



# 中华人民共和国 涉外法规汇编

(2004)

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 Affairs Office of the  
State Council of the People's Republic of China

中国法制出版社

China Legal Publishing House

中国·北京 Beijing China

**图书在版编目(CIP)数据**

中华人民共和国涉外法规汇编.2004年:中英文对照/国务院法制办公室编.  
—北京:中国法制出版社,2006.3

ISBN 7-80083-647-9

I. 中… II. 中… III. 外事管理-法规-汇编-中国-2004-汉、英 IV. D922.13

中国版本图书馆 CIP 数据核字(2006)第 20566 号

**中华人民共和国涉外法规汇编  
(2004)**

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经销/新华书店

印刷/三河市紫恒印装有限公司

开本/787×1092 毫米 16

印张/ 77.25 中文字数/ 504 千

版次/2006 年 3 月第 1 版

2006 年 3 月印刷

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中国法制出版社出版

书号 ISBN 7-80083-647-9

北京西单横二条 2 号华恒大厦

邮政编码 100031

定价:380.00 元

**LAWS AND REGULATIONS OF THE  
PEOPLE'S REPUBLIC OF CHINA  
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First Edition 2006

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First published by the China Legal  
Publishing House, China 2006  
First Printed in Beijing 2006  
ISBN 7-80083-647-9

## 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 2004 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 55 件。本汇编分为:宪法类、民法商法类、行政法类、经济法类、社会法类、刑法类等 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:沈秋潮、姜桂华、郭寿康、张常临等。

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  
2005 年 12 月 20 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 55 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 2004. 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 version 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 version 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: Shen Qiuchao, Jiang Guihua, Guo Shoukang and Zhang Changlin, with Li Shishi serving as the chairperson. Zhang Fu, Yuan Liang, Chen Derong, Gao Yudong, Wang Xin, 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  
December 20, 2005

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(2004 年 9 月 6 日国务院第 63 次常务会议通过 2004 年 9 月 17 日中华人民共和国国务院令 第 419 号公布)
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(Adopted at the 13th Meeting of the Standing Committee of the Fifth National People's Congress on February 12, 1980, and amended in accordance with the Decision on Amending the Regulations of the People's Republic of China on Academic Degrees adopted at the 11th Meeting of the Standing Committee of the Tenth National People's Congress on August 28, 2004)

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- Regulations for the Implementation of the Law of the People's Republic of China on Promotion of Privately-run Schools** ..... (521)

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- Regulations on Anti-doping** ..... (543)

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(1989年2月21日第七届全国人民代表大会常务委员会第六次会议通过  
2004年8月28日第十届全国人民代表大会常务委员会第十一次会议  
修订通过 2004年8月28日中华人民共和国主席令第17号公布)
- Law of the People's Republic of China on Prevention and Treatment of  
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(Adopted at the 6th Meeting of the Standing Committee of the Seventh National  
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August 28, 2004, and promulgated by Order No. 17 of the President of the  
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(2004年11月5日国务院第69次常务会议通过 2004年11月12日中  
华人民共和国国务院令第424号公布)
- Regulations on Administration of Biosafety in Pathogenic Microorganism  
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- 中国人民解放军实施《中华人民共和国药品管理法》办法** ..... (638)  
(2004年12月9日中华人民共和国国务院、中华人民共和国中央军事委  
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(Promulgated by Decree No. 428 of the State Council of the People's Republic of  
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12月10日《国务院关于修改〈计划生育技术服务管理条例〉的决定》修

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(1995 年 10 月 30 日第八届全国人民代表大会常务委员会第十六次会议通过 2004 年 12 月 29 日第十届全国人民代表大会常务委员会第十三次会议修订通过 2004 年 12 月 29 日中华人民共和国主席令第 31 号公布)

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(Adopted at the 16th Meeting of the Standing Committee of the Eighth National People's Congress on October 30, 1995, revised and adopted at the 13th Meeting of the Standing Committee of the Tenth National People's Congress on December 29, 2004, and promulgated by Order No. 31 of the President of the People's Republic of China on December 29, 2004)

**危险废物经营许可证管理办法 ..... (710)**

(2004 年 5 月 19 日国务院第 50 次常务会议通过 2004 年 5 月 30 日中华人民共和国国务院令第 408 号公布)

**Measures for Administration of Hazardous Waste Operation Permits ..... (711)**

(Adopted at the 50th Executive Meeting of the State Council on May 19, 2004, and promulgated by Decree No. 408 of the State Council of the People's Republic of China on May 30, 2004)

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(2004 年 6 月 4 日国务院第 52 次常务会议通过 2004 年 6 月 17 日中华人民共和国国务院令第 409 号公布)

**Regulations on Administration of Earthquake Monitoring ..... (727)**

(Adopted at the 52nd Executive Meeting of the State Council on June 4, 2004, and promulgated by Decree No. 409 of the State Council of the People's Republic of China on June 17, 2004)



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- Regulations on Penalties and Sanctions for Fiscal Violations** ..... (743)  
(Adopted at the 69th Executive Meeting of the State Council on November 5, 2004, and promulgated by Decree No. 427 of the State Council of the People's Republic of China on November 30, 2004)

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(2004年8月28日第十届全国人民代表大会常务委员会第十一次会议通过 2004年8月28日中华人民共和国主席令 第28号公布)
- Decision of the Standing Committee of the National People's Congress on Amending the Land Administration Law of the People's Republic of China** ..... (763)  
(Adopted at the 11th Meeting of the Standing Committee of the Tenth National People's Congress on August 28, 2004, and promulgated by Order No. 28 of the President of the People's Republic of China on August 28, 2004)
- 中华人民共和国土地管理法** ..... (764)  
(1986年6月25日第六届全国人民代表大会常务委员会第十六次会议通过 根据1988年12月29日第七届全国人民代表大会常务委员会第五次会议《关于修改〈中华人民共和国土地管理法〉的决定》第一次修正 1998年8月29日第九届全国人民代表大会常务委员会第四次会议修订通过 根据2004年8月28日第十届全国人民代表大会常务委员会第十一次会议《关于修改〈中华人民共和国土地管理法〉的决定》第二次修正)
- Land Administration Law of the People's Republic of China** ..... (765)  
(Adopted at the 16th Meeting of the Standing Committee of the Sixth National People's Congress on June 25, 1986, amended for the first time in accordance with the Decision on Amending the Land Administration Law of the People's