

中华人民共和国 涉外法规汇编 (2012)

**LAWS AND REGULATIONS OF
THE PEOPLE'S REPUBLIC OF CHINA
GOVERNING FOREIGN-RELATED MATTERS**

中华人民共和国国务院法制办公室编

**Compiled by the Legislative
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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 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 47 件。本汇编分为:宪法相关法、民法商法、行政法、经济法、社会法、诉讼与非诉讼程序法等 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、陈明明、沙丽金、文希凯、赵蔚彬等。

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 7 月 24 日

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 47 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 2012. 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 Litigation and Non-litigation Procedures, 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, Chen Mingming, Sha Lijin, Wen Xikai and Zhao Weibin. Zhang Fu, 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

July 24, 2014

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(Adopted at the 29th Meeting of the Standing Committee of the Eleventh National People's Congress on October 26, 2012, and promulgated by Order No. 63 of the President of the People's Republic of China on October 26, 2012)

中华人民共和国监狱法 (452)

(1994 年 12 月 29 日第八届全国人民代表大会常务委员会第十一次会议通过 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〈中华人民共和国监狱法〉的决定》修正)

Prison Law of the People's Republic of China (453)

(Adopted at the 11th Meeting of the Standing Committee of the Eighth National People's Congress on December 29, 1994, and amended in accordance with the Decision on Revising the Prison Law of the People's Republic of China made by the Standing

Committee of the Eleventh National People's Congress on its 29th Meeting on October 26, 2012)

全国人民代表大会常务委员会关于修改《中华人民共和国律师法》的决定..... (476)

(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通过 2012年10月26日中华人民共和国主席令第64号公布)

Decision of the Standing Committee of the National People's Congress on Revising the Law of the People's Republic of China on Lawyers..... (477)

(Adopted at the 29th Meeting of the Standing Committee of the Eleventh National People's Congress on October 26, 2012, and promulgated by Order No. 64 of the President of the People's Republic of China on October 26, 2012)

中华人民共和国律师法..... (480)

(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 根据2001年12月29日第九届全国人民代表大会常务委员会第二十五次会议《关于修改〈中华人民共和国律师法〉的决定》第一次修正 2007年10月28日第十届全国人民代表大会常务委员会第三十次会议修订 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〈中华人民共和国律师法〉的决定》第二次修正)

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(Adopted at the 19th Meeting of the Standing Committee of the Eighth National People's Congress on May 15, 1996; amended for the first time in accordance with the Decision on Amending the Law of the People's Republic of China on Lawyers made by the Standing Committee of the Ninth National People's Congress at its 25th Meeting on December 29, 2001; revised at the 30th Meeting of the Standing Committee of the Tenth National People's Congress on October 28, 2007; amended for the second time in accordance with the Decision on Amending the Law of the People's Republic of China on Lawyers made by the Standing Committee of the Eleventh National People's Congress at its 29th Meeting on October 26, 2012)

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(2012年8月29日国务院第215次常务会议通过 2012年9月9日中华人民共和国国务院令第624号公布)

Regulations on Education Inspection..... (507)

(Adopted at the 215th Executive Meeting of the State Council on August 29, 2012, and promulgated by Decree No. 624 of the State Council of the People's Republic of China on September 9, 2012)

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(Adopted at the 29th Meeting of the Standing Committee of the Eleventh National People's Congress on October 26, 2012, and promulgated by Order No. 62 of the President of the People's Republic of China on October 26, 2012)

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(Adopted at the 214th Executive Meeting of the State Council on August 22, 2012, and promulgated by Decree No. 623 of the State Council of the People's Republic of China on August 29, 2012)

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(2012年2月29日第十一届全国人民代表大会常务委员会第二十五次会议通过 2012年2月29日中华人民共和国主席令第54号公布)

Decision of the Standing Committee of the National People's Congress on Revising the Law of the People's Republic of China on Promotion of Cleaner Production (567)

(Adopted at the 25th Meeting of the Standing Committee of the Eleventh National People's Congress on February 29, 2012, and promulgated by Order No. 54 of the President of the People's Republic of China on February 29, 2012)

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(2002年6月29日第九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2012年2月29日第十一届全国人民代表大会常务委员会第二十五次会议《关于修改〈中华人民共和国清洁生产促进法〉的决定》修正)

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(Adopted at the 28th Meeting of the Standing Committee of the Ninth National People's Congress on June 29, 2002, and revised in accordance with the Decision on Revising the Law of the People's Republic of China on Promotion of Cleaner Production made by the Standing Committee of the Eleventh National People's Congress at its 25th Meeting on February 29, 2012)

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(2012 年 2 月 15 日国务院第 192 次常务会议通过 2012 年 3 月 1 日中华人民共和国国务院令 第 615 号公布)

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(Adopted at the 192nd Executive Meeting of the State Council on February 15, 2012, and promulgated by Decree No. 615 of the State Council of the People's Republic of China on March 1, 2012)

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(2012 年 9 月 26 日国务院第 218 次常务会议通过 2012 年 10 月 13 日中华人民共和国国务院令 第 625 号公布)

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(Adopted at the 218th Executive Meeting of the State Council on September 26, 2012, and promulgated by Decree No. 625 of the State Council of the People's Republic of China on October 13, 2012)

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(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通过 2012 年 10 月 26 日中华人民共和国主席令 第 70 号公布)

Decision of the Standing Committee of the National People's Congress on Revising the Postal Law of the People's Republic of China (637)

(Adopted at the 29th Meeting of the Standing Committee of the Eleventh National People's Congress on October 26, 2012, and promulgated by Order No. 70 of the President of the People's Republic of China on October 26, 2012)

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(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通过 2009 年 4 月 24 日第十一届全国人民代表大会常务委员会第八次会议修订 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

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(Adopted at the 18th Meeting of the Standing Committee of the Sixth National People's Congress on December 2, 1986, revised at the 8th Meeting of the Standing Committee of the Eleventh National People's Congress on April 24, 2009, and amended in accordance with the Decision on Revising the Postal 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)

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(Adopted at the 30th Meeting of the Standing Committee of the Eleventh National People's Congress on December 28, 2012)

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(2012 年 8 月 31 日第十一届全国人民代表大会常务委员会第二十八次会议通过 2012 年 8 月 31 日中华人民共和国主席令第 60 号公布)

Decision of the Standing Committee of the National People's Congress on Revising the Law of the People's Republic of China on the Popularization of Agricultural Technology (679)

(Adopted at the 28th Meeting of the Standing Committee of the Eleventh National People's Congress on August 31, 2012, and promulgated by Order No. 60 of the President of the People's Republic of China on August 31, 2012)

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(1993 年 7 月 2 日第八届全国人民代表大会常务委员会第二次会议通过 根据 2012 年 8 月 31 日第十一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〈中华人民共和国农业技术推广法〉的决定》修正)

Law of the People's Republic of China on the Popularization of Agricultural Technology (695)

(Adopted at the 2nd Meeting of the Standing Committee of the Eighth National People's Congress on July 2, 1993, and revised in accordance with the Decision on Revising the Law of the People's Republic of China on the Popularization of Agricultural Technology made by the Standing Committee of the Eleventh National People's Congress at its 28th Meeting on August 31, 2012)

全国人民代表大会常务委员会关于修改《中华人民共和国农业法》的决定 (712)

(2012 年 12 月 28 日第十一届全国人民代表大会常务委员会第三十次会议通过 2012 年 12 月 28 日中华人民共和国主席令第 74 号公布)