoting economic and social development and employment.

The State undertakes the development of vocational education, promotes its reform so as to improve its quality and institute and perfect a system of vocational education that suits the needs of the socialist market economy and the needs of social progress.

Article 4 In the provision of vocational education, the State's educational principles shall be implemented, that is, ideological and political education and the education in professional ethics shall be conducted, vocational knowledge imparted, vocational skills fostered and vocational guidance provided to the educatees so as to enhance their quality in an all-round way.

Article 5 Citizens shall have the right to receive vocational education according to law.

Article 6 People's governments at various levels shall incorporate the development of vocational education into their plans for national economic and social development.

Trade organizations, enterprises and institutions shall, in accordance with law, fulfill their obligations to provide vocational education.

Article 7 The State adopts measures to develop vocational education in rural areas and provides support and assistance to areas

民族地区、边远贫困地区职业教育的发展。

国家采取措施,帮助妇女接受职业教育,组织失业人员接受各种形式的职业教育,扶持残疾人职业教育的发展。

第八条 实施职业教育应当根据实际需要,同国家制定的职业分类和职业等级标准相适应,实行学历证书、培训证书和职业资格证书制度。

国家实行劳动者在就业前或者上岗前接受必要的职业教育的制度。

第九条 国家鼓励并组织职业教育的科学研究。

第十条 国家对在职业教育中作出显著成绩的单位和个人给予奖励。

第十一条 国务院教育行政部门负责职业教育工作的统筹规划、综合协调、宏观管理。

国务院教育行政部门、劳动行政部门和其他有关部门在国务院规定的职责范围内,分别负责有关的职业教育工作。

县级以上地方各级人民政府应当加强对本行政区域内职业教育工作的领导、统筹协调和督导评估。

inhabited by minority nationalities and outlying and poverty-stricken areas in developing vocational education.

The State adopts measures to enable women to receive vocational education, organize the unemployed to receive different forms of vocational education, and support the development of vocational education for the disabled.

Article 8 Vocational education shall be provided in light of actual needs and in conformity with the standards established by the State for classifying and grading occupations. A system comprising certificates of schooling, certificates of vocational training and certificates of occupational qualifications shall be practised.

The State practises a system whereby workers receive the necessary vocational education prior to employment or assignment.

Article 9 The State encourages and arranges scientific research on vocational education.

Article 10 The State gives awards to units and individuals that have made outstanding achievements in vocational education.

Article 11 The administrative department for education under the State Council shall be responsible for the overall planning, comprehensive coordination and macro-management of vocational education.

The administrative departments for education, labor and other relevant departments under the State Council shall, within their respective functions and responsibilities defined by the State Council, be responsible for the different aspects of vocational education.

Local people's governments at or above the county level shall strengthen leadership, overall coordination, supervision, guidance and assessment of vocational education in areas under their jurisdiction.

第二章 职业教育体系

第十二条 国家根据不同地区的经济发展水平和教育普及程度,实施以初中后为重点的不同阶段的教育分流,建立、健全职业学校教育与职业培训并举,并与其他教育相互沟通、协调发展的职业教育体系。

第十三条 职业学校教育分为初等、中等、高等职业学校教育。

初等、中等职业学校教育分别由初等、中等职业学校实施;高等职业学校教育根据条件和需要由高等职业学校实施,或者由普通高等学校实施。其他学校按照教育行政部门的统筹规划,可以实施同层次的职业学校教育。

第十四条 职业培训包括从业前培训、转业培训、学徒培训、在岗培训、转岗培训及其他职业性培训,可以根据实际情况分为初级、中级、高级职业培训。

职业培训分别由相应的职业培训机构、职业学校实施。其他学校或者教育机构可以根据办学能力,开展面向

Chapter II System of Vocational Education

Article 12 In light of the different levels of economic development and degrees of universal education in different areas, the State introduces a division of education, at different stages, chiefly among junior secondary school graduates, so that some of them may receive regular senior secondary school education and others may receive occupational education, and institutes and perfects a vocational education system whereby vocational school education is conducted simultaneously with vocational training and is interconnected and developed in coordination with other types of education.

Article 13 Vocational school education is divided into three levels, namely, elementary, secondary and tertiary.

The elementary and secondary vocational school education shall be provided by elementary and secondary vocational schools. The tertiary vocational education shall be provided, where necessary and where conditions permit, either by tertiary vocational schools or by regular institutions of higher education. Other types of schools may provide vocational school education at the same level in compliance with the overall plans drawn up by the administrative department for education.

Article 14 Vocational training comprises pre-service training, training to facilitate change of occupations; apprentice training, on-the-job training, job-transfer training and other categories of vocational training, and all these categories of training may, in light of actual conditions, be divided into three levels: elementary, secondary and tertiary.

Vocational training shall be provided by the appropriate vocational training institutions and/or vocational schools.

Other schools or institutions of education may, depending on their own capabilities, provide various forms of vocational training to meet

社会的、多种形式的职业培训。

第十五条 残疾人职业教育除由残疾人教育机构实施外,各级各类职业学校和职业培训机构及其他教育机构应当按照国家有关规定接纳残疾学生。

第十六条 普通中学可以因地制宜地开设职业教育的课程,或者根据实际需要适当增加职业教育的教学内容。

第三章 职业教育的实施

第十七条 县级以上地方各级人民政府应当举办发挥骨干和示范作用的职业学校、职业培训机构,对农村、企业、事业组织、社会团体、其他社会组织及公民个人依法举办的职业学校和职业培训机构给予指导和扶持。

第十八条 县级人民政府应当适应农村经济、科学技术、教育统筹发展的需要,举办多种形式的职业教育,开展实用技术的培训,促进农村职业教育的发展。

第十九条 政府主管部门、行业组织应当举办或者联

social needs.

Article 15 Vocational training for the disabled shall be provided by institutions of education for the disabled, in addition, vocational schools and vocational training institutions of various types and at different levels and other types of institutions of education shall accept disabled students in accordance with the relevant regulations of the State.

Article 16 Regular secondary schools may provide vocational subjects in light of local conditions, or supplement existing subjects with appropriate subject matters related to vocational education in light of actual needs.

Chapter III Provision of Vocational Education

Article 17 People's governments at or above the county level shall establish vocational schools and vocational training institutions to serve as a mainstay and play an exemplary role, which shall provide guidance and assistance to the vocational schools and vocational training institutions established in accordance with law by rural communities and other public organizations, as well as individual citizens.

Article 18 In response to the needs of well-coordinated development of the rural economy, science and technology, and education, people's governments at the county level shall provide various forms of vocational education and develop training programs of practical skills so as to promote the development of rural vocational education.

Article 19 Competent government departments and trade organizations shall, by itself or jointly, establish vocational schools or

合举办职业学校、职业培训机构,组织、协调、指导本行业的企业、事业组织举办职业学校、职业培训机构。

国家鼓励运用现代化教学手段,发展职业教育。

第二十条 企业应当根据本单位的实际,有计划地对本单位的职工和准备录用的人员实施职业教育。

企业可以单独举办或者联合举办职业学校、职业培训机构,也可以委托学校、职业培训机构对本单位的职工和准备录用的人员实施职业教育。

从事技术工种的职工,上岗前必须经过培训;从事特种作业的职工必须经过培训,并取得特种作业资格。

第二十一条 国家鼓励事业组织、社会团体、其他社会组织及公民个人按照国家有关规定举办职业学校、职业培训机构。

境外的组织和个人在中国境内举办职业学校、职业培训机构的办法,由国务院规定。

第二十二条 联合举办职业学校、职业培训机构,举办者应当签订联合办学合同。

政府主管部门、行业组织、企业、事业组织委托学校、职