



中华人民共和国立法法

Legislation Law of the P.R.C

2000 年	2015 年版本	2015 Rough English Version
第一章 总则	第一章 总则	Chapter I: General Provisions
<p>第一条 为了规范立法活动，健全国家立法制度，建立和完善有中国特色社会主义法律体系，保障和发展社会主义民主，推进依法治国，建设社会主义法治国家，根据宪法，制定本法。</p>	<p>第一条 为了规范立法活动，健全国家立法制度，提高立法质量，完善中国特色社会主义法律体系，发挥立法的引领和推动作用，保障和发展社会主义民主，全面推进依法治国，建设社会主义法治国家，根据宪法，制定本法。</p>	<p>Article 1: This Law is enacted in accordance with the Constitution in order to standardize legislation activities, to complete state legislative institution, raise the quality of legislation, improve the socialist legal system with Chinese characteristics, bring into play the leading and driving roles of legislation, to safeguard and develop socialist democracy, to comprehensively promote the governance of the country through legal mechanism, and to build a socialist country under the rule of law.</p>
<p>第二条 法律、行政法规、地方性法规、自治条例和单行条例的制定、修改和废止，适用本法。</p> <p>国务院部门规章和地方政府规章的制定、修改和废止，依照本法的有关规定执行。</p>	<p>第二条 法律、行政法规、地方性法规、自治条例和单行条例的制定、修改和废止，适用本法。</p> <p>国务院部门规章和地方政府规章的制定、修改和废止，依照本法的有关规定执行。</p>	<p>Article 2: The enactment, amendment and repeal of any national law, administrative regulation, local decree, autonomous decree and special decree shall be governed by this Law.</p> <p>The enactment, amendment and repeal of administrative rules promulgated by agencies under the State Council and local rules promulgated by local governments shall be carried out in accordance with the relevant provisions of this Law.</p>
<p>第三条 立法应当遵循宪法的基本原则，以经济建设为中心，坚持社会主义道路、坚持人民民主专政、坚持中国共产党的领导、坚持马克思列宁主义毛泽东思想邓小平理论，坚持改革开放。</p>	<p>第三条 立法应当遵循宪法的基本原则，以经济建设为中心，坚持社会主义道路、坚持人民民主专政、坚持中国共产党的领导、坚持马克思列宁主义毛泽东思想邓小平理论，坚持改革开放。</p>	<p>Article 3: Legislation shall adhere to the basic principles of the Constitution, and shall be centered around economic development, and shall adhere to the socialist road, adhere to the democratic dictatorship by the people, adhere to the leadership by the Chinese Communist Party, and adhere to the theory of Marxism, Leninism and Mao Zedong thoughts and Deng Xiaoping theory, and adhere to the reform and opening to the outside world.</p>
<p>第四条 立法应当依照法定的权限和程序，从国家整体利益出发，维护社会主义法制的统一和尊严。</p>	<p>第四条 立法应当依照法定的权限和程序，从国家整体利益出发，维护社会主义法制的统一和尊严。</p>	<p>Article 4: Legislation shall comply with legally prescribed scope of authority and procedure, and shall serve the national interests and safeguard the uniformity and</p>

		dignity of our socialist legal system
第五条 立法应当体现人民的意志，发扬社会主义民主，保障人民通过多种途径参与立法活动。	第五条 立法应当体现人民的意志，发扬社会主义民主， 坚持立法公开 ，保障人民通过多种途径参与立法活动。	Article 5: Legislation shall reflect the will of the people, promote socialist democracy, persist in legislative transparency , and ensure that people are able to participate in the legislation process through various channels.
第六条 立法应当从实际出发，科学合理地规定公民、法人和其他组织的权利与义务、国家机关的权力与责任。	第六条 立法应当从实际出发， 适应经济社会发展和全面深化改革的要求 ，科学合理地规定公民、法人和其他组织的权利与义务、国家机关的权力与责任。 法律规范应当明确、具体，具有针对性和可执行性。	Article 6: Legislation shall be based on actual circumstances and appropriate to the needs of economic and social development and of comprehensively deepening reforms ; and shall, in a scientific and reasonable manner, prescribe the rights and obligations of citizens, legal persons and other organizations, and the powers and duties of state organs. Legal norms should be clear, specific, targeted and enforceable.
第二章 法律	第二章 法律	Chapter II: [National] Law
第一节 立法权限	第一节 立法权限	Section 1: Scope Of Legislative Authority
第七条 全国人民代表大会和全国人民代表大会常务委员会行使国家立法权。 全国人民代表大会制定和修改刑事、民事、国家机构的和其他的基本法律。 全国人民代表大会常务委员会制定和修改除应当由全国人民代表大会制定的法律以外的其他法律；在全国人民代表大会闭会期间，对全国人民代表大会制定的法律进行部分补充和修改，但是不得同该法律的基本原则相抵触。	第七条 全国人民代表大会和全国人民代表大会常务委员会行使国家立法权。 全国人民代表大会制定和修改刑事、民事、国家机构的和其他的基本法律。 全国人民代表大会常务委员会制定和修改除应当由全国人民代表大会制定的法律以外的其他法律；在全国人民代表大会闭会期间，对全国人民代表大会制定的法律进行部分补充和修改，但是不得同该法律的基本原则相抵触。	Article 7: The National People’s Congress and Standing Committee thereof shall exercise national legislative power. The National People’s Congress enacts and amends criminal, civil, and state organic laws and other basic laws. The Standing Committee of National People’s Congress enacts and amends laws other than those to be enacted by the National People’s Congress; while the National People’s Congress is not in session, the Standing Committee thereof partially amends and supplements national law enacted by the National People’s Congress, provided that any amendment or supplement may not contravene the basic principles of such national law.
第八条 下列事项只能制定法律： (一) 国家主权的事	第八条 下列事项只能制定法律： (一) 国家主权的事	Article 8: Only [national] law may be enacted in respect of matters relating to: (1) state sovereignty;

<p>项；</p> <p>(二) 各级人民代表大会、人民政府、人民法院和人民检察院的产生、组织和职权；</p> <p>(三) 民族区域自治制度、特别行政区制度、基层群众自治制度；</p> <p>(四) 犯罪和刑罚；</p> <p>(五) 对公民政治权利的剥夺、限制人身自由的强制措施和处罚；</p> <p>(六) 对非国有财产的征收；</p> <p>(七) 民事基本制度；</p> <p>(八) 基本经济制度以及财政、税收、海关、金融和外贸的基本制度；</p> <p>(九) 诉讼和仲裁制度；</p> <p>(十) 必须由全国人民代表大会及其常务委员会制定法律的其他事项。</p>	<p>项；</p> <p>(二) 各级人民代表大会、人民政府、人民法院和人民检察院的产生、组织和职权；</p> <p>(三) 民族区域自治制度、特别行政区制度、基层群众自治制度；</p> <p>(四) 犯罪和刑罚；</p> <p>(五) 对公民政治权利的剥夺、限制人身自由的强制措施和处罚；</p> <p>(六) 税种的设立、税率的确定和税收征收管理等税收基本制度；</p> <p>(七) 对非国有财产的征收、征用；</p> <p>(八) 民事基本制度；</p> <p>(九) 基本经济制度以及财政、海关、金融和外贸的基本制度；</p> <p>(十) 诉讼和仲裁制度；</p> <p>(十一) 必须由全国人民代表大会及其常务委员会制定法律的其他事项。</p>	<p>(2) the establishment, organization and authority of various people's congresses, people's governments, people's ;</p> <p>(3) the autonomy system for ethnic regions, system of special administrative region, and system of autonomy at the basic level courts and people's procuratorates;</p> <p>(4) crimes and criminal sanctions;</p> <p>(5) the deprivation of the political rights of a citizen, or compulsory measures and penalties involving restriction of personal freedom;</p> <p>(6) Basic systems for taxation such as the establishment of taxes, determination of tax rates and the tax collection and management;</p> <p>(7) expropriation and requisition of non-state assets; (8) fundamental civil institutions;</p> <p>(9) fundamental economic system and basic fiscal, customs, financial and foreign trade systems;</p> <p>(10) litigation and arbitration systems;</p> <p>(11) other matters the regulation of which must be carried out through enactment of national law by the National People's Congress or the Standing Committee thereof.</p>
<p>第九条 本法第八条规定的事项尚未制定法律的，全国人民代表大会及其常务委员会有权作出决定，授权国务院可以根据实际需要，对其中的部分事项先制定行政法规，但是有关犯罪和刑罚、对公民政治权利的剥夺和限制人身自由的强制措施和处罚、司法制度等事项除外。</p>	<p>第九条 本法第八条规定的事项尚未制定法律的，全国人民代表大会及其常务委员会有权作出决定，授权国务院可以根据实际需要，对其中的部分事项先制定行政法规，但是有关犯罪和刑罚、对公民政治权利的剥夺和限制人身自由的强制措施和处罚、司法制度等事项除外。</p>	<p>Article 9: Where no national law has been enacted in respect of a matter enumerated in Article 8 hereof, the National People's Congress and the Standing Committee thereof have the power to make a decision to enable the State Council to enact administrative regulations in respect of part of the matters concerned for the time being, except where the matter relates to crime and criminal sanctions, the deprivation of a citizen's political rights, compulsory measure and penalty restricting the personal freedom</p>

		of a citizen, and the judicial system.
<p>第十条 授权决定应当明确授权的目的、范围。</p> <p>被授权机关应当严格按照授权目的和范围行使该项权力。【调整为十二】</p> <p>被授权机关不得将该项权力转授给其他机关。【调整为十二】</p>	<p>第十条 授权决定应当明确授权的目的、事项、范围、期限以及被授权机关实施授权决定应当遵循的原则等。</p> <p>授权的期限不得超过五年，但是授权决定另有规定的除外。</p> <p>被授权机关应当在授权期限届满的六个月以前，向授权机关报告授权决定实施的情况，并提出是否需要制定有关法律的意见；需要继续授权的，可以提出相关意见，由全国人民代表大会及其常务委员会决定。</p>	<p>Article 10: Authorization decisions shall specify the purpose, subject, scope and duration of authorization; as well as the principles to be followed by the authorized organs carrying out the authorization decision.</p> <p>The duration of authorization must not exceed five years, except as otherwise provided by authorization decisions.</p> <p>Six months before the duration of authorization is complete, the authorized organ shall report to the authorizing organ on the circumstances of carrying out the authorization decision, and submit an opinion on whether or not it is necessary to draft law; where it is necessary to continue the authorization, an opinion may be submitted to that effect, and the National People's Congress and its standing committee will make a decision</p>
<p>第十一条 授权立法事项，经过实践检验，制定法律的条件成熟时，由全国人民代表大会及其常务委员会及时制定法律。法律制定后，相应立法事项的授权终止。</p>	<p>第十一条 授权立法事项，经过实践检验，制定法律的条件成熟时，由全国人民代表大会及其常务委员会及时制定法律。法律制定后，相应立法事项的授权终止。</p>	<p>Article 11: When, based on practice experience, the conditions are ripe for drafting a law on a subject of a legislation authorization, the National People's Congress or its Standing Committee shall enact a national law in a timely manner. After the law is drafted, the legislative authorization on that matter is ended.</p>
	<p>第十二条 被授权机关应当严格按照授权决定行使被授予的权力。</p> <p>被授权机关不得将被授予的权力转授给其他机关。 【原第十条第二、三款】</p>	<p>Article 12: Authorized organs shall strictly follow the authorization decision in exercising the authorized powers.</p> <p>Authorized organs must not transfer delegated powers to other organs.</p> <p>[Originally paragraphs 2,3 of Article 10]</p>
	<p>第十三条 全国人民代表大会及其常务委员会可以根据改革发展的需要，决定就行政管理等领域的特定事项授权在一定期限内部分地方暂时调整或者暂时停止适用法律的部分规定。</p>	<p>Article 13: The National People's Congress and its Standing Committee may, as needed for reform and development, decide to adjust or temporarily suspend the application of some statutory provisions in specific authorization matters in areas such as administrative management, for a set</p>

		period of time in some areas.
第二节 全国人民代表大会立法程序	第二节 全国人民代表大会立法程序	Section 2: Legislative Procedure Of The National People's Congress
<p>第十二条 全国人民代表大会主席团可以向全国人民代表大会提出法律案，由全国人民代表大会会议审议。</p> <p>全国人民代表大会常务委员会、国务院、中央军事委员会、最高人民法院、最高人民检察院、全国人民代表大会各专门委员会，可以向全国人民代表大会提出法律案，由主席团决定列入会议议程。</p>	<p>第十四条 全国人民代表大会主席团可以向全国人民代表大会提出法律案，由全国人民代表大会会议审议。</p> <p>全国人民代表大会常务委员会、国务院、中央军事委员会、最高人民法院、最高人民检察院、全国人民代表大会各专门委员会，可以向全国人民代表大会提出法律案，由主席团决定列入会议议程。</p>	<p>Article 14: The presidium of the National People's Congress may introduce a bill to the National People's Congress for deliberation in its current session.</p> <p>The Standing Committee, State Council, the Central Military Committee, the Supreme People's Court, the Supreme People's Procuratorate, and the various special committees of the National People's Congress may introduce a bill to the National People's Congress, which shall be put onto the agenda of the current session by a decision of the presidium.</p>
<p>第十三条 一个代表团或者三十名以上的代表联名，可以向全国人民代表大会提出法律案，由主席团决定是否列入会议议程，或者先交有关的专门委员会审议、提出是否列入会议议程的意见，再决定是否列入会议议程。</p> <p>专门委员会审议的时候，可以邀请提案人列席会议，发表意见。</p>	<p>第十五条 一个代表团或者三十名以上的代表联名，可以向全国人民代表大会提出法律案，由主席团决定是否列入会议议程，或者先交有关的专门委员会审议、提出是否列入会议议程的意见，再决定是否列入会议议程。</p> <p>专门委员会审议的时候，可以邀请提案人列席会议，发表意见。</p>	<p>Article 15: A delegation, or delegates of at least 30 people acting jointly, may introduce a bill to the National People's Congress, and the presidium shall decide whether to put such bill onto the agenda of the current session, or whether to refer such bill to the relevant special committee for deliberation, and such special committee shall make a recommendation as to whether such bill shall be put onto the agenda of the current session, whereupon the presidium shall decide whether to do so.</p> <p>When deliberating a bill, the special committee may invite the bill sponsor to the deliberation session to give comments.</p>
<p>第十四条 向全国人民代表大会提出的法律案，在全国人民代表大会闭会期间，可以先向常务委员会提出，经常务委员会会议依照本法第二章第三节规定的有关程序审议后，决定提请全国人民代表大会审议，由常务委员会向大会全体会议作说明，或者由提案人向大会全体会议作说明。</p>	<p>第十六条 向全国人民代表大会提出的法律案，在全国人民代表大会闭会期间，可以先向常务委员会提出，经常务委员会会议依照本法第二章第三节规定的有关程序审议后，决定提请全国人民代表大会审议，由常务委员会向大会全体会议作说明，或者由提案人向大会全体会议作说明。</p> <p>常务委员会依照前款规定审</p>	<p>Article 16: While the National People's Congress is in recess, a bill to be introduced to it may first be submitted to the Standing Committee thereof, which shall such bill to the National People's Congress by way of a decision after it has deliberated on it in accordance with the relevant procedures set forth in Section 3 of Chapter 2 hereof, and the Standing Committee or the bill sponsor shall brief the plenary session.</p> <p>In deliberating a bill, the Standing Committee shall solicit comments from</p>

	<p>议法律案，应当通过多种形式征求全国人民代表大会代表的意见，并将有关情况予以反馈；专门委员会和常务委员会工作机构进行立法调研，可以邀请有关的全国人民代表大会代表参加。</p>	<p>National People's Congress delegates in multiple ways, and give feedback on the situation; the work institutions of the special committees and the the Standing Committee shall conduct research on legislation and may invite National People's Congress delegates to participate.</p>
<p>第十五条 常务委员会决定提请全国人民代表大会会议审议的法律案，应当在会议举行的一个月前将法律草案发给代表。</p>	<p>第十七条 常务委员会决定提请全国人民代表大会会议审议的法律案，应当在会议举行的一个月前将法律草案发给代表。</p>	<p>Article 17: For a bill which the Standing Committee has decided to submit to the upcoming session of the National People's Congress for deliberation, the draft law shall be distributed to the delegates one month prior to the commencement of the session.</p>
<p>第十六条 列入全国人民代表大会会议议程的法律案，大会全体会议听取提案人的说明后，由各代表团进行审议。</p> <p>各代表团审议法律案时，提案人应当派人听取意见，回答询问。</p> <p>各代表团审议法律案时，根据代表团的要求，有关机关、组织应当派人介绍情况。</p>	<p>第十八条 列入全国人民代表大会会议议程的法律案，大会全体会议听取提案人的说明后，由各代表团进行审议。</p> <p>各代表团审议法律案时，提案人应当派人听取意见，回答询问。</p> <p>各代表团审议法律案时，根据代表团的要求，有关机关、组织应当派人介绍情况。</p>	<p>Article 18: For a bill which has been put on the agenda of the current session of the National People's Congress, the plenary session shall be briefed by the bill sponsor, whereupon the delegations shall begin deliberation.</p> <p>When delegations deliberate a bill, the bill sponsor shall send representatives to hear comments and answer questions.</p> <p>When delegations deliberate a bill, upon request by a delegation, the relevant organ or organization shall send representatives to brief the delegation.</p>
<p>第十七条 列入全国人民代表大会会议议程的法律案，由有关的专门委员会进行审议，向主席团提出审议意见，并印发会议。</p>	<p>第十九条 列入全国人民代表大会会议议程的法律案，由有关的专门委员会进行审议，向主席团提出审议意见，并印发会议。</p>	<p>Article 19: A bill which has been put on the agenda of the current session of the National People's Congress shall be deliberated by the relevant special committee, which shall submit its deliberation opinions to the presidium, and such opinions shall be printed and distributed to the delegates attending the session.</p>
<p>第十八条 列入全国人民代表大会会议议程的法律案，由法律委员会根据各代表团和有关的专门委员会的审议意见，对法律案进行统一审议，向主席团提出审议结果报告和法律草案修改稿，对重要的不同意见应当在审议结果报告中予以说明，经主</p>	<p>第二十条 列入全国人民代表大会会议议程的法律案，由法律委员会根据各代表团和有关的专门委员会的审议意见，对法律案进行统一审议，向主席团提出审议结果报告和法律草案修改稿，对重要的不同意见应当在审议结果报告中予以说明，经主</p>	<p>Article 20: For a bill which has been put on the agenda of the current session of the National People's Congress, after gathering the deliberation opinions delivered by the delegations and the relevant special committee, the Legislative Committee shall conduct a uniform deliberation, and afterwards shall deliver to the presidium a deliberation report and the amended draft law, and the deliberation report shall</p>

<p>席团会议审议通过，印发会议。</p>	<p>席团会议审议通过，印发会议。</p>	<p>contain explanations of the major differences of opinions, and after the presidium has deliberated and passed the deliberation report and the amended draft law, they shall be printed and circulated to the delegates attending the session.</p>
<p>第十九条 列入全国人民代表大会会议议程的法律案，必要时，主席团常务主席可以召开各代表团团长会议，就法律案中的重大问题听取各代表团的审议意见，进行讨论，并将讨论的情况和意见向主席团报告。</p> <p>主席团常务主席也可以就法律案中的重大的专门性问题，召集代表团推选的有关代表进行讨论，并将讨论的情况和意见向主席团报告。</p>	<p>第二十一条 列入全国人民代表大会会议议程的法律案，必要时，主席团常务主席可以召开各代表团团长会议，就法律案中的重大问题听取各代表团的审议意见，进行讨论，并将讨论的情况和意见向主席团报告。</p> <p>主席团常务主席也可以就法律案中的重大的专门性问题，召集代表团推选的有关代表进行讨论，并将讨论的情况和意见向主席团报告。</p>	<p>Article 21: For a bill which has been put on the agenda of the current session of the National People's Congress, where necessary, the executive chairman of the presidium may call a session of the delegation leaders to hear the deliberation opinions of the various delegations on major matters covered by the bill and conduct discussions, and shall report to the presidium the status of the discussion and the opinions expressed.</p> <p>The executive chairman of the presidium may also call a session of the relevant delegates elected by various delegations to discuss major special issues involved in the bill, and shall report to the presidium the status of the discussion and the opinions expressed.</p>
<p>第二十条 列入全国人民代表大会会议议程的法律案，在交付表决前，提案人要求撤回的，应当说明理由，经主席团同意，并向大会报告，对该法律案的审议即行终止。</p>	<p>第二十二条 列入全国人民代表大会会议议程的法律案，在交付表决前，提案人要求撤回的，应当说明理由，经主席团同意，并向大会报告，对该法律案的审议即行终止。</p>	<p>Article 22: Where before a bill which has been put on the agenda of the current session of the National People's Congress is brought to a vote, the bill's sponsor requests to withdraw it the bill sponsor shall explain the reason for the withdrawal, and subject to consent by the presidium, a report shall be made to the plenary session, whereupon deliberation on the bill shall terminate.</p>
<p>第二十一条 法律案在审议中有重大问题需要进一步研究的，经主席团提出，由大会全体会议决定，可以授权常务委员会根据代表的意见进一步审议，作出决定，并将决定情况向全国人民代表大会下次会议报告；也可以授权常务委员会根据代表的意见进一步审议，提出修改方案，提请全国人民代表大会下次会议审议决定。</p>	<p>第二十三条 法律案在审议中有重大问题需要进一步研究的，经主席团提出，由大会全体会议决定，可以授权常务委员会根据代表的意见进一步审议，作出决定，并将决定情况向全国人民代表大会下次会议报告；也可以授权常务委员会根据代表的意见进一步审议，提出修改方案，提请全国人民代表大会下次会议审议决定。</p>	<p>Article 23: Where in the course of deliberating a bill, major issues are encountered, upon motion brought by the presidium and decided upon by the plenary session, the Standing Committee may be authorized to conduction further deliberation based on the opinions of the delegates, and the Standing Committee shall report its decision to the next session of the National People's Congress; the Standing Committee may also be authorized to conduct further deliberation and prepare an amendment plan, to be submitted to the next session of the National People's</p>

		Congress for deliberation and decision.
第二十二条 法律草案修改稿经各代表团审议，由法律委员会根据各代表团的审议意见进行修改，提出法律草案表决稿，由主席团提请大会全体会议表决，由全体代表的过半数通过。	第二十四条 法律草案修改稿经各代表团审议，由法律委员会根据各代表团的审议意见进行修改，提出法律草案表决稿，由主席团提请大会全体会议表决，由全体代表的过半数通过。	Article 24: After deliberation by the delegations, the amended draft law shall be further amended by the Legislative Committee based on the deliberating opinions of the delegations, and the Legislative Committee shall present a voting version of the draft law to be submitted by the presidium to the plenary session for voting, and such version shall be adopted if it receives affirmative votes from more than half of all delegates.
第二十三条 全国人民代表大会通过的法律由国家主席签署主席令予以公布。	第二十五条 全国人民代表大会通过的法律由国家主席签署主席令予以公布。	Article 25: Laws enacted by the National People's Congress shall be promulgated by way of a presidential order signed by the state president.
第三节 全国人民代表大会常务委员会立法程序	第三节 全国人民代表大会常务委员会立法程序	Section 3: Legislative Procedure Of The Standing Committee Of The National People's Congress
第二十四条 委员长会议可以向常务委员会提出法律案，由常务委员会会议审议。 国务院、中央军事委员会、最高人民法院、最高人民检察院、全国人民代表大会各专门委员会，可以向常务委员会提出法律案，由委员长会议决定列入常务委员会会议议程，或者先交有关的专门委员会审议、提出报告，再决定列入常务委员会会议议程。如果委员长会议认为法律案有重大问题需要进一步研究，可以建议提案人修改完善后再向常务委员会提出。	第二十六条 委员长会议可以向常务委员会提出法律案，由常务委员会会议审议。 国务院、中央军事委员会、最高人民法院、最高人民检察院、全国人民代表大会各专门委员会，可以向常务委员会提出法律案，由委员长会议决定列入常务委员会会议议程，或者先交有关的专门委员会审议、提出报告，再决定列入常务委员会会议议程。如果委员长会议认为法律案有重大问题需要进一步研究，可以建议提案人修改完善后再向常务委员会提出。	Article 26: The Chairman's Committee may introduce a bill to the Standing Committee for deliberation during its current session. The State Council, the Central Military Committee, the Supreme People's Court, the Supreme People's Procuratorate, the various special committees of the Standing Committee may introduce a bill to the Standing Committee, and the Chairman's Committee shall make a decision to put the bill on the agenda of the upcoming session of the Standing Committee, or first refer it to the relevant special committee for deliberation, and a report on it shall be submitted by the special committee, whereupon the Chairman's Committee will decide to put it on the agenda of the upcoming session of the Standing Committee. If the Chairman's Committee is of the opinion that there are material issues outstanding in respect of the bill which requires further study, it may advise that the bill sponsor revise and improve the bill before it is introduced to the Standing Committee.
第二十五条 常务委员会组成人员十人以上联名，可以	第二十七条 常务委员会组成人员十人以上联名，可以	Article 27: Ten or more members of the Standing Committee acting jointly, may

<p>向常务委员会提出法律案，由委员长会议决定是否列入常务委员会会议议程，或者先交有关的专门委员会审议、提出是否列入会议议程的意见，再决定是否列入常务委员会会议议程。不列入常务委员会会议议程的，应当向常务委员会会议报告或者向提案人说明。</p> <p>专门委员会审议的时候，可以邀请提案人列席会议，发表意见。</p>	<p>向常务委员会提出法律案，由委员长会议决定是否列入常务委员会会议议程，或者先交有关的专门委员会审议、提出是否列入会议议程的意见，再决定是否列入常务委员会会议议程。不列入常务委员会会议议程的，应当向常务委员会会议报告或者向提案人说明。</p> <p>专门委员会审议的时候，可以邀请提案人列席会议，发表意见。</p>	<p>introduce a bill to the Standing Committee, and the Chairman's Committee shall decide whether to put it on the agenda of the Standing Committee's session, or whether to refer it to the relevant special committee for deliberation and recommendation before deciding to put it on the agenda. Where such bill is not put on the agenda of the Standing Committee session, the Chairman's Committee shall make a report to the Standing Committee session or give an explanation to the bill sponsor.</p> <p>When deliberating a bill, the special committee may invite the bill sponsor to the deliberation session to give comments.</p>
<p>第二十六条 列入常务委员会会议议程的法律案，除特殊情况外，应当在会议举行的七日前将法律草案发给常务委员会组成人员。</p>	<p>第二十八条 列入常务委员会会议议程的法律案，除特殊情况外，应当在会议举行的七日前将法律草案发给常务委员会组成人员。</p> <p>常务委员会会议审议法律案时，应当邀请有关的全国人民代表大会代表列席会议。</p>	<p>Article 28: For a bill which has been put on the agenda of the session of the Standing Committee, unless special circumstances arise, the draft law shall be distributed to the members of the Standing Committee seven days prior to commencement of the session.</p> <p>When deliberating a bill, the Standing Committee shall invite relevant National People's Congress Delegates to attend.</p>
<p>第二十七条 列入常务委员会会议议程的法律案，一般应当经三次常务委员会会议审议后再交付表决。</p> <p>常务委员会会议第一次审议法律案，在全体会议上听取提案人的说明，由分组会议进行初步审议。</p> <p>常务委员会会议第二次审议法律案，在全体会议上听取法律委员会关于法律草案修改情况和主要问题的汇报，由分组会议进一步审议。</p> <p>常务委员会会议第三次审议法律案，在全体会议上听取法律委员会关于法律草案审议结果的报告，由分组会议</p>	<p>第二十九条 列入常务委员会会议议程的法律案，一般应当经三次常务委员会会议审议后再交付表决。</p> <p>常务委员会会议第一次审议法律案，在全体会议上听取提案人的说明，由分组会议进行初步审议。</p> <p>常务委员会会议第二次审议法律案，在全体会议上听取法律委员会关于法律草案修改情况和主要问题的汇报，由分组会议进一步审议。</p> <p>常务委员会会议第三次审议法律案，在全体会议上听取法律委员会关于法律草案审议结果的报告，由分组会议</p>	<p>Article 29: A bill which has been put on the agenda of the Standing Committee session shall in general be deliberated three times in the current session of the Standing Committee before being voted on.</p> <p>During the first deliberation of the bill at the current Standing Committee session, the bill sponsor shall brief the plenary session, whereupon preliminary deliberation shall be conducted by divided group sessions.</p> <p>During the second deliberation of the bill at the current Standing Committee session, the Legislative Committee shall brief the plenary session on the status of amendment and major issues in respect of the draft law, whereupon further deliberation shall be conducted by divided group sessions.</p> <p>During the third deliberation of the bill at the current Standing Committee session, the Legislative Committee shall give a report to</p>

<p>对法律草案修改稿进行审议。</p> <p>常务委员会审议法律案时，根据需要，可以召开联组会议或者全体会议，对法律草案中的主要问题进行讨论。</p>	<p>对法律草案修改稿进行审议。</p> <p>常务委员会审议法律案时，根据需要，可以召开联组会议或者全体会议，对法律草案中的主要问题进行讨论。</p>	<p>the plenary session on the result of the deliberation on the draft law, whereupon deliberation on the amended draft law shall be conducted by divided group sessions.</p> <p>When deliberating a bill, if necessary, the Standing Committee may convene a joint group session or a plenary session to discuss the major issues of the draft law.</p>
<p>第二十八条 列入常务委员会会议议程的法律案，各方面意见比较一致的，可以经两次常务委员会会议审议后交付表决；部分修改的法律案，各方面的意见比较一致的，也可以经一次常务委员会会议审议即交付表决。</p>	<p>第三十条 列入常务委员会会议议程的法律案，各方面意见比较一致的，可以经两次常务委员会会议审议后交付表决；调整事项较为单一或者部分修改的法律案，各方面的意见比较一致的，也可以经一次常务委员会会议审议即交付表决。</p>	<p>Article 30: For a bill which has been put on the agenda of the session of the Standing Committee, where a preponderant consensus is formed, it may be brought to a vote after two deliberations by the session of the Standing Committee; where there is a single matter for adjustment, or for a bill which partially amends a national law, if a preponderant consensus is formed, it may be brought to a vote after one deliberation by the session of the Standing Committee.</p>
<p>第二十九条 常务委员会分组会议审议法律案时，提案人应当派人听取意见，回答询问。</p> <p>常务委员会分组会议审议法律案时，根据小组的要求，有关机关、组织应当派人介绍情况。</p>	<p>第三十一条 常务委员会分组会议审议法律案时，提案人应当派人听取意见，回答询问。</p> <p>常务委员会分组会议审议法律案时，根据小组的要求，有关机关、组织应当派人介绍情况。</p>	<p>Article 31: During deliberation of a bill by the subgroups of the Standing Committee, the sponsor shall send representatives to hear comments and answer questions.</p> <p>During deliberation of a bill by the subgroups of the Standing Committee, if requested by a subgroup, the relevant agency or organization shall send representatives to brief the subgroup.</p>
<p>第三十条 列入常务委员会会议议程的法律案，由有关的专门委员会进行审议，提出审议意见，印发常务委员会会议。</p> <p>有关的专门委员会审议法律案时，可以邀请其他专门委员会的成员列席会议，发表意见。</p>	<p>第三十二条 列入常务委员会会议议程的法律案，由有关的专门委员会进行审议，提出审议意见，印发常务委员会会议。</p> <p>有关的专门委员会审议法律案时，可以邀请其他专门委员会的成员列席会议，发表意见。</p>	<p>Article 32: A bill which has been put on the agenda of the Standing Committee session shall be deliberated by the relevant special committee, which shall present its deliberation opinions, which shall be printed and distributed to members attending the Standing Committee session.</p> <p>During deliberation, the relevant special committee may invite members of other special committees to the session to give comments.</p>
<p>第三十一条 列入常务委员会会议议程的法律案，由法律委员会根据常务委员会组成人员、有关的专门委员会的审议意见和各方面提出的</p>	<p>第三十三条 列入常务委员会会议议程的法律案，由法律委员会根据常务委员会组成人员、有关的专门委员会的审议意见和各方面提出的</p>	<p>Article 33: For a bill which has been put on the agenda of the session of the Standing Committee, the Legislative Committee shall conduct uniform deliberation based on the opinions expressed by the members of the Standing Committee, the deliberation</p>

<p>意见，对法律案进行统一审议，提出修改情况的汇报或者审议结果报告和法律草案修改稿，对重要的不同意见应当在汇报或者审议结果报告中予以说明。对有关的专门委员会的重要审议意见没有采纳的，应当向有关的专门委员会反馈。</p> <p>法律委员会审议法律案时，可以邀请有关的专门委员会的成员列席会议，发表意见。</p>	<p>意见，对法律案进行统一审议，提出修改情况的汇报或者审议结果报告和法律草案修改稿，对重要的不同意见应当在汇报或者审议结果报告中予以说明。对有关的专门委员会的审议意见没有采纳的，应当向有关的专门委员会反馈。</p> <p>法律委员会审议法律案时，应当邀请有关的专门委员会的成员列席会议，发表意见。</p>	<p>opinions delivered by the relevant special committee and concerned constituents, and thereafter it shall give a report on the status of amendment or deliver a deliberation result report and the amended draft law, and the status report or deliberation result report shall explain major difference of opinions. If a deliberation opinion expressed by a relevant special committee is not adopted, this shall be reported back to the special committee.</p> <p>When deliberating a bill, the Legislative Committee shall invite members of the relevant special committee to the session to give comments.</p>
<p>第三十二条 专门委员会审议法律案时，应当召开全体会议审议，根据需要，可以要求有关机关、组织派有关负责人说明情况。</p>	<p>第三十四条 专门委员会审议法律案时，应当召开全体会议审议，根据需要，可以要求有关机关、组织派有关负责人说明情况。</p>	<p>Article 34: During deliberation, a special committee shall convene a plenary session to conduct the deliberation, and where necessary, it may request that the relevant agency or organization send its relevant person in charge to brief the session.</p>
<p>第三十三条 专门委员会之间对法律草案的重要问题意见不一致时，应当向委员长会议报告。</p>	<p>第三十五条 专门委员会之间对法律草案的重要问题意见不一致时，应当向委员长会议报告。</p>	<p>Article 35: Where there is a difference of opinion among the special committees on a major matter covered by the draft law, they shall report such difference to the Chairman's Committee.</p>
<p>第三十四条 列入常务委员会会议议程的法律案，法律委员会、有关的专门委员会和常务委员会工作机构应当听取各方面的意见。听取意见可以采取座谈会、论证会、听证会等多种形式。</p> <p>常务委员会工作机构应当将法律草案发送有关机关、组织和专家征求意见，将意见整理后送法律委员会和有关的专门委员会，并根据需要，印发常务委员会会议。</p>	<p>第三十六条 列入常务委员会会议议程的法律案，法律委员会、有关的专门委员会和常务委员会工作机构应当听取各方面的意见。听取意见可以采取座谈会、论证会、听证会等多种形式。</p> <p>法律案有关问题专业性较强，需要进行可行性评价的，应当召开论证会，听取有关专家、部门和全国人民代表大会代表等方面的意见。论证情况应当向常务委员会报告。</p> <p>法律案有关问题存在重大意见分歧或者涉及利益关系重</p>	<p>Article 36: For a bill which has been put on the agenda of the session of the Standing Committee, the relevant special committee and the office of operation of the Standing Committee shall hear the opinions of the concerned constituents. In gathering opinions, various methods may be adopted, such as panel discussions, evidence review meetings and hearings.</p> <p>Where issues relevant to a bill are more specialized, and it is necessary to conduct an evaluation of their feasibility, an evidence review meeting shall be convened to hear relevant opinions, such as those of relevant experts, departments and delegates of the National People's Congress. Evidence review outcomes shall be reported to the Standing Committee.</p> <p>Where bills have issues on which there are major divergent opinions or major issues</p>

大调整，需要进行听证的，应当召开听证会，听取有关基层和群体代表、部门、人民团体、专家、全国人民代表大会代表和社会有关方面的意见。听证情况应当向常务委员会报告。

常务委员会工作机构应当将法律草案发送相关领域的全国人民代表大会代表、地方人民代表大会常务委员会以及有关部门、组织和专家征求意见。

that involve interests, and it is necessary to conduct a hearing, a hearing shall be convened to hear the opinions from relevant basic level and mass representatives, departments, people's organizations, experts, National People's Congress delegates and relevant social sectors. A report on the hearing shall be made to the Standing Committee.

The Standing Committee's office of operations shall distribute the draft law to National People's Congress Delegates in relevant fields and the standing committees of local people's congresses, as well as relevant departments, organizations and experts, to gather opinions.

第三十五条 列入常务委员会会议议程的重要的法律案，经委员长会议决定，可以将法律草案公布，征求意见。各机关、组织和公民提出的意见送常务委员会工作机构。

第三十七条 列入常务委员会会议议程的法律案，应当在常务委员会会议后将法律草案及其起草、修改的说明等向社会公布，征求意见，但是经委员长会议决定不公布的除外。向社会公布征求意见的时间一般不少于三十日。征求意见的情况应当向社会通报。

Article 37: For a bill which has been put on the agenda for the session of the Standing Committee, after the deliberations by the Standing Committee, the draft law and an explanation of the drafting or amendments shall be released to the public for comments, except where the Chairman's Committee makes a decision to not release it. The time for release to the public to solicit comments is usually not less than thirty days. A report shall be made to the public on the solicited comments.

第三十六条 列入常务委员会会议议程的法律案，常务委员会工作机构应当收集整理分组审议的意见和各方面提出的意见以及其他有关资料，分送法律委员会和有关的专门委员会，并根据需要，印发常务委员会会议。

第三十八条 列入常务委员会会议议程的法律案，常务委员会工作机构应当收集整理分组审议的意见和其他有关资料，分送法律委员会和有关的专门委员会，并根据需要，印发常务委员会会议。

Article 38: For a bill which has been put on the agenda of the session of the Standing Committee, the office of operation of the Standing Committee shall collect and compile the comments made by the subgroups during deliberation, as well as comments made by concerned constituents, and where necessary, it shall distribute them to the current session of the Standing Committee.

	<p>第三十九条 拟提请常务委员会会议审议通过的法律案，在法律委员会提出审议结果报告前，常务委员会工作机构可以对法律草案中主要制度规范的可行性、法律出台时机、法律实施的社会效果和可能出现的问题等进行评估。评估情况由法律委员会在审议结果报告中予以说明。</p>	<p>Article 39: For bills that are intended to be submitted to the Standing Committee for deliberation, before the Legislative Committee submits its review report, the operations office of the Standing Committee may conduct evaluations of issues such as the feasibility of major systems in the bill, the timing of the new law, the social impact of the implementing the law, and problems that might emerge. The Legislative Committee will explain these circumstances in its deliberation conclusions report.</p>
<p>第三十七条 列入常务委员会会议议程的法律案，在交付表决前，提案人要求撤回的，应当说明理由，经委员长会议同意，并向常务委员会报告，对该法律案的审议即行终止。</p>	<p>第四十条 列入常务委员会会议议程的法律案，在交付表决前，提案人要求撤回的，应当说明理由，经委员长会议同意，并向常务委员会报告，对该法律案的审议即行终止。</p>	<p>Article 40: Where the sponsor of a bill which has been put on the agenda of the session of the Standing Committee requests for withdrawal of such bill before it is brought to a vote, the bill sponsor shall give an explanation, and subject to consent by the Chairman's Committee, a report shall be made to the Standing Committee, whereupon the deliberation on the bill shall terminate.</p>
<p>第三十八条 法律案经常务委员会三次会议审议后，仍有重大问题需要进一步研究的，由委员长会议提出，经联组会议或者全体会议同意，可以暂不付表决，交法律委员会和有关的专门委员会进一步审议。</p>		
<p>第三十九条 列入常务委员会会议审议的法律案，因各方面对制定该法律的必要性、可行性等重大问题存在较大意见分歧搁置审议满两年的，或者因暂不付表决经过两年没有再次列入常务委员会会议议程审议的，由委员长会议向常务委员会报告，该法律案终止审议。</p>		
<p>第四十条 法律草案修改稿经常务委员会会议审议，由法律委员会根据常务委员会组成人员的审议意见进行修改，提出法律草案表决稿，由委员长会议提请常务委</p>	<p>第四十一条 法律草案修改稿经常务委员会会议审议，由法律委员会根据常务委员会组成人员的审议意见进行修改，提出法律草案表决稿，由委员长会议提请常务</p>	<p>Article 41: Upon deliberation of the draft law by the Standing Committee session, the Legislative Committee shall make further amendment based on the comments made during deliberation by members of the Standing Committee, and shall present a voting version of the draft law, and the</p>


<p>会全体会议表决，由常务委员会全体组成人员的过半数通过。</p>	<p>委员会全体会议表决，由常务委员会全体组成人员的过半数通过。</p> <p>法律草案表决稿交付常务委员会会议表决前，委员长会议根据常务委员会会议审议的情况，可以决定将个别意见分歧较大的重要条款提请常务委员会会议单独表决。</p> <p>单独表决的条款经常务委员会会议表决后，委员长会议根据单独表决的情况，可以决定将法律草案表决稿交付表决，也可以决定暂不付表决，交法律委员会和有关的专门委员会进一步审议。</p>	<p>Chairman's Committee shall bring the draft law for a vote by the plenary session of the Standing Committee, whereupon such bill shall be enacted if more than half of the votes cast by the members of the Standing Committee are affirmative.</p> <p>Before the voting version of a bill is passed to the Standing Committee for deliberation and voting, the Chairman's Committee may decide, based on the deliberations of the Standing Committee, to submit individual clauses on which opinions greatly differ to a separate vote by the Standing Committee.</p> <p>After a separate vote on a clause by the Standing Committee, the Chairman's Committee may, based on the separate vote, decide to submit the voting copy of the bill for a vote, and may also decide to temporarily not submit it for a vote, and give it to the Legislative Committee and relevant special committees for further review.</p>
<p>三十九条 列入常务委员会会议审议的法律案，因各方面对制定该法律的必要性、可行性等重大问题存在较大意见分歧搁置审议满两年的，或者因暂不付表决经过两年没有再次列入常务委员会会议议程审议的，由委员长会议向常务委员会报告，该法律案终止审议。</p>	<p>第四十二条 列入常务委员会会议审议的法律案，因各方面对制定该法律的必要性、可行性等重大问题存在较大意见分歧搁置审议满两年的，或者因暂不付表决经过两年没有再次列入常务委员会会议议程审议的，由委员长会议向常务委员会报告，该法律案终止审议。</p>	<p>Article 42: For a bill which has been put on the agenda of the session of the Standing Committee, if deliberation on the bill has been postponed for two years due to major differences among the concerned constituents on major issues such as the necessity or feasibility of enacting such bill, or voting was postponed and the bill has not been put on the agenda of the session of the Standing Committee for two years, the Chairman's Committee shall make a report to the Standing Committee, whereupon deliberation on the bill shall terminate.</p>
	<p>第四十三条 对多部法律中涉及同类事项的个别条款进行修改，一并提出法律案的，经委员长会议决定，可以合并表决，也可以分别表决。</p>	<p>Article 43: Where there is to be revision of individual clauses involving the same matter in several laws, and bills are submitted together, then upon decision of the Chairman's Committee, the may be voted on together, or may also be voted on separately.</p>
<p>第四十一条 常务委员会通过的法律由国家主席签署主席令予以公布。</p>	<p>第四十四条 常务委员会通过的法律由国家主席签署主席令予以公布。</p>	<p>Article 44: A national law passed by the National People's Congress shall be promulgated by way of a presidential order signed by the state president.</p>

第四节 法律解释	第四节 法律解释	Section 4: Legislative Interpretation
<p>第四十二条 法律解释权属于全国人民代表大会常务委员会。法律有以下情况之一的，由全国人民代表大会常务委员会解释：</p> <p>（一）法律的规定需要进一步明确具体含义的；</p> <p>（二）法律制定后出现新的情况，需要明确适用法律依据的。</p>	<p>第四十五条 法律解释权属于全国人民代表大会常务委员会。法律有以下情况之一的，由全国人民代表大会常务委员会解释：</p> <p>（一）法律的规定需要进一步明确具体含义的；</p> <p>（二）法律制定后出现新的情况，需要明确适用法律依据的。</p>	<p>Article 45: The power to interpret a national law shall vest in the Standing Committee of National People's Congress.</p> <p>The Standing Committee of National People's Congress shall give interpretation to a national law in any of the following circumstances:</p> <p>(1) the specific meaning of a provision of such legislation requires further clarification;</p> <p>(2) a new situation arises after enactment of such legislation, thereby requiring clarification of the basis of its application.</p>
<p>第四十三条 国务院、中央军委、最高人民法院、最高人民检察院和全国人民代表大会各专门委员会以及省、自治区、直辖市的人民代表大会常务委员会可以向全国人民代表大会常务委员会提出法律解释要求。</p>	<p>第四十六条 国务院、中央军委、最高人民法院、最高人民检察院和全国人民代表大会各专门委员会以及省、自治区、直辖市的人民代表大会常务委员会可以向全国人民代表大会常务委员会提出法律解释要求。</p>	<p>Article 46: The State Council, the Central Military Commission, the Supreme People's Court, the Supreme People's Procuratorate, the various special committees of the Standing Committee and the Standing Committee of the People's Congress of various provinces, autonomous regions and municipality directly under the central government may make a request for legislative interpretation to the Standing Committee of the National People's Congress.</p>
<p>第四十四条 常务委员会工作机构研究拟订法律解释草案，由委员长会议决定列入常务委员会会议议程。</p>	<p>第四十七条 常务委员会工作机构研究拟订法律解释草案，由委员长会议决定列入常务委员会会议议程。</p>	<p>Article 47: The office of operation of the Standing Committee shall research and prepare draft legislative interpretation, and shall be put on the agenda of the upcoming session of the Standing Committee upon decision by the Chairman's Committee.</p>
<p>第四十五条 法律解释草案经常务委员会会议审议，由法律委员会根据常务委员会组成人员的审议意见进行审议、修改，提出法律解释草案表决稿。</p>	<p>第四十八条 法律解释草案经常务委员会会议审议，由法律委员会根据常务委员会组成人员的审议意见进行审议、修改，提出法律解释草案表决稿。</p>	<p>Article 48: After deliberation by the session of the Standing Committee, the draft legislative interpretation shall be deliberated and amended by the Legislative Committee based on comments made by members of the Standing Committee, and it shall submit a voting version of the draft legislative interpretation.</p>
<p>第四十六条 法律解释草案表决稿由常务委员会全体组成</p>	<p>第四十九条 法律解释草案表决稿由常务委员会全体组成</p>	<p>Article 49: The voting version of the draft legislative interpretation shall be adopted if affirmed by more than half of all members of</p>

<p>人员的过半数通过，由常务委员会发布公告予以公布。</p>	<p>人员的过半数通过，由常务委员会发布公告予以公布。</p>	<p>the Standing Committee, and shall be promulgated by the Standing Committee by way of a public announcement.</p>
<p>第四十七条 全国人民代表大会常务委员会的法律解释同法律具有同等效力。</p>	<p>第五十条 全国人民代表大会常务委员会的法律解释同法律具有同等效力。</p>	<p>Article 50: Legislative interpretations issued by the Standing Committee of National People's Congress shall have the same force as national law.</p>
<p>第五节 其他规定</p>	<p>第五节 其他规定</p>	<p>Section 5: Other Provisions</p>
	<p>第五十一条 全国人民代表大会及其常务委员会加强对立法工作的组织协调，发挥在立法工作中的主导作用。</p>	<p>Article 51: The National People's Congress and its Standing Committee increase organizational coordination in legislative work, bringing into play a dominant role in legislative work.</p>
	<p>第五十二条 全国人民代表大会常务委员会通过立法规划、年度立法计划等形式，加强对立法工作的统筹安排。编制立法规划和年度立法计划，应当认真研究代表议案和建议，广泛征集意见，科学论证评估，根据经济社会发展和民主法治建设的需要，确定立法项目，提高立法的及时性、针对性和系统性。立法规划和年度立法计划由委员长会议通过并向社会公布。</p> <p>全国人民代表大会常务委员会工作机构负责编制立法规划和拟订年度立法计划，并按照全国人民代表大会常务委员会的要求，督促立法规划和年度立法计划的落实。</p>	<p>Article 52: Through adopting legislative plans, an annual legislation program and other means, the Standing Committee of the National People's Congress strengthens the overall arrangement of legislative work. Preparation of legislative plans and the annual legislative program should seriously study delegate's proposals and suggestions, broadly solicit opinions, scientifically debate and evaluate, and on the basis of the needs of economic and social development and the establishment of democratic rule, determine legislative projects and increase the timeliness, focus, and systematization of legislation. Legislative plans and the annual legislation program are adopted and released to the public by the Chairman's Committee.</p> <p>The operations office of the Standing Committee of the National People's Congress is responsible for preparing legislative plans and formulating the annual legislation program, and urges the implementation of the legislative plans and annual legislation program in accordance with the request of the Standing Committee of the National People's Congress.</p>
	<p>第五十三条 全国人民代表大会有关的专门委员会、常务委员会工作机构应当提前参与有关方面的法律草案起草</p>	<p>Article 53: The operations offices of Special Committees and the Standing Committee of the National People's Congress, shall participate in relevant legislative drafting</p>

	<p>工作；综合性、全局性、基础性的重要法律草案，可以由有关的专门委员会或者常务委员会工作机构组织起草。</p> <p>专业性较强的法律草案，可以吸收相关领域的专家参与起草工作，或者委托有关专家、教学科研单位、社会组织起草。</p>	<p>work in advance; for comprehensive, big picture or fundamental major legislative drafts, the operations offices of Special Committees and the Standing Committee may organize the drafting.</p> <p>For draft laws that are quite specialized, the experts from relevant fields may be brought into the drafting efforts, or relevant experts, academic research units and social organizations entrusted to organize the drafting.</p>
<p>第四十八条 提出法律案，应当同时提出法律草案文本及其说明，并提供必要的资料。法律草案的说明应当包括制定该法律的必要性和主要内容。</p>	<p>第五十四条 提出法律案，应当同时提出法律草案文本及其说明，并提供必要的参阅资料。</p> <p>修改法律的，还应当提交修改前后的对照文本。法律草案的说明应当包括制定或者修改法律的必要性、可行性和主要内容，以及起草过程中对重大分歧意见的协调处理情况。</p>	<p>Article 54: In introducing a bill, the bill sponsor shall at the same time submit the draft law and the accompanying commentaries, and shall also provide the necessary reference materials. Where laws are amended, a comparison of the pre and post amendment versions shall also be provided. The explanation of draft law shall include the need for its drafting or revision, its feasibility and main content, as well as the circumstances of handling major differences of opinion in the drafting process.</p>
<p>第四十九条 向全国人民代表大会及其常务委员会提出的法律案，在列入会议议程前，提案人有权撤回。</p>	<p>第五十五条 向全国人民代表大会及其常务委员会提出的法律案，在列入会议议程前，提案人有权撤回。</p>	<p>Article 55: For a bill introduced to the National People's Congress and its Standing Committee, the bill sponsor is entitled to withdraw the bill before it is put on the agenda.</p>
<p>第五十条 交付全国人民代表大会及其常务委员会全体会议表决未获得通过的法律案，如果提案人认为必须制定该法律，可以按照法律规定的程序重新提出，由主席团、委员长会议决定是否列入会议议程；其中，未获得全国人民代表大会通过的法律案，应当提请全国人民代表大会审议决定。</p>	<p>第五十六条 交付全国人民代表大会及其常务委员会全体会议表决未获得通过的法律案，如果提案人认为必须制定该法律，可以按照法律规定的程序重新提出，由主席团、委员长会议决定是否列入会议议程；其中，未获得全国人民代表大会通过的法律案，应当提请全国人民代表大会审议决定。</p>	<p>Article 56: Where a bill introduced to the National People's Congress and its Standing Committee has been voted on by the plenary session and fails to pass, if the bill sponsor deems it necessary to enact such legislation, he may re-introduce it in accordance with legally prescribed procedures, and the presidium or the Chairman's Committee shall decide whether it shall be put on the agenda; specifically, if a bill fails to be adopted by the National People's Congress, it shall be re-introduced to the National People's Congress for deliberation and decision.</p>
<p>第五十一条 法律应当明确规定施行日期。</p>	<p>第五十七条 法律应当明确规定施行日期。</p>	<p>Article 57: A law shall specify a date for its implementation.</p>
<p>第五十二条 签署公布法律的</p>	<p>第五十八条 签署公布法律的</p>	<p>Article 58: The presidential order for</p>

<p>主席令载明该法律的制定机关、通过和施行日期。</p> <p>法律签署公布后，及时在全国人民代表大会常务委员会公报和在全国范围内发行的报纸上刊登。</p> <p>在常务委员会公报上刊登的法律文本为标准文本。</p>	<p>主席令载明该法律的制定机关、通过和施行日期。</p> <p>法律签署公布后，及时在全国人民代表大会常务委员会公报和中国人大网以及在全国范围内发行的报纸上刊登。</p> <p>在常务委员会公报上刊登的法律文本为标准文本。</p>	<p>promulgation of the law shall set forth the enactment organ, the date of adoption and the date of implementation.</p> <p>After a law is promulgated, it should be promptly published in the Gazette of the Standing Committee of the National People's Congress, on the National People's Congress website and nationally-circulated newspapers.</p> <p>The text of a law as published in the Gazette of the Standing Committee of the National People's Congress is the standard text.</p>
<p>第五十三条 法律的修改和废止程序，适用本章的有关规定。</p> <p>法律部分条文被修改或者废止的，必须公布新的法律文本。</p>	<p>第五十九条 法律的修改和废止程序，适用本章的有关规定。</p> <p>法律被修改的，应当公布新的法律文本。</p> <p>法律被废止的，除由其他法律规定废止该法律的以外，由国家主席签署主席令予以公布。</p>	<p>Article 59: The procedure for amendment and repeal of [national] law shall be governed by the relevant provisions of this Chapter.</p> <p>Where a law is amended, a new version shall be published.</p> <p>Where a law is repealed, unless other law has provided for the repeal, a signed presidential order will be released.</p>
	<p>第六十条 法律草案与其他法律相关规定不一致的，提案人应当予以说明并提出处理意见，必要时应当同时提出修改或者废止其他法律相关规定的议案。</p> <p>法律委员会和有关的专门委员会审议法律案时，认为需要修改或者废止其他法律相关规定的，应当提出处理意见。</p>	<p>Article 60: Where draft laws are inconsistent with other relevant legal provisions, the bill's sponsor shall give an explanation and submit handling proposals; when necessary, a proposal to amend or annul the other relevant legal provisions shall be submitted concurrently.</p> <p>When the Law Committee and relevant special committees deliberating a bill find that it is necessary to amend or annul other relevant legal provisions, they shall submit a comment.</p>
<p>第五十四条 法律根据内容需要，可以分编、章、节、条、款、项、目。</p> <p>编、章、节、条的序号用中文数字依次表述，款不编序号，项的序号用中文数字加括号依次表述，目的序号用阿拉伯数字依次表述。</p>	<p>第六十一条 法律根据内容需要，可以分编、章、节、条、款、项、目。</p> <p>编、章、节、条的序号用中文数字依次表述，款不编序号，项的序号用中文数字加括号依次表述，目的序号用阿拉伯数字依次表述。</p>	<p>Article 61: Where necessary as required by its content, a law may adopt a structure consisting of Titles, Chapters, Sections, Articles, Paragraphs, Items, and Sub-items.</p> <p>The number for a Title, Chapter, Section, or Article shall be in Chinese character in numerical order, and Paragraphs shall not be numbered, the number for an item shall be a Chinese number in parenthesis in numerical order, and the number for a sub-item shall</p>

<p>法律标题的题注应当载明制定机关、通过日期。</p>	<p>法律标题的题注应当载明制定机关、通过日期。<i>经过修改的法律，应当依次载明修改机关、修改日期。</i></p>	<p>be an Arabic number in numerical order.</p> <p>The subtitle of a law shall set forth the enacting organ and the date of adoption. <i>Amended laws shall set forth the amending organ and date of amendment for each instance.</i></p>
	<p>第六十二条 法律规定明确要求有关国家机关对专门事项作出配套的具体规定的，有关国家机关应当自法律施行之日起一年内作出规定，法律对配套的具体规定制定期限另有规定的，从其规定。有关国家机关未能在期限内作出配套的具体规定的，应当向全国人民代表大会常务委员会说明情况。</p>	<p>Article 62: Where laws clearly require relevant national organs to make specific accompanying provisions, the relevant national organ shall make provisions within one year of the law taking effect, but where the law sets other time periods for making specific accompanying provisions, those are to be followed. Where the relevant national organs are unable to make specific accompanying provisions within the time period, they shall explain the situation to the Standing Committee of the National People's Congress.</p>
	<p>第六十三条 全国人民代表大会有关的专门委员会、常务委员会工作机构可以组织对有关法律或者法律中有关规定进行立法后评估。评估情况应当向常务委员会报告。</p>	<p>Article 63: Relevant special committees and the operations office of the Standing Committee of the National People's Congress, may organize a post-legislative appraisal of relevant laws or relevant provisions in law. A report on the appraisal shall be made to the Standing Committee.</p>
<p>第五十五条 全国人民代表大会常务委员会工作机构可以对有关具体问题的法律询问进行研究予以答复，并报常务委员会备案。</p>	<p>第六十四条 全国人民代表大会常务委员会工作机构可以对有关具体问题的法律询问进行研究予以答复，并报常务委员会备案。</p>	<p>Article 64: Working bodies of the Standing Committee of National People's Congress may study questions raised regarding specific aspects of a law and give a response, which shall also be submitted to the Standing Committee for filing.</p>
<p>第三章 行政法规</p>	<p>第三章 行政法规</p>	<p>Chapter III: Administrative Regulations</p>
<p>第五十六条 国务院根据宪法和法律，制定行政法规。行政法规可就下列事项作出规定： （一）为执行法律的规定需要制定行政法规的事项； （二）宪法第八十九条规定的国务院行政管理职权的事项。</p>	<p>第六十五条 国务院根据宪法和法律，制定行政法规。行政法规可就下列事项作出规定： （一）为执行法律的规定需要制定行政法规的事项； （二）宪法第八十九条规定的国务院行政管理职权的事项。</p>	<p>Article 65: The State Council enacts administrative regulations in accordance with the Constitution and laws.</p> <p>Administrative regulations may provide for the following:</p> <p>(1) matters for which enactment of administrative regulations is required in order to implement a national law;</p>

应当由全国人民代表大会及其常务委员会制定法律的事项，国务院根据全国人民代表大会及其常务委员会的授权决定先制定的行政法规，经过实践检验，制定法律的条件成熟时，国务院应当及时提请全国人民代表大会及其常务委员会制定法律。

应当由全国人民代表大会及其常务委员会制定法律的事项，国务院根据全国人民代表大会及其常务委员会的授权决定先制定的行政法规，经过实践检验，制定法律的条件成熟时，国务院应当及时提请全国人民代表大会及其常务委员会制定法律。

(2) matters subject to the administrative regulation of the State Council under Article 89 of the Constitution.

If a matter which ought to be regulated by national law enacted by the National People's Congress and its Standing Committee, and pursuant to a authorization decision issued by the National People's Congress and its Standing Committee, the State Council has enacted an administrative regulation for the time being, and after trial by practice, the conditions for enactment of the relevant national law has matured, the State Council shall timely submit a request to the National People's Congress and its Standing Committee for enactment of the relevant national law.

第五十七条 行政法规由国务院组织起草。国务院有关部门认为需要制定行政法规的，应当向国务院报请立项。

第六十六条 国务院法制机构应当根据国家总体工作部署拟订国务院年度立法计划，报国务院审批。国务院年度立法计划中的法律项目应当与全国人民代表大会常务委员会的立法规划和年度立法计划相衔接。国务院法制机构应当及时跟踪了解国务院各部门落实立法计划的情况，加强组织协调和督促指导。

Article 66: The State Council legislative affairs office shall formulate the State Council's yearly legislative agenda on the basis of the overall national work allocations, and report this to the State Council for review and approval. The legal programs in the annual legislative agenda of the State Council shall be linked to the legislation plans and annual legislative program of the Standing Committee of the National People's Congress. The legislative affairs office of the State Council shall timely track the implementation of the legislative agenda by State Council departments, strengthening organizational coordination, and supervisory guidance.

国务院有关部门认为需要制定行政法规的，应当向国务院报请立项。

Where State Council departments find that it is necessary to draft an administrative regulation, they shall request preliminary approval from the State Council.

第五十八条 行政法规在起草过程中，应当广泛听取有关机关、组织和公民的意见。听取意见可以采取座谈会、论证会、听证会等多种形式。

第六十七条 行政法规由国务院有关部门或者国务院法制机构具体负责起草，重要行政管理的法律、行政法规草案由国务院法制机构组织起草。行政法规在起草过程中，应当广泛听取有关机关、组织、人民代表大会代

Article 67: The relevant State Council department or Legal Affairs Office is specifically responsible for creating drafts of administrative regulations; the State Council organizes the creation of drafts for important bills or draft administrative provisions on administrative regulation. In the process of drafting administrative regulations, the opinions of relevant organs,

	<p>表和社会公众的意见。听取意见可以采取座谈会、论证会、听证会等多种形式。</p> <p>行政法规草案应当向社会公布，征求意见，但是经国务院决定不公布的除外。</p>	<p>organizations, people's congress delegates and the public shall be broadly heard. In gathering opinions, various methods may be adopted, such as panel discussions, evidence review meetings and hearings.</p> <p>Draft administrative regulations shall be released to the public to solicit comments, except where the State Council decides not to release.</p>
<p>第五十九条 行政法规起草工作完成后，起草单位应当将草案及其说明、各方面对草案主要问题的不同意见和其他有关资料送国务院法制机构进行审查。</p> <p>国务院法制机构应当向国务院提出审查报告和草案修改稿，审查报告应当对草案主要问题作出说明。</p>	<p>第六十八条 行政法规起草工作完成后，起草单位应当将草案及其说明、各方面对草案主要问题的不同意见和其他有关资料送国务院法制机构进行审查。</p> <p>国务院法制机构应当向国务院提出审查报告和草案修改稿，审查报告应当对草案主要问题作出说明。</p>	<p>Article 68: Upon completion of a draft administrative regulation, the drafting body shall submit the following to the State Council's legislative affairs office for review: the draft administrative regulation, commentaries, the major difference of opinions on major issues covered by the draft expressed by the various constituencies, and other relevant materials.</p> <p>The legislative affairs office of the State Council shall submit to the State Council a review report and the amended version of the draft, and the review report shall explain the major matters covered by the draft.</p>
<p>第六十条 行政法规的决定程序依照中华人民共和国国务院组织法的有关规定办理。</p>	<p>第六十九条 行政法规的决定程序依照中华人民共和国国务院组织法的有关规定办理。</p>	<p>Article 69: The enactment procedure for an administrative regulation shall comply with the relevant provisions of the State Council Organic Law of the People's Republic of China.</p>
<p>第六十一条 行政法规由总理签署国务院令公布。</p>	<p>第七十条 行政法规由总理签署国务院令公布。</p> <p>有关国防建设的行政法规，可以由国务院总理、中央军委主席共同签署国务院、中央军委委员会令公布。</p>	<p>Article 70: An administrative regulation shall be promulgated by way of a State Council order signed by the premier.</p> <p>Administrative regulations involving the national defense establishment may be jointly signed by the premier and Chairman of the Central Military Affairs Commission and jointly released by the State Council and Central Military Affairs Commission.</p>
<p>第六十二条 行政法规签署公布后，及时在国务院公报和在全国范围内发行的报纸上刊登。在国务院公报上刊登的行政法规文本为标准文本。</p>	<p>第七十一条 行政法规签署公布后，及时在国务院公报和中国政府法制信息网以及在全国范围内发行的报纸上刊载。</p>	<p>Article 71: After the signing and release of administrative regulations, they are promptly published in the State Council Bulletin, the Chinese Government Legal Information Network and also newspapers with a nationwide distribution.</p>

	在国务院公报上刊登的行政法规文本为标准文本。	The text of administrative regulations published in the State Council Bulletin is the standard text.
第四章 地方性法规、自治条例和单行条例、规章	第四章 地方性法规、自治条例和单行条例、规章	Chapter IV: Local Provisions, Autonomous Regulations and Special Regulations, and Rules
第一节 地方性法规、自治条例和单行条例	第一节 地方性法规、自治条例和单行条例	Section 1: Local Provisions, Autonomous Regulations and Special Regulations
<p>第六十三条 省、自治区、直辖市的人民代表大会及其常务委员会根据本行政区域的具体情况和实际需要，在不同宪法、法律、行政法规相抵触的前提下，可以制定地方性法规。</p> <p>较大的市的人民代表大会及其常务委员会根据本市的具体情况和实际需要，在不同宪法、法律、行政法规和本省、自治区的地方性法规相抵触的前提下，可以制定地方性法规，报省、自治区的人民代表大会常务委员会批准后施行。省、自治区的人民代表大会常务委员会对报请批准的地方性法规，应当对其合法性进行审查，同宪法、法律、行政法规和本省、自治区的地方性法规不抵触的，应当在四个月内予以批准。</p> <p>省、自治区的人民代表大会常务委员会在对报请批准的较大的市的地方性法规进行审查时，发现其同本省、自治区的人民政府的规章相抵触的，应当作出处理决定。</p>	<p>第七十二条 省、自治区、直辖市的人民代表大会及其常务委员会根据本行政区域的具体情况和实际需要，在不同宪法、法律、行政法规相抵触的前提下，可以制定地方性法规。</p> <p>设区的市的人民代表大会及其常务委员会根据本市的具体情况和实际需要，在不同宪法、法律、行政法规和本省、自治区的地方性法规相抵触的前提下，可以对城乡建设与管理、环境保护、历史文化保护等方面的事项制定地方性法规，法律对设区的市制定地方性法规的事项另有规定的，从其规定。设区的市的地方性法规须报省、自治区的人民代表大会常务委员会批准后施行。省、自治区的人民代表大会常务委员会对报请批准的地方性法规，应当对其合法性进行审查，同宪法、法律、行政法规和本省、自治区的地方性法规不抵触的，应当在四个月内予以批准。</p> <p>省、自治区的人民代表大会常务委员会在对报请批准的设区的市的地方性法规进行审查时，发现其同本省、自</p>	<p>Article 72: In light of the specific situations and actual needs of the administrative region, the People’s Congress of a province, autonomous region, municipality directly under the central government and the Standing Committee thereof may enact local decrees provided that they shall not contravene any provision of the Constitution, [national law] and administrative regulations.</p> <p>On the basis of the specific circumstances and actual requirements of a city, the people’s congresses of districted cities and their standing committees may formulate local regulations with respect to areas such as urban and rural construction and administration, environmental protection, historic and cultural protection, provided that such local regulations are not in conflict with the Constitution, [national] laws and administrative regulations, as well as the local laws and regulations of the provinces or autonomous regions where such cities are located; but where laws have other provisions on districted cities formulating local provisions, those shall be followed. The local provisions of districted cities shall take effect after being reported to and approved by the standing committees of the people’s congresses of the provinces or autonomous region. The standing committees of the people’s congresses of provinces or autonomous regions shall conduct a review of the legality of local provisions submitted for approval, and shall approve such laws and regulations within four months if such laws and regulations do not conflict with the Constitution, laws, administrative regulations and the local regulations of the</p>

本法所称较大的市是指省、自治区的人民政府所在地的市，经济特区所在地的市和经国务院批准的较大的市。

治区的人民政府的规章相抵触的，应当作出处理决定。

除省、自治区的人民政府所在地的市，经济特区所在地的市和国务院已经批准的较大的市以外，其他设区的市开始制定地方性法规的具体步骤和时间，由省、自治区的人民代表大会常务委员会综合考虑本省、自治区所辖的设区的市的人口数量、地域面积、经济社会发展情况以及立法需求、立法能力等因素确定，并报全国人民代表大会常务委员会和国务院备案。

自治州的人民代表大会及其常务委员会可以依照本条第二款规定行使设区的市制定地方性法规的职权。自治州开始制定地方性法规的具体步骤和时间，依照前款规定确定。

省、自治区的人民政府所在地的市，经济特区所在地的市和国务院已经批准的较大的市已经制定的地方性法规，涉及本条第二款规定事项范围以外的，继续有效。

provinces or autonomous regions where such cities are located.

Where the standing committee of the people's congress of the province or autonomous region conducting a review of a local regulation submitted for approval by a districted city find it to be in conflict with the rules of the people's government of the province or autonomous region where such city is located, it shall make a decision on how to handle the situation.

Except for the cities in which people's governments of provinces or autonomous regions are located and in which special economic zones are located, as well as the bigger cities approved by the State Council, the specific procedures and time for the districted cities to begin formulating local regulations shall be determined by the standing committees of the people's congresses of the relevant provinces or autonomous regions, on the basis of a comprehensive consideration of the population size, territory area, economic and social development, legislation requirements, legislative capacity and other factors of the cities with districts under the relevant provinces or autonomous regions, and shall be submitted to the Standing Committee of the National People's Congress and the State Council for the record.

Autonomous prefecture's people's congresses and their standing committees may exercise the authority of districted cities for formulation of local regulations as provided by Paragraph 2 of this article. The specific procedures and times for autonomous prefectures to begin formulating local regulations shall be determined according to the provisions of the preceding paragraph.

Local regulations already formulated by the cities in which people's governments of provinces or autonomous regions are located and in which special economic zones are located, as well as the bigger cities approved by the State Council, that involve

matters outside the scope provided for in Paragraph 2 of this article, shall remain in force."

第六十四条 地方性法规可以就下列事项作出规定：

（一）为执行法律、行政法规的规定，需要根据本行政区域的实际情况作具体规定的事项；

（二）属于地方性事务需要制定地方性法规的事项。

除本法第八条规定的事项外，其他事项国家尚未制定法律或者行政法规的，省、自治区、直辖市和较大的市根据本地方的具体情况和实际需要，可以先制定地方性法规。在国家制定的法律或者行政法规生效后，地方性法规同法律或者行政法规相抵触的规定无效，制定机关应当及时予以修改或者废止。

第七十三条 地方性法规可以就下列事项作出规定：

（一）为执行法律、行政法规的规定，需要根据本行政区域的实际情况作具体规定的事项；

（二）属于地方性事务需要制定地方性法规的事项。

除本法第八条规定的事项外，其他事项国家尚未制定法律或者行政法规的，省、自治区、直辖市和**设区的市、自治州**根据本地方的具体情况和实际需要，可以先制定地方性法规。在国家制定的法律或者行政法规生效后，地方性法规同法律或者行政法规相抵触的规定无效，制定机关应当及时予以修改或者废止。

设区的市、自治州根据本条第一款、第二款制定地方性法规，限于本法第七十二条第二款规定的事项。

制定地方性法规，对上位法已经明确规定的内容，一般不作重复性规定。

Article 73: Local provisions may be made on the following matters:

(1) Matters for which specific provisions are necessary, based on the actual circumstances of the administrative region, for the implementation of laws or administrative regulations.

(2) Matters for which it is necessary for local practice to formulate local provisions.

Except for those matters provided for in article 8 of this law, where the government has not formulated law or administrative regulations on other matters, provinces, autonomous regions, directly governed municipalities, districted cities and **autonomous prefectures** may formulate local provisions as needed by specific local conditions and work needs. Where after the state formulates laws or administrative regulations, local provisions are invalid as contradicting the law or administrative regulations, the formulating organ shall promptly revise or annul them.

Local provisions formulated by districted cities and autonomous prefectures on the basis of paragraph 1 or 2 of this article are limited to the matters provided for in article 72 of this law.

The drafting of local provisions will not generally make duplicative provisions for content with higher law already has clear provisions.

第六十五条 经济特区所在地的省、市的人民代表大会及其常务委员会根据全国人民代表大会的授权决定，制定法规，在经济特区范围内实施。

第七十四条 经济特区所在地的省、市的人民代表大会及其常务委员会根据全国人民代表大会的授权决定，制定法规，在经济特区范围内实施。

Article 74: The people's congresses and standing committees of provinces or cities containing special economic zones make provisions on the basis of the National People's Congress's authorization decision, and these are implemented within the special economic zone

第六十六条 民族自治地方的人民代表大会有权依照当地

第七十五条 民族自治地方的人民代表大会有权依照当地

Article 75: The people's congresses of the ethnic autonomous areas have the power to

<p>民族的政治、经济和文化的特点，制定自治条例和单行条例。自治区的自治条例和单行条例，报全国人民代表大会常务委 员会批准后生效。自治州、自治县的自治条例和单行条例，报省、自治区、直辖市的人民代表大 会常务委员会批准后生效。</p> <p>自治条例和单行条例可以依照当地民族的特点，对法律和行政法规的规定作出变通规定，但不得违背法律或者行政法规的基本原则，不得对宪法和民族区域自治法的规定以及其他有关法律、行政 法规专门就民族自治地方所作的规定作出变通规定。</p>	<p>民族的政治、经济和文化的特点，制定自治条例和单行条例。自治区的自治条例和单行条例，报全国人民代表 大会常务委员会批准后生效。自治州、自治县的自治 条例和单行条例，报省、自 治区、直辖市的人民代表大 会常务委员会批准后生效。</p> <p>自治条例和单行条例可以依照当地民族的特点，对法律和 行政法规的规定作出变通规定，但不得违背法律或者 行政法规的基本原则，不得 对宪法和民族区域自治法的 规定以及其他有关法律、行 政法规专门就民族自治地方 所作的规定作出变通规定。</p>	<p>formulate autonomous regulations and special regulations on the basis of the political, economic and cultural characteristics of the local ethnicities. The autonomous regulations and special regulations of the autonomous regions shall be submitted to the Standing Committee of the National People's Congress for approval and shall go into effect upon approval. The autonomous regulations and special regulations of autonomous prefectures or counties shall be submitted to the standing committees of the people's congresses of the relevant provinces, autonomous regions or municipalities directly under the Central Government for approval and shall go into effect upon approval.</p> <p>Where certain provisions of the laws and administrative regulations are concerned, adaptation on the basis of the characteristics of the local nationality (nationalities) may be made in autonomous regulations and special regulations, but such adaptation may not contradict the basis principles of the laws and administrative regulations; where the provisions of the Constitution and the Law on Regional National Autonomy as well as the provisions in other laws and administrative regulations specially formulated to govern the national autonomous areas are concerned, no adaptation may be made.</p>
<p>第六十七条 规定本行政区域特别重大事项的地方性法规，应当由人民代表大会通过。</p>	<p>第七十六条 规定本行政区域特别重大事项的地方性法规，应当由人民代表大会通过。</p>	<p>Article 76: Local provisions on especially major matters within the administrative region shall be passed by the people's congress.</p>
<p>第六十八条 地方性法规案、自治条例和单行条例案的提出、审议和表决程序，根据中华人民共和国地方各级人民代表大会和地 方各级人民政府组织法，参照本法第二章第二节、第三节、第五节的规定，由本 级人民代表大会规定。</p> <p>地方性法规草案由负责统一</p>	<p>第七十七条 地方性法规案、自治条例和单行条例案的提出、审议和表决程序，根据中华人民共和国地方各级人民代表 大会和地 方各级人民代表大 会的规定，由本 级人民代表大 会规定。</p> <p>地方性法规草案由负责统一</p>	<p>Article 77: The procedures for submission, deliberation and voting of bills of local provisions, autonomous regulations or special regulations shall be enacted by the people's congress at the corresponding level in accordance with the Organic Law of the People's Republic of China on Local People's Congresses and Local People's Governments and with reference to the provisions of Sections 2, 3 and 5 in Chapter II of this Law.</p> <p>A report of review outcomes on drafts of</p>

<p>审议的机构提出审议结果的报告和草案修改稿。</p>	<p>审议的机构提出审议结果的报告和草案修改稿。</p>	<p>local rules and a draft revisions are submitted by the organization responsible for unification and review.</p>
<p>第六十九条 省、自治区、直辖市的人民代表大会制定的地方性法规由大会主席团发布公告予以公布。</p> <p>省、自治区、直辖市的人民代表大会常务委员会制定的地方性法规由常务委员会发布公告予以公布。</p> <p>较大的市的人民代表大会及其常务委员会制定的地方性法规报经批准后，由较大的市的人民代表大会常务委员会发布公告予以公布。</p> <p>自治条例和单行条例报经批准后，分别由自治区、自治州、自治县的人民代表大会常务委员会发布公告予以公布。</p>	<p>第七十八条 省、自治区、直辖市的人民代表大会制定的地方性法规由大会主席团发布公告予以公布。</p> <p>省、自治区、直辖市的人民代表大会常务委员会制定的地方性法规由常务委员会发布公告予以公布。</p> <p>设区的市、自治州的人民代表大会及其常务委员会制定的地方性法规报经批准后，由设区的市、自治州的人民代表大会常务委员会发布公告予以公布。</p> <p>自治条例和单行条例报经批准后，分别由自治区、自治州、自治县的人民代表大会常务委员会发布公告予以公布。</p>	<p>Article 78: Local provisions formulated by the people's congress of a province, autonomous region or directly governed municipality are published and announced by the congress presidium.</p> <p>Local provisions formulated by the people's congress standing committee of a province, autonomous region or directly governed municipality are published and announced by the standing committee.</p> <p>Upon approval, a local provision enacted by the people's congress of a districted city or an autonomous prefecture and its standing committee shall be promulgated by the standing committee of the people's congress of the districted city or the autonomous prefecture by means of a public announcement.</p> <p>Autonomous regulations or special regulations shall, upon approval, be promulgated by the standing committee of the local people's congress of the autonomous region, autonomous prefecture or autonomous county in an announcement.</p>
<p>第七十条 地方性法规、自治区的自治条例和单行条例公布后，及时在本级人民代表大会常务委员会公报和在本行政区域范围内发行的报纸上刊登。</p> <p>在常务委员会公报上刊登的地方性法规、自治条例和单行条例文本为标准文本。</p>	<p>第七十九条 地方性法规、自治区的自治条例和单行条例公布后，及时在本级人民代表大会常务委员会公报和中国人大网、本地方人民代表大会网站以及在本行政区域范围内发行的报纸上刊登。</p> <p>在常务委员会公报上刊登的地方性法规、自治条例和单行条例文本为标准文本。</p>	<p>Article 79: After a local provision, autonomous regulation or special regulation of an autonomous region is promulgated, it shall be published in a timely fashion in the bulletin of the standing committee of the people's congress at the same level, on the website of the National People's Congress of the People's Republic of China and the website of local people's congress as well as in the newspapers issued within the administrative region.</p> <p>The text of local provisions, autonomous and special regulations published in the Standing Committee Bulletin are the standard text.</p>
<p>第二节 规章</p>	<p>第二节 规章</p>	<p>Section 2: [Local And Administrative] Rules</p>
<p>第七十一条 国务院各部、委</p>	<p>第八十条 国务院各部、委员</p>	<p>Article 80: State Council departments,</p>

<p>员会、中国人民银行、审计署和具有行政管理职能的直属机构，可以根据法律和国务院的行政法规、决定、命令，在本部门的权限范围内，制定规章。</p> <p>部门规章规定的事项应当属于执行法律或者国务院的行政法规、决定、命令的事项。</p>	<p>会、中国人民银行、审计署和具有行政管理职能的直属机构，可以根据法律和国务院的行政法规、决定、命令，在本部门的权限范围内，制定规章。</p> <p>部门规章规定的事项应当属于执行法律或者国务院的行政法规、决定、命令的事项。没有法律或者国务院的行政法规、决定、命令的依据，部门规章不得设定减损公民、法人和其他组织权利或者增加其义务的规范，不得增加本部门的权力或者减少本部门的法定职责。</p>	<p>committees, the People's Bank of China, auditing offices and directly controlled institutions with administrative regulatory functions, may draft rules within the scope of that department's authority on the basis of laws, state council administrative regulations, decisions, or orders.</p> <p>The matters decided by departmental rules shall be within the scope of the law, State Council administrative regulation, decision or order being enforced. Departmental rules not based on a law, State Council administrative regulation, decision or order must not impair the rights of citizens, legal persons or other organizations, or increase the scope of their duties; and must not increase the power of that department or reduce that department's legally provided duties.</p>
<p>第七十二条 涉及两个以上国务院部门职权范围的事项，应当提请国务院制定行政法规或者由国务院有关部门联合制定规章。</p>	<p>第八十一条 涉及两个以上国务院部门职权范围的事项，应当提请国务院制定行政法规或者由国务院有关部门联合制定规章。</p>	<p>Article 81: For matters that are within the scope of authority of two or more State Council departments , the State Council shall be requested to formulate administrative regulations or have the relevant departments of the State Council jointly formulate rules .</p>
<p>第七十三条 省、自治区、直辖市和较大的市的人民政府，可以根据法律、行政法规和本省、自治区、直辖市的地方性法规，制定规章。地方政府规章可以就下列事项作出规定：</p> <p>（一）为执行法律、行政法规、地方性法规的规定需要制定规章的事项；</p> <p>（二）属于本行政区域的具体行政管理事项。</p>	<p>第八十二条 省、自治区、直辖市和设区的市、自治州的人民政府，可以根据法律、行政法规和本省、自治区、直辖市的地方性法规，制定规章。</p> <p>地方政府规章可以就下列事项作出规定：</p> <p>（一）为执行法律、行政法规、地方性法规的规定需要制定规章的事项；</p> <p>（二）属于本行政区域的具体行政管理事项。</p> <p>设区的市、自治州的人民政府根据本条第一款、第二款制定地方政府规章，限于城乡建设与管理、环境保护、</p>	<p>Article 82: The people's governments of provinces, autonomous regions, directly governed municipalities, districted cities or autonomous prefectures may enact rules on the basis of laws and administrative regulations as well as local regulations of their respective provinces, autonomous regions or directly governed municipalities.</p> <p>Local government rules may be made on the following matters:</p> <p>(1) Matters for which it is necessary to draft rules for the implementation of laws, administrative regulations, of local provisions.</p> <p>(2) Matters that fall within the administrative management of that administrative region.</p>

历史文化保护等方面的事项。已经制定的地方政府规章，涉及上述事项范围以外的，继续有效。

除省、自治区的人民政府所在地的市，经济特区所在地的市和国务院已经批准的较大的市以外，其他设区的市、自治州的人民政府开始制定规章的时间，与本省、自治区人民代表大会常务委员会确定的本市、自治州开始制定地方性法规的时间同步。

应当制定地方性法规但条件尚不成熟的，因行政管理迫切需要，可以先制定地方政府规章。规章实施满两年需要继续实施规章所规定的行政措施的，应当提请本级人民代表大会或者其常务委员会制定地方性法规。

没有法律、行政法规、地方性法规的依据，地方政府规章不得设定减损公民、法人和其他组织权利或者增加其义务的规范。

The people's governments of districted cities and autonomous prefectures may enact local governmental rules according to paragraphs 1 and 2 of this article, but limited to matters relating to areas such as urban and rural construction and administration, environmental protection, historical and cultural protection. The enacted local governmental rules involving matters other than those relating to the aforementioned aspects shall remain valid.

Except for the cities where the people's governments of the provinces or autonomous regions are located and the special economic zones are located, as well as the bigger cities with the approval of the State Council, the time for the people's government of any other districted city or an autonomous prefecture to formulate rules shall be the same as the time for the said city or autonomous prefecture to start formulating local regulations as determined by the standing committee of the people's congress of the province or autonomous region where that city or autonomous prefecture is located.

Where local regulations should be formulated but the conditions are not yet ripe, to satisfy the urgent administrative management needs, local governmental rules may be enacted first. Where it is still necessary to implement administrative measures provided for by local rules that have been in effect for two years, the local people's congress or its standing committee shall be requested to enact local regulations.

Local governmental rules may not lay down any regulation impairing the rights of, or increasing the duties of citizens, legal persons or other organizations, without a basis in law, administrative regulations or local provisions.

第七十四条 国务院部门规章和地方政府规章的制定程序，参照本法第三章的规定，由国务院规定。

第八十三条 国务院部门规章和地方政府规章的制定程序，参照本法第三章的规定，由国务院规定。

Article 83: The State Council provides drafting procedures for State Council Department Rules and local government rules, with reference to Chapter III of this

		law.
<p>第七十五条 部门规章应当经部务会议或者委员会会议决定。</p> <p>地方政府规章应当经政府常务会议或者全体会议决定。</p>	<p>第八十四条 部门规章应当经部务会议或者委员会会议决定。</p> <p>地方政府规章应当经政府常务会议或者全体会议决定。</p>	<p>Article 84: Departmental Rules shall be decided on by ministerial meetings or committee meetings.</p> <p>Local government rules shall be decided on by the government standing committee or plenary session.</p>
<p>第七十六条 部门规章由部门首长签署命令予以公布。</p> <p>地方政府规章由省长或者自治区主席或者市长签署命令予以公布。</p>	<p>第八十五条 部门规章由部门首长签署命令予以公布。</p> <p>地方政府规章由省长、自治区主席、市长或者自治州州长签署命令予以公布。</p>	<p>Article 85: Departmental rules are signed by department heads for publication.</p> <p>Local government rules are signed by the Provincial governor, autonomous region chairman, mayor or governor of an autonomous prefecture for publication.</p>
<p>第七十七条 部门规章签署公布后，及时在国务院公报或者部门公报和在全国范围内发行的报纸上刊登。</p> <p>地方政府规章签署公布后，及时在本级人民政府公报和在本行政区域范围内发行的报纸上刊登。</p> <p>在国务院公报或者部门公报和地方人民政府公报上刊登的规章文本为标准文本。</p>	<p>第八十六条 部门规章签署公布后，及时在国务院公报或者部门公报和中国政府法制信息网以及在全国范围内发行的报纸上刊载。</p> <p>地方政府规章签署公布后，及时在本级人民政府公报和中国政府法制信息网以及在本行政区域范围内发行的报纸上刊载。</p> <p>在国务院公报或者部门公报和地方人民政府公报上刊登的规章文本为标准文本。</p>	<p>Article 86: After departmental rules are signed and published, they are timely published in the State Council or Department Bulletin and on the Chinese Government Legal Information Network, as well as in newspapers with a national circulation.</p> <p>After local rules are signed and released, they are timely published in the people government bulletin and on the Chinese Government Legal Information Network, as well as in newspapers with a national circulation.</p> <p>The text of rules published in the State Council Bulletin, Department Bulletins, or local people's government bulletins are the standard text.</p>
第五章 适用与备案	第五章 适用与备案 审查	Chapter V: Application and Review And Filing
<p>第七十八条 宪法具有最高的法律效力，一切法律、行政法规、地方性法规、自治条例和单行条例、规章都不得同宪法相抵触。</p>	<p>第八十七条 宪法具有最高的法律效力，一切法律、行政法规、地方性法规、自治条例和单行条例、规章都不得同宪法相抵触。</p>	<p>Article 87: The legal force of the Constitution is the highest, and no laws, administrative regulations, local provisions, autonomous regulations, special regulations or rules whatever may conflict with it.</p>
<p>第七十九条 法律的效力高于行政法规、地方性法规、规章。</p> <p>行政法规的效力高于地方性法规、规章。</p>	<p>第八十八条 法律的效力高于行政法规、地方性法规、规章。</p> <p>行政法规的效力高于地方性法规、规章。</p>	<p>Article 88: The force of [national] laws is higher than that of administrative regulations, local provisions, and rules.</p> <p>The force of administrative regulations is higher than that of local regulations, and</p>

		rules.
<p>第八十条 地方性法规的效力高于本级和下级地方政府规章。</p> <p>省、自治区的人民政府制定的规章的效力高于本行政区域内的较大的市的人民政府制定的规章。</p>	<p>第八十九条 地方性法规的效力高于本级和下级地方政府规章。</p> <p>省、自治区的人民政府制定的规章的效力高于本行政区域内的设区的市、自治州的人民政府制定的规章。</p>	<p>Article 89: The force of local regulations is higher than that of the rules of local governments at or below the corresponding level.</p> <p>Rules enacted by the people's government of a province or autonomous region have higher legal authority than local rules enacted by the people's government of a major city located in its jurisdiction.</p>
<p>第八十一条 自治条例和单行条例依法对法律、行政法规、地方性法规作变通规定的，在本自治地方适用自治条例和单行条例的规定。</p> <p>经济特区法规根据授权对法律、行政法规、地方性法规作变通规定的，在本经济特区适用经济特区法规的规定。</p>	<p>第九十条 自治条例和单行条例依法对法律、行政法规、地方性法规作变通规定的，在本自治地方适用自治条例和单行条例的规定。</p> <p>经济特区法规根据授权对法律、行政法规、地方性法规作变通规定的，在本经济特区适用经济特区法规的规定。</p>	<p>Article 90: Where an autonomous decree or special decree varies from provisions of national law, administrative regulations or local provisions, the provisions of the autonomous decree or special decree are applied in that autonomous area.</p> <p>Where an authorized decree of a special economic zone is made in variance of provisions of national law, administrative regulations or local provisions, the provisions of the decree of the special economic zone are applied in that special economic zone.</p>
<p>第八十二条 部门规章之间、部门规章与地方政府规章之间具有同等效力，在各自的权限范围内施行。</p>	<p>第九十一条 部门规章之间、部门规章与地方政府规章之间具有同等效力，在各自的权限范围内施行。</p>	<p>Article 91: The legal authority between departmental rules, and between departmental rules and local government rules, is the same, and they are implemented within their respective scope of authority.</p>
<p>第八十三条 同一机关制定的法律、行政法规、地方性法规、自治条例和单行条例、规章，特别规定与一般规定不一致的，适用特别规定；新的规定与旧的规定不一致的，适用新的规定。</p>	<p>第九十二条 同一机关制定的法律、行政法规、地方性法规、自治条例和单行条例、规章，特别规定与一般规定不一致的，适用特别规定；新的规定与旧的规定不一致的，适用新的规定。</p>	<p>Article 92: Where special provisions are inconsistent with general provisions in national laws, administrative regulations, local decrees, autonomous and special regulations or rules enacted by the same body, the special provisions are applied; and if a new provision is inconsistent with an old provision, the new provision is applied.</p>
<p>第八十四条 法律、行政法规、地方性法规、自治条例和单行条例、规章不溯及既往，但为了更好地保护公民、法人和其他组织的权利和利益而作的特别规定除外。</p>	<p>第九十三条 法律、行政法规、地方性法规、自治条例和单行条例、规章不溯及既往，但为了更好地保护公民、法人和其他组织的权利和利益而作的特别规定除外。</p>	<p>Article 93: Laws, administrative regulations, local provisions, autonomous and special regulations and rules do not have retroactive force, except where a special provision is made in order to better protect the rights and interests of citizens, legal persons and other organizations.</p>

第八十五条 法律之间对同一事项的新的的一般规定与旧的特别规定不一致，不能确定如何适用时，由全国人民代表大会常务委员会裁决。

行政法规之间对同一事项的新的的一般规定与旧的特别规定不一致，不能确定如何适用时，由国务院裁决。

第八十六条 地方性法规、规章之间不一致时，由有关机关依照下列规定的权限作出裁决：

（一）同一机关制定的新的的一般规定与旧的特别规定不一致时，由制定机关裁决；

（二）地方性法规与部门规章之间对同一事项的规定不一致，不能确定如何适用时，由国务院提出意见，国务院认为应当适用地方性法规的，应当决定在该地方适用地方性法规的规定；认为应当适用部门规章的，应当提请全国人民代表大会常务委员会裁决；

（三）部门规章之间、部门规章与地方政府规章之间对同一事项的规定不一致时，由国务院裁决。

根据授权制定的法规与法律规定不一致，不能确定如何适用时，由全国人民代表大会常务委员会裁决。

第九十四条 法律之间对同一事项的新的的一般规定与旧的特别规定不一致，不能确定如何适用时，由全国人民代表大会常务委员会裁决。

行政法规之间对同一事项的新的的一般规定与旧的特别规定不一致，不能确定如何适用时，由国务院裁决。

第九十五条 地方性法规、规章之间不一致时，由有关机关依照下列规定的权限作出裁决：

（一）同一机关制定的新的的一般规定与旧的特别规定不一致时，由制定机关裁决；

（二）地方性法规与部门规章之间对同一事项的规定不一致，不能确定如何适用时，由国务院提出意见，国务院认为应当适用地方性法规的，应当决定在该地方适用地方性法规的规定；认为应当适用部门规章的，应当提请全国人民代表大会常务委员会裁决；

（三）部门规章之间、部门规章与地方政府规章之间对同一事项的规定不一致时，由国务院裁决。

根据授权制定的法规与法律规定不一致，不能确定如何适用时，由全国人民代表大会常务委员会裁决。

Article 94: Where there is an inconsistency regarding the same matter between a new general provision and an old special provision of laws, and the applicable provision cannot be determined, a ruling shall be made by the Standing Committee of the National People's Congress.

When there is an inconsistency regarding the same matter between a new general provision and an old special provision of administrative regulations, and the applicable provision can not be determined, a ruling will be made by the State Council.

Article 95: When local provisions and rules are inconsistent, the relevant organ will make a ruling in accordance with the following provisions on the scope of authority:

(1) When a new general provision and an old special provision enacted by the same agency are inconsistent, the enacting agency shall make the ruling;

(2) When local provisions and administrative rules are inconsistent regarding the same matter, and the applicable provision cannot be determined, the State Council will issue an opinion, and where the State Council finds that the local decree shall apply, then the local decree shall be applied in the local jurisdiction; where the State Council deems that the administrative rule shall apply, it shall request the Standing Committee of National People's Congress to make a ruling;

(3) When there is an inconsistency on a matter between departmental rules, or between departmental rules and local provisions, the State Council will make a decision.

When an administrative regulation enacted pursuant to authorization and a law are inconsistent, and the applicable provision cannot be determined, the Standing Committee of National People's Congress will make a ruling.

<p>第八十七条 法律、行政法规、地方性法规、自治条例和单行条例、规章有下列情形之一的，由有关机关依照本法第八十八条规定的权限予以改变或者撤销：</p> <p>（一）超越权限的；</p> <p>（二）下位法违反上位法规定的；</p> <p>（三）规章之间对同一事项的规定不一致，经裁决应当改变或者撤销一方的规定的；</p> <p>（四）规章的规定被认为不适当，应当予以改变或者撤销的；</p> <p>（五）违背法定程序的。</p>	<p>第九十六条 法律、行政法规、地方性法规、自治条例和单行条例、规章有下列情形之一的，由有关机关依照本法第九十七条规定的权限予以改变或者撤销：</p> <p>（一）超越权限的；</p> <p>（二）下位法违反上位法规定的；</p> <p>（三）规章之间对同一事项的规定不一致，经裁决应当改变或者撤销一方的规定的；</p> <p>（四）规章的规定被认为不适当，应当予以改变或者撤销的；</p> <p>（五）违背法定程序的。</p>	<p>Article 96: Where any of the following circumstances applies to a national law, administrative regulation, local provision, autonomous regulation, special regulation, or rule, the relevant body shall amend or repeal it pursuant to the authority granted in Article 88 of this Law.</p> <p>(1) Exceed the scope of authority;</p> <p>(2) A lower level law is contrary to provisions of a higher level law.</p> <p>(3) Different provisions exist in respect of the same matter among rules, and pursuant to a ruling made by the relevant body, one of the provisions should be amended or repealed.</p> <p>(4) The provision of a rule is found improper and shall be amended or repealed;</p> <p>(5) It violates legally prescribed procedure.</p>
<p>第八十八条 改变或者撤销法律、行政法规、地方性法规、自治条例和单行条例、规章的权限是：</p> <p>（一）全国人民代表大会有权改变或者撤销它的常务委员会制定的不适当的法律，有权撤销全国人民代表大会常务委员会批准的违背宪法和本法第六十六条第二款规定的自治条例和单行条例；</p> <p>（二）全国人民代表大会常务委会有权撤销同宪法和法律相抵触的行政法规，有权撤销同宪法、法律和行政法规相抵触的地方性法规，有权撤销省、自治区、直辖市的人民代表大会常务委员会批准的违背宪法</p>	<p>第九十七条 改变或者撤销法律、行政法规、地方性法规、自治条例和单行条例、规章的权限是：</p> <p>（一）全国人民代表大会有权改变或者撤销它的常务委员会制定的不适当的法律，有权撤销全国人民代表大会常务委员会批准的违背宪法和本法第七十五条第二款规定的自治条例和单行条例；</p> <p>（二）全国人民代表大会常务委会有权撤销同宪法和法律相抵触的行政法规，有权撤销同宪法、法律和行政法规相抵触的地方性法规，有权撤销省、自治区、直辖市的人民代表大会常务委员会批准的违背宪法</p>	<p>Article 97: The authority to amend or repeal a [national] law, administrative regulation, local provisions, autonomous or special regulations, and rules are:</p> <p>(1) The National People’s Congress has the authority to amend or repeal any improper national law enacted by its Standing Committee, and to cancel any autonomous or special regulations approved by its Standing Committee in violation of the Constitution or the provision of Paragraph 2 of Article 66 hereof;</p> <p>(2) The Standing Committee of National People’s Congress has the authority to repeal any administrative regulation which contravenes the Constitution or any [national] law, and to repeal any local decree which contravenes the Constitution or any [national] law or administrative regulation, and to or cancel any autonomous regulations or special regulations approved by the Standing Committee of the People’s Congress of any province, autonomous</p>

和本法第六十六条第二款规定的自治条例和单行条例；

(三) 国务院有权改变或者撤销不适当的部门规章和地方政府规章；

(四) 省、自治区、直辖市的人民代表大会有权改变或者撤销它的常务委员会制定的和批准的不适当的地方性法规；

(五) 地方人民代表大会有权撤销本级人民政府制定的不适当的规章；

(六) 省、自治区的人民政府有权改变或者撤销下一级人民政府制定的不适当的规章；

(七) 授权机关有权撤销被授权机关制定的超越授权范围或者违背授权目的的法规，必要时可以撤销授权。

和本法第七十五条第二款规定的自治条例和单行条例；

(三) 国务院有权改变或者撤销不适当的部门规章和地方政府规章；

(四) 省、自治区、直辖市的人民代表大会有权改变或者撤销它的常务委员会制定的和批准的不适当的地方性法规；

(五) 地方人民代表大会有权撤销本级人民政府制定的不适当的规章；

(六) 省、自治区的人民政府有权改变或者撤销下一级人民政府制定的不适当的规章；

(七) 授权机关有权撤销被授权机关制定的超越授权范围或者违背授权目的的法规，必要时可以撤销授权。

region, or directly governed municipality in violation of the Constitution or the provision of Paragraph 2 of Article 66 of this Law;

(3) The State Council has the authority to amend or repeal any improper departmental or local government rules;

(4) The People's Congresses of provinces, autonomous regions, or directly governed municipalities directly, and the Standing Committees thereof, have the authority to amend or repeal any inappropriate local decree enacted by its Standing Committee or any improper local rule approved by its Standing Committee;

(5) The Standing Committee of a local People's Congress has the authority to cancel any improper rule enacted by the government at the same level;

(6) The People's Government of a province, autonomous region, or municipality directly under the central government has the authority to amend or repeal any improper rules enacted the People's Government at the level below;

(7) The authorizing body has the authority to repeal regulations that has been drafted by the enabled organ acting beyond the scope of its scope of authority or in violation of the goal of the authorization decision, and where necessary, the enabling body may revoke the authorization.

第八十九条 行政法规、地方性法规、自治条例和单行条例、规章应当在公布后的三十日内依照下列规定报有关机关备案：

(一) 行政法规报全国人民代表大会常务委员会备案；

(二) 省、自治区、直辖市的人民代表大会及其常务委员会制定的地方性法

第九十八条 行政法规、地方性法规、自治条例和单行条例、规章应当在公布后的三十日内依照下列规定报有关机关备案：

(一) 行政法规报全国人民代表大会常务委员会备案；

(二) 省、自治区、直辖市的人民代表大会及其常务委员会制定的地方性法

Article 98: Administrative regulations, local provisions, autonomous and special regulations and rules shall be reported to the relevant organs for recording within 30 days of being released, in accordance with the following provisions:

(1) Administrative regulations are reported to the Standing Committee of the National People's Congress for recording.

(2) Local regulations enacted by the people's congresses of the provinces, autonomous regions or directly governed municipalities and their standing committees shall be filed

<p>规，报全国人民代表大会常务委员会和国务院备案；较大的市的人民代表大会及其常务委员会制定的地方性法规，由省、自治区的人民代表大会常务委员会报全国人民代表大会常务委员会和国务院备案；</p> <p>（三）自治州、自治县制定的自治条例和单行条例，由省、自治区、直辖市的人民代表大会常务委员会报全国人民代表大会常务委员会和国务院备案；</p> <p>（四）部门规章和地方政府规章报国务院备案；地方政府规章应当同时报本级人民代表大会常务委员会备案；较大的市的人民政府制定的规章应当同时报省、自治区的人民代表大会常务委员会和人民政府备案；</p> <p>（五）根据授权制定的法规应当报授权决定规定的机关备案。</p>	<p>规，报全国人民代表大会常务委员会和国务院备案；设区的市、自治州的人民代表大会及其常务委员会制定的地方性法规，由省、自治区的人民代表大会常务委员会报全国人民代表大会常务委员会和国务院备案；</p> <p>（三）自治州、自治县的人民代表大会制定的自治条例和单行条例，由省、自治区、直辖市的人民代表大会常务委员会报全国人民代表大会常务委员会和国务院备案；自治条例、单行条例报送备案时，应当说明对法律、行政法规、地方性法规作出变通的情况；</p> <p>（四）部门规章和地方政府规章报国务院备案；地方政府规章应当同时报本级人民代表大会常务委员会备案；设区的市、自治州的人民政府制定的规章应当同时报省、自治区的人民代表大会常务委员会和人民政府备案；</p> <p>（五）根据授权制定的法规应当报授权决定规定的机关备案；经济特区法规报送备案时，应当说明对法律、行政法规、地方性法规作出变通的情况。</p>	<p>with the Standing Committee of the National People's Congress and the State Council; and those enacted by the people's congresses of districted cities or autonomous prefectures and their standing committees shall be filed with the Standing Committee of the National People's Congress and the State Council through the standing committees of the people's congresses of provinces or autonomous regions.</p> <p>(3) Autonomous and special regulations enacted by the people's congresses of autonomous prefectures or counties shall be filed with the Standing Committee of the National People's Congress and the State Council through the standing committees of the people's congresses of the provinces, autonomous regions and directly governed municipalities; autonomous and special regulations to be filed shall state the appropriate adaptations to the laws, administrative regulations and local regulations.</p> <p>(4) departmental or local governmental rules shall be submitted to the State Council for recording; a local governmental rule shall be concurrently submitted to the standing committee of the local people's congress for record filing; a local rule enacted by the people's government of a districted city or autonomous prefecture shall be concurrently submitted to the standing committee of the people's congress and the people's government of the province or autonomous region for record filing.</p> <p>(5) Regulations enacted upon the authorization shall be filed with the authorizing organ stipulated in the authorization decision. The regulations enacted by the special economic zones to be filed shall state the appropriate adaptations to the laws, administrative regulations and local regulations.</p>
<p>第九十条 国务院、中央军事委员会、最高人民法院、最高人民检察院和各省、自治区、直辖市的人民</p>	<p>第九十九条 国务院、中央军事委员会、最高人民法院、最高人民检察院和各省、自治区、直辖市的人民</p>	<p>Article 99: When the State Council, the Central Military Commission, the Supreme People's Court, the Supreme People's Procuratorate and the standing committees of the people's congresses of the provinces,</p>

<p>代表大会常务委员会认为行政法规、地方性法规、自治条例和单行条例同宪法或者法律相抵触的，可以向全国人民代表大会常务委员会书面提出进行审查的要求，由常务委员会工作机构分送有关的专门委员会进行审查、提出意见。</p> <p>前款规定以外的其他国家机关和社会团体、企业事业组织以及公民认为行政法规、地方性法规、自治条例和单行条例同宪法或者法律相抵触的，可以向全国人民代表大会常务委员会书面提出进行审查的建议，由常务委员会工作机构进行研究，必要时，送有关的专门委员会进行审查、提出意见。</p>	<p>代表大会常务委员会认为行政法规、地方性法规、自治条例和单行条例同宪法或者法律相抵触的，可以向全国人民代表大会常务委员会书面提出进行审查的要求，由常务委员会工作机构分送有关的专门委员会进行审查、提出意见。</p> <p>前款规定以外的其他国家机关和社会团体、企业事业组织以及公民认为行政法规、地方性法规、自治条例和单行条例同宪法或者法律相抵触的，可以向全国人民代表大会常务委员会书面提出进行审查的建议，由常务委员会工作机构进行研究，必要时，送有关的专门委员会进行审查、提出意见。</p> <p>有关的专门委员会和常务委员会工作机构可以对报送备案的规范性文件进行主动审查。</p>	<p>autonomous regions and municipalities directly under the Central Government consider that administrative regulations, local regulations, autonomous regulations or separate regulations contradict the Constitution or laws, they may submit to the Standing Committee of the National People's Congress written requests for examination, and the working offices of the Standing Committee shall refer the requests to the relevant special committees for examination and suggestions.</p> <p>When State organs other than those mentioned in the preceding paragraph, public organizations, enterprises and institutions or citizens consider that administrative regulations, local regulations, autonomous regulations or separate regulations contradict the Constitution or laws, they may submit to the Standing Committee of the National People's Congress written suggestions for examination, and the working offices of the Standing Committee shall study the suggestions and shall, when necessary, refer them to the relevant special committees for examination and suggestions.</p> <p>The special committees and the Standing Committee working bodies may conduct active review of normative documents sent for recording.</p>
<p>第九十一条 全国人民代表大会专门委员会在审查中认为行政法规、地方性法规、自治条例和单行条例同宪法或者法律相抵触的，可以向制定机关提出书面审查意见；也可以由法律委员会与有关的专门委员会召开联合审查会议，要求制定机关到会说明情况，再向制定机关提出书面审查意见。制定机关应当在两个月内研究提出是否修改的意见，并向全国人民代表大会法律委员会和</p>	<p>第一百条 全国人民代表大会专门委员会、常务委员会工作机构在审查、研究中认为行政法规、地方性法规、自治条例和单行条例同宪法或者法律相抵触的，可以向制定机关提出书面审查意见、研究意见；也可以由法律委员会与有关的专门委员会、常务委员会工作机构召开联合审查会议，要求制定机关到会说明情况，再向制定机关提出书面审查意见。制定机关应当在两个月内研</p>	<p>Article 100: Where during review or research special committees or the standing committee of the National People's Congress find that an administrative regulation or local provisions, autonomous or special regulations conflict with the Constitution or [National] Laws, they may submit a written review or research comment to the drafting organ; a joint review meeting may also be called between the Law Committee and the relevant special committee or the Standing Committee's operation office, requesting that the drafting organ attend to give an explanation, and then submit additional written review comments. The organ that has formulated the regulations shall, within two months, study and put forth suggestions as to whether to revise the regulations, and</p>

<p>有关的专门委员会反馈。</p> <p>全国人民代表大会法律委员会和有关的专门委员会审查认为行政法规、地方性法规、自治条例和单行条例同宪法或者法律相抵触而制定机关不予修改的，可以向委员长会议提出书面审查意见和予以撤销的议案，由委员长会议决定是否提请常务委员会会议审议决定。</p>	<p>究提出是否修改的意见，并向全国人民代表大会法律委员会和有关的专门委员会或者常务委员会工作机构反馈。</p> <p>全国人民代表大会法律委员会、有关的专门委员会、常务委员会工作机构根据前款规定，向制定机关提出审查意见、研究意见，制定机关按照所提意见对行政法规、地方性法规、自治条例和单行条例进行修改或者废止的，审查终止。</p> <p>全国人民代表大会法律委员会、有关的专门委员会、常务委员会工作机构经审查、研究认为行政法规、地方性法规、自治条例和单行条例同宪法或者法律相抵触而制定机关不予修改的，应当向委员长会议提出予以撤销的议案、建议，由委员长会议决定提请常务委员会会议审议决定。</p>	<p>shall give feedback to the Law Committee , other relevant special committees of the National People's Congress, or the operations office of the Standing Committee.</p> <p>Where the Law Committee of the National People's Congress, relevant special committees and the working office of the Standing Committee submit review or research comments to the drafting organ on the basis of the preceding paragraph, and the drafting organ follows the comments to adjust or annul the administrative regulation, local provisions, autonomous regulations or special regulations, the review is concluded.</p> <p>Where upon review and research, the Law Committee of the National People's Congress, relevant special committees or the working office of the Standing Committee find that administrative regulation, local provisions, autonomous regulations or special regulations conflict with the Constitution or [National] Law, and the drafting organ does not amend them, a proposal or suggestion to have it withdrawn shall be sent to the Chairman's Committee, and the Chairman's Committee will make a decision to submit it to the Standing Committee for deliberation and decision.</p>
	<p>第一百零一条 全国人民代表大会有关的专门委员会和常务委员会工作机构应当按照规定要求，将审查、研究情况向提出审查建议的国家机关、社会团体、企业事业组织以及公民反馈，并可以向社会公开。</p>	<p>Article 101: Relevant special committees and the working office of the Standing Committee of the National People's Congress shall follow the requirements to give feedback on the condition of review and research to the national organ that recommended review, social groups, enterprises and public institutions and citizens for feedback, and may disclose it to the public.</p>
<p>第九十二条 其他接受备案的机关对报送备案的地方性法规、自治条例和单行条例、规章的审查程序，按照维护法制统一的原则，由接受备案的机关规定。</p>	<p>第一百零二条 其他接受备案的机关对报送备案的地方性法规、自治条例和单行条例、规章的审查程序，按照维护法制统一的原则，由接受备案的机关规定。</p>	<p>Article 102: Procedures for review of local provisions, autonomous regulations and special regulations or rules by other organs accepting records, are determined by the organ accepting records, on the principle of maintaining the uniformity of the law.</p>
<p>第六章 附则</p>	<p>第六章 附则</p>	<p>Chapter VI: Supplementary Provisions</p>
<p>第九十三条 中央军事委员</p>	<p>第一百零三条 中央军事委</p>	<p>Article 103: The Central Military Commission</p>

会根据宪法和法律，制定军事法规。

中央军事委员会各总部、军兵种、军区，可以根据法律和中央军事委员会的军事法规、决定、命令，在其权限范围内，制定军事规章。

军事法规、军事规章在武装力量内部实施。

军事法规、军事规章的制定、修改和废止办法，由中央军事委员会依照本法规定的原则规定。

员会根据宪法和法律，制定军事法规。

中央军事委员会各总部、军兵种、军区、**中国人民武装警察部队**，可以根据法律和中央军事委员会的军事法规、决定、命令，在其权限范围内，制定军事规章。

军事法规、军事规章在武装力量内部实施。

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enacts military regulations according to the Constitution and the laws.

The various headquarters, divisions, and military areas of the Central Military Commission, and the **Chinese People's Armed Police Forces**, may enact military rules consistent with their scope of authority in accordance with the relevant national laws and military decrees, decisions and orders.

Military regulations and rules are implemented within the armed forces.

The Central Military Commission shall formulate methods for enacting, amending and repealing military regulations and rules in accordance with the principles provided by this Law.

第一百零四条 最高人民法院、最高人民检察院作出的属于审判、检察工作中具体应用法律的解释，应当主要针对具体的法律条文，并符合立法的目的、原则和原意。遇有本法第四十五条第二款规定情况的，应当向全国人民代表大会常务委员会提出法律解释的要求或者提出制定、修改有关法律的议案。

最高人民法院、最高人民检察院作出的属于审判、检察工作中具体应用法律的解释，应当自公布之日起三十日内报全国人民代表大会常务委员会备案。

最高人民法院、最高人民检察院以外的审判机关和检察机关，不得作出具体应用法律的解释。

Article 104: Interpretations on the specific application of in adjudication or procuratorate work issued by the Supreme People's Court or Supreme People's Procuratorate shall primarily target specific articles of laws, and be consistent with the goals, principles and significance of legislation Where encountering the situation provided for in the second paragraph of Article 45 of this Law, a request for a legal interpretation, or a proposal to draft or amend relevant law, shall be submitted to the National People's Congress Standing Committee.

Specific interpretations on the application of law in adjudication or procuratorate work made by the Supreme People's Court or Supreme People Procuratorate, shall be reported to the Standing Committee of the National People's Congress for recording within 30 days of their being released.

Adjudication and procuratorate organs other than the Supreme People's Court and the Supreme People's Procuratorate must not make specific interpretations on the application of law.

第九十四条 本法自2000年7月1日起施行。

第一百零五条 本法自2000年7月1日起施行。

Article 105: This Law shall go into effect on July 1, 2000.