



# 中華人民共和國 涉外法規滙編 (1949 – 1990)

## 上卷

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

Volume I

中華人民共和國國務院法制局編

Compiled by the Bureau of  
Legislative Affairs of the State Council  
of the People's Republic of China

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## 編輯說明

一、本匯編是爲了適應我國對外開放工作和國內外各界人士全面、準確地瞭解我國涉外方面的法律、行政法規的需要，由中華人民共和國國務院法制局編輯、中國法制出版社出版的國家正式版本。

二、本匯編匯集了自1949年中華人民共和國成立至1990年底，經全國人民代表大會及其常務委員會、國務院(含政務院)制定公布或者發布的現行有效的涉外方面的法律、行政法規和法規性文件(以下簡稱法規)共226件。這些法規都已分別根據全國人民代表大會常務委員會和國務院的部署，進行過清理、鑒別和審查；英文譯本也經過國務院法制局審定。英文譯本與中文本如有歧義，以中文本爲準。

三、本匯編將所收法規，按照實際工作需要和業務性質，劃分爲：總類、外交事務、公安、司法行政和民政、對外經濟與技術合作、經濟特區與沿海經濟開放區、對外貿易、財政稅收、金融、農林、海關、進出口商品檢驗、物價、工商行政管理、技術監督、統計、交通運輸、民航、口岸管理、郵電、勞動人事、土地管理、環境保護、旅遊、科學技術、文化體育、衛生醫藥、涉外仲裁、其他共29類。此外，還匯集了有關華僑事務和港、澳、台事務方面的法規，單作爲一類附在後面。每類當中，原則上是按先法律後行政法規的順序排列，但爲了便於查閱，法律和行政法規的施行細則排列在該法律或行政法規之後；在同一層次的法律或行政法規中，按公布或發布的時間順序排列。

四、本匯編所收法規，均按原文編排。個別法規按有關規定，校正了明顯不當的字、詞和標點；對於不再適用的個別條款或者補充修正的條款，作了必要的注釋。

五、爲了便於了解涉外法規的全面情況，特將全國人民代表大會常務委員會和國務院明令廢止和宣布失效的涉外法規目錄，附錄在本匯編之後。

六、隨着我國體制改革和對外開放的深入發展以及實際情況的變化，有的法規的有效性將會發生變化，新的法規也會制定發布。我們將在清理的基礎上，對本匯編及時予以修訂，以保持匯編的完整性、適用性。

七、本匯編在編輯和翻譯過程中，國務院有關部門和其他有關方面給予了大力支持和協助，並提出了許多寶貴意見，在此謹致謝意。

中華人民共和國國務院法制局  
一九九〇年十二月

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## EDITOR'S NOTE

1. This Collection is a state-approved authoritative edition, compiled by the Bureau of Legislative Affairs of the State Council of the People's Republic of China and published by China Legal System Publishing House, to meet the needs of the country in implementing its policy of opening to the outside world and those of people of various circles, both at home and abroad, to get acquainted comprehensively and accurately with China's laws and regulations governing foreign-related matters.
  2. This Collection consists of 226 foreign-related laws, administrative regulations and other regulatory documents currently in force (hereinafter referred to as "laws and regulations"), formulated and promulgated or issued by the National People's Congress and its Standing Committee or by the State Council (including those by the Government Administration Council) during the period from the founding of the People's Republic of China in 1949 to the end of 1990. These laws and regulations have been sorted out, appraised and examined in accordance with the arrangements made respectively by the Standing Committee of the National People's Congress and the State Council. Their English translations have also been examined and approved by the Bureau of Legislative Affairs of the State Council. In case of any discrepancy between the English translation and the original Chinese text, however, the Chinese text shall prevail.
  3. The laws and regulations compiled in this Collection are classified, according to the needs of actual work and the nature of various businesses, into 29 categories, namely: General, Foreign Affairs, Public Security, Judicial Administration and Civil Administration, Foreign Economic Relations and Technological Cooperation, Special Economic Zones and Coastal Economic Development Zones, Foreign Trade, Finance and Taxation, Banking, Agriculture and Forestry, Customs, Inspection of Import and Export Commodities, Price, Administration for Industry and Commerce, Technological Control, Statistics, Communications and Transport, Civil Aviation, Port Administration, Post and Telecommunications, Labour and Personnel Administration, Land Administration, Environmental Protection, Tourism, Science and Technology, Culture and Sports, Public Health and Medicine, Arbitration Involving Foreign Interests, and Miscellaneous. Besides, laws and regulations on affairs concerning overseas Chinese and Hong Kong, Macao and Taiwan are compiled in a separate category as appendix. In each category, laws are arranged, in principle, before administrative regulations. However, for easy consultation, rules for the implementation of laws or administrative regulations are placed immediately after the relevant laws or administrative regulations. As to laws or administrative regulations belonging to a same level, they are arranged in the order of the time of their promulgation or issuance.
  4. The laws and regulations contained in this Collection were edited and reproduced in accordance with the original authentic versions. A few obviously inappropriate uses of words, expressions or punctuation marks have been corrected in compliance with related stipulations; and necessary annotations have been made on clauses that are no longer applicable or have been supplemented or amended.
  5. In order to give a full picture of the laws and regulations governing foreign-related matters, a list of the laws and regulations already abrogated by orders or decrees of or declared null and void by the Standing Committee of the National People's Congress or the State Council is attached to the Collection as another appendices.
  6. With the deep-going development in the restructuring of China's economic systems
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and the implementation of its open policy, as well as the changes in actual situation, some of the laws and regulations will eventually undergo changes also as to their effectiveness, and new laws and regulations will thus be formulated and promulgated. We shall, on the basis of sorting out the existing laws and regulations, make a timely revision of the Collection so as to ensure its comprehensiveness and applicability.

7. The English versions of the laws compiled in this Collection were provided by the Legislative Affairs Commission of the Standing Committee of the National People's Congress. The English versions of the administrative regulations and other regulatory documents were translated or revised and finalized, under the aegis of the Bureau of Legislative Affairs of the State Council, by the following experts:

Wu Qianguang(伍謙光), Cai Xingqi(蔡型乞), Sun Shouxiong(孫受熊) and Peng Guoliu(彭國柳), who took part in translation;

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We wish to express to them our sincere thanks.

8. We also owe an acknowledgement to the many interested departments under the State Council and other departments concerned for their generous assistance and support rendered and precious suggestions offered in the course of the compilation and translation of this Collection.

9. In spite of the great care taken by the experts and editors to offer an accurate translation, shortcoming or oversights are hardly avoidable in such a stupendous task, especially owing to the insufficient time at their disposal. Advice and suggestions from readers will be gratefully appreciated.

The Bureau of Legislative  
Affairs of the State  
Council of the People's  
Republic of China

December 1990

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