



**THE LAWS
OF THE
PEOPLE'S REPUBLIC
OF CHINA**

(1990-1992)

The Laws of the People's Republic of China 1990—1992

Compiled by
the Legislative Affairs Commission of
the Standing Committee of
the National People's Congress of
the People's Republic of China

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Publication Note

Under the guidance of the policy of promoting socialist democracy and building a sound socialist legal system, a policy formulated at the Third Plenary Session of the Eleventh Central Committee of the Chinese Communist Party, the National People's Congress and its Standing Committee have, since 1979, enacted many important laws. These laws have been compiled and published in succession by the Legislative Affairs Commission of the NPC Standing Committee.

In order to acquaint readers abroad with China's laws and with what China has achieved in building a new legal system, the collections in Chinese entitled *The Laws of the People's Republic of China*, covering the period of 1979–89, have been translated into English and published in three volumes at the Foreign Languages Press and the Science Press. We are now publishing, as Volume 4, the English edition of *The Laws of the People's Republic of China* (1990–1992) at the Science Press. The publication note in the Chinese edition is not included.

This Volume (Volume 4) includes the laws, the decisions amending or supplementing the laws and the other decisions regarding the laws, that were adopted by the National People's Congress or its Standing Committee during 1990–92.

This English edition represents a collective effort by specialists in law and in English translation working under the aegis of the Legislative Affairs Commission of the NPC Standing Committee. Besides, a number of Chinese organizations provided the draft translations of the laws related to their work. We wish to express our sincere thanks to all the persons and organizations that contributed to the publication of this Volume.

In spite of the great care taken by the translators and editors to produce an accurate translation, shortcomings and oversights are hardly avoidable, and criticism from readers will be appreciated.

In case of discrepancy between the English translation and the original Chinese text, the Chinese edition of *The Laws of the People's Republic of China* shall prevail.

The laws to be formulated by the National People's Congress

and its Standing Committee will be translated into English and published in forthcoming volumes.

Legislative Affairs Commission of
the Standing Committee of
the National People's Congress

February 1993

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

No. 25

The Law of the People's Republic of China on the Protection of Military Installations, adopted at the 12th Meeting of the Standing Committee of the Seventh National People's Congress of the People's Republic of China on February 23, 1990, is hereby promulgated and shall enter into force as of August 1, 1990.

**Yang Shangkun
President of the People's Republic of China**

February 23, 1990

Law of the People's Republic of China on the Protection of Military Installations

(Adopted at the 12th Meeting of the Standing Committee of the Seventh National People's Congress on February 23, 1990, promulgated by Order No.25 of the President of the People's Republic of China on February 23, 1990, and effective as of August 1, 1990)

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Chapter I

General Provisions

Article 1 This Law is formulated in accordance with the Constitution of the People's Republic of China for the purpose of protecting the safety of military installations, ensuring the effective utilization of military installations and normal performance of military activities, promoting modernization of national defence, strengthening national defence and resisting aggression.

Article 2 The term "military installations" referred to in this Law denotes the following buildings, sites and equipment used by the State directly for military purposes:

- (1) Command organs, ground and underground command structures and operations structures;
- (2) Military airfields, harbours and docks;
- (3) Barracks, training grounds and testing grounds;
- (4) Military cave storehouses and warehouses;
- (5) Military communication stations, reconnaissance stations, navigation stations, observation posts, survey markers, navigation markers and navigation aid markers;
- (6) Special military highways and railways, military communication lines and transmission lines, military oil and water pipelines; and
- (7) Other military installations as prescribed by the State Council and the Central Military Commission.

Article 3 People's governments and military organs at all levels shall, in the interests of national security, jointly protect military installations and safeguard the interests of national defence.

The Headquarters of the General Staff of the People's Liberation Army shall, under the leadership of the State Council and the Central Military Commission, be in charge of the protection of military installations throughout the country. The headquarters of military area commands shall be responsible for the work of protecting the army, navy and air force military installations in their respective areas.

In places where there are military installations, the military organs concerned and the people's governments at or above the county level shall cooperate with each other in coordinating, supervising and inspecting the work of protecting military installations.

Article 4 All organizations and citizens of the People's Republic of China shall have the duty to protect military installations.

The damaging or endangering of military installations by any organization or individual shall be prohibited.

Any organization or individual shall have the right to report on, and make charges against, any act that damages or endangers military installations.

Article 5 The State shall implement a policy of giving protection to military installations according to their categories and with emphasis on key projects.

Article 6 Where military installations are to be converted to civilian use, or where military airfields, harbours and docks are to be jointly used for military and civilian purposes, any such change shall be subject to the approval of the State Council and the Central Military Commission.