

Legislation Law of the People's Republic of China

中华人民共和国立法法

(Adopted at the third Session of the Ninth National People's Congress on March 15, 2000, and amended in accordance with the Decision on Amending the Legislation Law of the People's Republic of China adopted at the 3rd Session of the Twelfth National People's Congress on March 15, 2015)

（2000年3月15日第九届全国人民代表大会第三次会议通过 根据2015年3月15日第十二届全国人民代表大会第三次会议《关于修改〈中华人民共和国立法法〉的决定》修正）

Table of Contents 目录

Chapter I General Provisions 第一章 总则

Chapter II Laws 第二章 法律

Section 1 Legislative Power 第一节 立法权限

Section 2 Legislative Procedures for the National People's Congress 第二节 全国人民代表大会立法程序

Section 3 Legislative Procedures for the Standing Committee of the National People's Congress 第三节 全国人民代表大会常务委员会立法程序

Section 4 Interpretations of Laws 第四节 法律解释

Section 5 Other Provisions 第五节 其他规定

Chapter III Administrative Regulations 第三章 行政法规

Chapter IV Local Regulations, Autonomous Regulations, Separate Regulations and Rules 第四章 地方性法规、自治条例和单行条例、规章

Section 1 Local Regulations, Autonomous Regulations and Separate Regulations 第一节 地方性法规、自治条例和单行条例

Section 2 Rules 第二节 规章

Chapter V Application and Recordation Review 第五章 适用与备案审查

Chapter VI Supplementary Provisions 第六章 附则

Chapter I General Provisions

第一章 总则

Article 1 To regulate legislative activities, establish a sound legislative system of the state, raise the quality of legislation, improve the Chinese socialist legal system, allow legislation to play a guiding and driving role, safeguard and develop socialist democracy, comprehensively promote the rule of law, and build a socialist country ruled by law, this Law is developed in accordance with the Constitution.

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。

Article 2 This Law shall apply to the development, amendment, and repeal of laws, administrative regulations, local regulations, autonomous regulations, and separate regulations. 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。

The rules of the departments of the State Council (hereinafter referred to as the “State Council departmental rules”) and the rules of local governments shall be developed, amended, and repealed in accordance with the relevant provisions of this Law. 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。

Article 3 Legislation shall be conducted under the fundamental principles laid down in the Constitution, focusing on economic development, and in adherence to the socialist path, the people's democratic dictatorship, the leadership of the Communist Party of China, Marxism-Leninism, Mao Zedong thoughts and Deng Xiaoping theory, and reform and opening up. 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。

Article 4 Legislation shall be conducted according to the statutory power and procedures, on the basis of the overall interests of the State, and to maintain the unity and dignity of the socialist legal system. 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。

Article 5 Legislation shall represent the will of the people, carry forward socialist democracy, and in adherence to openness in legislation, ensure the people's participation in legislative activities through various channels. 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 6 Legislation shall, based on the actual circumstances, satisfy the requirements of economic and social development and comprehensive furtherance of reform, and prescribe the rights and obligations of citizens, legal persons, and other organizations, as well as the powers and responsibilities of the organs of the state, in a scientific and rational manner. 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。

Legal rules shall be definite, specific, pertinent, and enforceable. 法律规范应当明确、具体，具有针对性和可执行性。

Chapter II Laws

第二章 法律

Section 1 Legislative Power

第一节 立法权限

Article 7 The National People's Congress and its Standing Committee shall exercise the legislative power of the State. 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。

The National People's Congress shall develop and amend the basic laws on criminal matters, civil matters, and state authorities, among others. 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。

The Standing Committee of the National People's Congress shall develop and amend laws other than those developed by the National People's Congress; and when the National People's Congress is not in session, partially supplement and amend laws developed by the National People's Congress, provided that the basic principles in such laws are not violated. 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 8 The following matters shall only be governed by laws: 第八条 下列事项只能制定法律：

- (1) Matters concerning state sovereignty. （一）国家主权的事项；
- (2) The formation, organization, and functions and powers of the people's congresses, the people's governments, the people's courts, and the people's procuratorates at all levels. （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；
- (3) The regional ethnic autonomy system, the special administrative region system, the self-government system of people at the grassroots level. （三）民族区域自治制度、特别行政区制度、基层群众自治制度；
- (4) Criminal offences and penalties. （四）犯罪和刑罚；
- (5) Compulsory measures and penalties involving deprivation of a citizen's political rights or restriction of personal freedom. （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；
- (6) The establishment of any category of tax, determination of tax rates, tax collection administration, and other basic taxation rules. （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；
- (7) Expropriation and requisition of property not owned by the state. （七）对非国有财产的征收、征用；
- (8) The basic system of civil matters. （八）民事基本制度；
- (9) Basic economic rules and basic rules on treasury, customs, finance, and foreign trade. （九）基本经济制度以及财政、海关、金融和外贸的基本制度；

(10) Litigation and arbitration systems. (十) 诉讼和仲裁制度;

(11) Other matters which must be governed by laws developed by the National People's Congress and its Standing Committee. (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。

Article 9 Where laws have not been developed on any matters specified in Article 8 of this Law, the National People's Congress or its Standing Committee may make a decision to empower the State Council to first develop administrative regulations as actually needed on certain matters, except for matters involving criminal offences and penalties, compulsory measures and penalties involving deprivation of a citizen's political rights or restriction of personal freedom, and the justice system.

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。

Article 10 The empowerment decision shall specify the purposes, subject matter, scope, and term of empowerment and the principles to be followed by the empowered authority that implements the empowerment decision, among others. 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。

The term of empowerment shall not exceed five years, except as otherwise specified in the empowerment decision. 授权的期限不得超过五年，但是授权决定另有规定的除外。

The empowered authority shall, six months before expiration of the term of empowerment, report the implementation of the empowerment decision to the empowering authority and submit recommendations on whether the relevant law shall be developed; and if continued empowerment is necessary, may recommend continued empowerment, which is subject to the decision of the National People's Congress and its Standing Committee. 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。

Article 11 Where the conditions for developing a law on any matters in the empowered legislation become mature after such legislation has been tested in practice, the National People's Congress or its Standing Committee shall develop the law in a timely manner. After the law is developed, the empowerment on such matters shall be terminated. 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。

Article 12 The empowered authority shall exercise the power vested in it in strict accordance with the empowerment decision. 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。

The empowered authority shall not delegate the power vested in it to any other authority. 被授权机关不得将被授予的权力转授给其他机关。

Article 13 The National People's Congress and its Standing Committee may, as needed for reform and development, decide to authorize the temporary adjustment or temporary suspension of the local application of certain provisions of a law during a specified period regarding specific matters in the administrative management and other fields. 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在部分地方暂时调整或者暂时停止适用法律的部分规定。

Section 2 Legislative Procedures for the National People's Congress

第二节 全国人民代表大会立法程序

Article 14 The Presidium of the National People's Congress may introduce bills to the National People's Congress for deliberation at a session of the National People's Congress. 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。

The Standing Committee of the National People's Congress, the State Council, the Central Military Commission, the Supreme People's Court, the Supreme People's Procuratorate, and the specialized committees of the National People's Congress may introduce bills to the National People's Congress, and the Presidium shall decide whether such bills will be put on the agenda of a session of the National People's Congress. 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。

Article 15 A delegation or a group of thirty or more co-signing deputies may introduce a bill to the National People's Congress, and the Presidium shall decide whether the bill will be put on the agenda of a session of the National People's Congress or before making such a decision, first refer the bill to a relevant specialized committee for deliberation and an opinion on whether the bill will be put on the agenda. 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。

To deliberate a bill at a meeting, a specialized committee may invite the proposer of the bill to observe the meeting and offer an opinion. 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。

Article 16 A bill to be introduced to the National People's Congress may be first introduced to the Standing Committee when the National People's Congress is not in session, and after deliberating the bill at its sessions under the procedures prescribed in Section 3, Chapter II of this Law, the Standing Committee shall decide whether the bill will be submitted to the National People's Congress for deliberation, and the Standing Committee or the proposer shall provide an explanation on the bill to the plenary meeting of the session of the National People's Congress. 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。

When deliberating a bill in accordance with the provision of the preceding paragraph, the Standing Committee shall solicit the opinions of the deputies to the National People's Congress in multiple forms and provide feedback; and the relevant deputies to the National People's Congress may be invited to participate in legislative investigation and research conducted by the specialized committees and the operating divisions of the Standing Committee. 常务委员会依照前款规定审议法律案，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。

Article 17 Where the Standing Committee has decided to introduce a bill to a session of the National People's Congress for deliberation, it shall distribute the draft law to the deputies one month before the session is held. 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。

Article 18 A bill on the agenda of a session of the National People's Congress shall be deliberated by all delegations after an explanation on the bill has been provided by the proposer at a plenary meeting of the session. 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。

When the delegations are deliberating a bill, the proposer shall send persons to listen to their opinions and answer questions. 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。

When the delegations are deliberating a bill, the relevant authority or organization shall, as required by the delegations, send persons to provide relevant information. 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。

Article 19 A bill on the agenda of a session of the National People's Congress shall be deliberated by the relevant specialized committee, which shall submit a deliberation opinion to the Presidium and distribute the printed opinion to the session. 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。

Article 20 A bill on the agenda of a session of the National People's Congress shall be uniformly deliberated by the Law Committee based on the opinions offered by the delegations and relevant specialized committee after deliberation, and the Law Committee shall submit to the Presidium a report on the deliberation result and the revised draft law, and state any important different opinions in the report. After deliberation and adoption at a meeting of the Presidium, the printed report and revised draft law shall be distributed to the session. 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，经主席团会议审议通过后，印发会议。

Article 21 The executive chairman of the Presidium may, when necessary, convene a meeting of the heads of all delegations to hear and discuss the opinions offered by the delegations after deliberation on any significant issues in a bill on the agenda of a session of the National People's Congress, and report the discussion result and opinions to the Presidium. 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。

The executive chairman of the Presidium may also convene a meeting of the relevant deputies recommended by the delegations to discuss any major specialized issues in a bill, and report the discussion result and opinions to the Presidium. 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。

Article 22 Where before a bill on the agenda of a session of the National People's Congress is put to vote, the proposer requests withdrawal of the bill, the proposer shall state the reasons for withdrawal, and the deliberation of the bill shall terminate upon consent of the Presidium to the request and reporting to the session. 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。

Article 23 Where any significant issue raised during the deliberation of a bill requires further research, upon proposal from the Presidium and decision at a plenary meeting of the session, the Standing Committee may be empowered to further deliberate the bill based on the deputies' opinions, make a decision, and report the decision to the next session of the National People's Congress; or be empowered to further deliberate the bill based on the deputies' opinions, produce a revision proposal, and submit it to the next session of the National People's Congress for deliberation and decision.

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。

Article 24 After a revised draft law has been deliberated by all delegations, the Law Committee shall revise the draft according to the opinions offered by all delegations after deliberation, and produce a voting version of the draft law, which shall be submitted by the Presidium to a plenary meeting of the session for voting and adoption by a simple majority of all the deputies. 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 25 A law adopted by the National People's Congress shall be issued by an Order of the President signed by the President of the People's Republic of China. 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。

Section 3 Legislative Procedures for the Standing Committee of the National People's Congress

第三节 全国人民代表大会常务委员会立法程序

Article 26 The Chairmen's Meeting may introduce a bill to the Standing Committee for deliberation at a session of the Standing Committee. 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。

The State Council, the Central Military Commission, the Supreme People's Court, the Supreme People's Procuratorate, or a specialized committee of the National People's Congress may introduce a bill to the Standing Committee, and the Chairmen's Meeting shall decide whether the bill will be put on the agenda of a session of the Standing Committee or before making such a decision, first refer it to the relevant specialized committee for deliberation and a report. If the Chairmen's Meeting deems that any significant issue in the bill requires further research, it may recommend that the proposer revise and improve the bill before introducing it to the Standing Committee. 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 27 A group of ten or more co-signing members of the Standing Committee may introduce a bill to the Standing Committee, and the Chairmen's Meeting shall decide whether the bill will be put

on the agenda of a session of the Standing Committee or before making such a decision, first refer it to the relevant specialized committee for deliberation and an opinion on whether the bill will be put on the agenda. If the Chairmen's Meeting decides not to put the bill on the agenda of a session of the Standing Committee, it shall report the decision to a session of the Standing Committee or provide an explanation to the proposer.

第二十七条 常务委员会组成人员十人以上联名，可以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。

To deliberate a bill at a meeting, a specialized committee may invite the proposer of the bill to observe the meeting and offer an opinion. 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。

Article 28 For a bill on the agenda of a session of the Standing Committee, the draft law shall be distributed to the members of the Standing Committee seven days before the session is held, except under special circumstances.

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。

For a bill to be deliberated at a session of the Standing Committee, the relevant deputies to the National People's Congress shall be invited to observe the session. 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。

Article 29 As a general rule, a bill on the agenda of a session of the Standing Committee shall be put to vote after deliberation at three sessions of the Standing Committee.

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。

When a bill is deliberated for the first time at a session of the Standing Committee, an explanation provided by the proposer shall be heard at a plenary meeting, and preliminary deliberation shall be conducted at group meetings. 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。

When a bill is deliberated for the second time at a session of the Standing Committee, a report made by the Law Committee on the revision of the draft law and the major issues shall be heard at a plenary meeting, and further deliberation shall be conducted at group meetings. 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。

When a bill is deliberated for the third time at a session of the Standing Committee, a report made by the Law Committee on the result of deliberation of the draft law shall be heard at a plenary meeting, and the revised draft law shall be deliberated on at group meetings. 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，由分组会议对法律草案修改稿进行审议。

In the deliberation of a bill, the Standing Committee may, as needed, convene a joint group meeting or a plenary meeting to discuss the major issues in the draft law. 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。

Article 30 A bill on the agenda of a session of the Standing Committee may be brought to a vote after deliberation at two sessions of the Standing Committee if a consensus has been reached among all parties concerned on the bill; or may be brought to vote after deliberation at one session of the

Standing Committee if a consensus has been reached among all parties concerned on the bill that regulates a single matter or amends a part of a law. 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。

Article 31 When group meetings of the Standing Committee are held to deliberate a bill, the proposer shall send persons to listen to opinions and answer questions. 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。

When group meetings of the Standing Committee are held to deliberate a bill, the relevant authority or organization shall, as required by a group, send persons to provide relevant information. 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。

Article 32 A bill on the agenda of a session of the Standing Committee shall be deliberated by the relevant specialized committee, which shall offer its deliberation opinion, and distributed the printed opinion to the session of the Standing Committee. 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。

To deliberate a bill at a meeting, the relevant specialized committee may invite the members of other specialized committees to observe the meeting and offer opinions. 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。

Article 33 A bill on the agenda of a session of the Standing Committee shall be uniformly deliberated by the Law Committee based on the opinions offered by the members of the Standing Committee and the relevant specialized committee after deliberation as well as the opinions offered by all parties concerned, and the Law Committee shall produce a revision report or a report on the deliberation result and the revised draft law, and state any important different opinions in either of the reports. If the opinion offered by the relevant specialized committee after deliberation is not accepted, the Law Committee shall provide feedback to them. 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。

To deliberate a bill at a session, the Law Committee shall invite the members of the relevant specialized committee to observe and offer their opinions. 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。

Article 34 To deliberate a bill, a specialized committee shall hold a plenary meeting, and may, as needed, require the relevant authority or organization to send the relevant person in charge to provide an explanation. 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。

Article 35 Where the specialized committees disagree with each other on any important issues on a draft law, it shall be reported to the Chairmen's Meeting. 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。

Article 36 For a bill on the agenda of a session of the Standing Committee, the Law Committee, the relevant specialized committee, and the operating divisions of the Standing Committee shall hear the opinions of all the parties concerned in various forms such as forums, discussion meetings, and hearings.

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。

Where any issue involved in a bill is very specialized and requires feasibility evaluation, a discussion meeting shall be held to hear the opinions of the relevant experts, departments, deputies to the National People's Congress, and other parties concerned. A report on the discussion shall be submitted to the Standing Committee. 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。

Where there are significantly different opinions on any issue in a bill or any issue in a bill involves any major adjustment of interests and a hearing is required, a hearing shall be held to hear the opinions of the relevant representatives of grassroots organizations and groups, departments, people's organizations, experts, deputies to the National People's Congress, and parties concerned in the society. A report on the hearing shall be submitted to the Standing Committee. 法律案有关问题存在重大意见分歧或者涉及利益关系重大调整，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。

The operating divisions of the Standing Committee shall send the draft law to the deputies to the National People's Congress in the relevant fields, the standing committees of local people's congresses, and the relevant departments, organizations, and experts to solicit their opinions. 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。

Article 37 For a bill on the agenda of a session of the Standing Committee, the draft law and an explanation of the drafting and amendment thereof, among others, shall, after the end of the session of the Standing Committee, be released to the public to solicit opinions, unless a decision not to release the same is made at the Chairmen's Meeting. The period during which public opinions are solicited on the same shall not be less than 30 days. Information on the solicitation of opinions shall be released to the public.

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 38 For a bill on the agenda of a session of the Standing Committee, the operating divisions shall collect and organize the opinions offered after deliberation at group meetings and the opinions offered by all the parties concerned as well as other relevant information, send them to the Law Committee and the relevant specialized committee, and as needed, distributed the printed ones to the session of the Standing Committee.

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。

Article 39 For a bill to be placed on the agenda of a session of the Standing Committee for deliberation and adoption, before the Law Committee produces a report on the deliberation result, the

operating divisions of the Standing Committee may assess the feasibility of major rules in the draft law, the timing of the issuance of the law, the social effects of the implementation of the law, and the possible problems, among others. An explanation on the assessment shall be provided by the Law Committee in the report on the deliberation result. 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。

Article 40 Where before a bill on the agenda of a session of the Standing Committee is put to vote, the proposer requests withdrawal of the bill, the proposer shall state the reasons for withdrawal, and the deliberation of the bill shall terminate upon consent of the Chairmen's Meeting to the request and reporting to the Standing Committee. 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。

Article 41 After a revised draft law has been deliberated at a session of the Standing Committee, the Law Committee shall revise it based on the opinions offered by the members of the Standing Committee after deliberation, and produce a voting version of the draft law, which shall be submitted by the Chairmen's Meeting to a plenary meeting of the Standing Committee for voting and adoption by a simple majority of all the members of the Standing Committee. 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。

Before the voting version of the draft law is submitted to a session of the Standing Committee for voting, it may be decided at the Chairmen's Meeting based on deliberation at the sessions of the Standing Committee to submit certain significant clauses with substantially dissenting opinions to a session of the Standing Committee for independent voting. 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。

After such independent voting at a session of the Standing Committee, based on the result of independent voting, it may be decided at the Chairmen's Meeting to submit the voting version of the draft law for voting or not to submit it for voting for the time being and to send it to the Law Committee and the relevant specialized committee for further deliberation. 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。

Article 42 Where the deliberation of a bill has been suspended for two years as a result of any major disagreement among all the parties concerned on the necessity or feasibility of developing the law or any other significant issue, or where a bill which is not submitted for voting for the time being is not placed again on the agenda of a session of the Standing Committee for deliberation after two years, the Chairmen's Meeting shall report it to the Standing Committee, and the deliberation of the bill shall terminate. 第四十二条 列入常务委员会会议议程的法律案，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。

Article 43 A bill containing amendments to clauses in several laws that involve the same type of matters may be submitted for voting in a consolidated or separate manner as decided at the Chairmen's Meeting. 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。

Article 44 A law adopted by the Standing Committee shall be issued by an Order of the President signed by the president of the People's Republic of China. 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。

Section 4 Interpretations of Laws

第四节 法律解释

Article 45 The power to interpret a law shall be vested in the Standing Committee of the National People's Congress. 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。

Under any of the following circumstances, a law shall be interpreted by the Standing Committee of the National People's Congress: 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：

(1) The specific meaning of any provisions of a law requires further clarification. （一）法律的规定需要进一步明确具体含义的；

(2) Any new circumstances appearing after the issuance of a law require clarification of the basis for the application of the law. （二）法律制定后出现新的情况，需要明确适用法律依据的。

Article 46 The State Council, the Central Military Commission, the Supreme People's Court, the Supreme People's Procuratorate, a specialized committee of the National People's Congress, and the standing committee of the people's congress of a province, autonomous region, or municipality directly under the Central Government may request the Standing Committee of the National People's Congress to interpret laws. 第四十六条 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。

Article 47 The operating divisions of the Standing Committee shall research and develop a draft interpretation of a law, and whether it will be put on the agenda of a session of the Standing Committee shall be decided at the Chairmen's Meeting. 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。

Article 48 After a draft interpretation of a law has been deliberated at a session of the Standing Committee, the Law Committee shall, based on the opinions offered by the members of the Standing Committee after deliberation, deliberate and revise the draft and produce a voting version of the draft interpretation of the law. 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。

Article 49 The voting version of a draft interpretation of a law shall be adopted by a simple majority of all the members of the Standing Committee and be issued by the Standing Committee in an announcement. 第四十九条 法律解释草案表决稿由常务委员会全体组成人员的过半数通过，由常务委员会发布公告予以公布。

Article 50 The interpretations of laws adopted by the Standing Committee of the National People's Congress shall have the same effect as laws. 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。

Section 5 Other Provisions

第五节 其他规定

Article 51 The National People's Congress and its Standing Committee shall strengthen the organization and coordination of the legislative work and play a leading role in the legislative work. 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。

Article 52 The Standing Committee of the National People's Congress shall strengthen the overall planning and arrangements on legislative work in multiple forms such as the comprehensive legislative plan and annual legislative plans. In developing the comprehensive legislative plan and annual legislative plans, it shall carefully study the proposals and recommendations from the deputies, extensively solicit opinions, conduct demonstration and assessment in a scientific manner, and as required for economic and social development and development of democracy and rule of law, determine legislative projects, and improve the timeliness, relevancy, and system of legislation. The comprehensive legislative plan and annual legislative plans shall be adopted at the Chairmen's Meeting and be issued to the public. 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。

The operating divisions of the Standing Committee of the National People's Congress shall be responsible for developing the comprehensive legislative plan and draft annual legislative plans, and according to the requirements of the Standing Committee of the National People's Congress, oversee the implementation of the comprehensive legislative plan and annual legislative plans 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。

Article 53 The relevant specialized committees and the operating divisions of the Standing Committee of the National People's Congress shall participate in the drafting of draft laws by the relevant parties in advance; and the drafting of important draft laws that are comprehensive, general, or fundamental may be organized by the relevant specialized committees or the operating divisions of the Standing Committee. 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。

For draft laws that are very specialized, experts in the relevant fields may be invited to participate in the drafting or the relevant experts, teaching and scientific research entities, and social organizations may be entrusted with the drafting. 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。

Article 54 A bill shall be introduced along with the text of the draft law and an explanation thereof, and necessary reference materials shall be provided. If a law is amended, a comparison of the texts before and after amendment shall also be submitted. The explanation of the draft law shall cover the necessity of developing or amending the law, feasibility and main content of the law, and coordination and handling of substantially dissenting opinions in the course of drafting. 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。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。

Article 55 The proposer of a bill introduced to the National People's Congress or its Standing Committee shall have the right to withdraw it before it is put on the agenda of a session of the National People's Congress or its Standing Committee. 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。

Article 56 For a bill that has failed to pass the vote at a plenary meeting of the National People's Congress or its Standing Committee, if the proposer still deems it necessary to enact the law, the proposer may introduce the bill again under statutory procedures, and the Presidium or the Chairmen's Meeting shall decide whether the bill will be put on the agenda of a session of the National People's Congress or a session of the Standing Committee; however, a bill that has failed to be adopted by the National People's Congress shall be referred to the National People's Congress for deliberation and decision. 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。

Article 57 The effective date of a law shall be explicitly stated in the law. 第五十七条 法律应当明确规定施行日期。

Article 58 The enacting authority, the date of adoption, and the effective date of the law shall be explicitly stated in an Order of the President signed for issuance of the law. 第五十八条 签署公布法律的主席令载明该法律的制定机关、通过和施行日期。

Once a law is issued upon signature, it shall be published in a timely manner in the Bulletin of the Standing Committee of the National People's Congress, on the website of the National People's Congress, and in newspapers distributed nationwide. 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载。

The text of a law published in the Bulletin of the Standing Committee shall be the standard text. 在常务委员会公报上刊登的法律文本为标准文本。

Article 59 The procedures for amending and repealing laws shall be governed by the relevant provisions of this Chapter. 第五十九条 法律的修改和废止程序，适用本章的有关规定。

Where a law is amended, the new text of the law shall be issued. 法律被修改的，应当公布新的法律文本。

Where a law is repealed, the repeal shall be issued by a signed order of the President of the state, unless the law is repealed according to the provisions of any other law. 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。

Article 60 For any discrepancy between a draft law and the relevant provisions of any other law, the proposer shall provide an explanation and a handling opinion and when necessary, a proposal on amending or repealing the relevant provisions of the other law at the same time. 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。

Where the Law Committee or relevant specialized committee deems it necessary to amend or repeal the relevant provisions of any other law when deliberating a bill, it shall provide a handling opinion. 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。

Article 61 As needed by the contents, a law may be divided into parts, chapters, sections, articles, paragraphs, items, and sub-items. 第六十一条 法律根据内容需要，可以分编、章、节、条、款、项、目。

Parts, chapters, sections, and articles shall be numbered in turn with Chinese numerals, paragraphs shall not be numbered, items shall be numbered in turn with bracketed Chinese numerals, and sub-items shall be numbered in turn with Arabic numerals. 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。

In the note to the title of a law, the enacting authority and the date of adoption shall be stated. For an amended law, the amending authority and the date of amendment shall be stated in turn. 法律标题的题注应当载明制定机关、通过日期。经过修改的法律，应当依次载明修改机关、修改日期。

Article 62 Where a law explicitly requires a relevant state authority to develop specific provisions on specific matters, the relevant state authority shall develop such provisions within one year from the effective date of the law, unless the law provides otherwise for the time limit. If the relevant state authority fails to develop such provisions within the time limit, it shall provide an explanation to the Standing Committee of the National People's Congress. 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。

Article 63 The relevant specialized committees and the operating divisions of the Standing Committee of the National People's Congress may organize legislative post-assessment of the relevant laws or the relevant provisions of laws. A report on the assessment shall be submitted to the Standing Committee. 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。

Article 64 The operating divisions of the Standing Committee of the National People's Congress may, after research, respond to inquiries regarding specific issues related to laws, but shall report such response to the Standing Committee for recordation. 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。

Chapter III Administrative Regulations

第三章 行政法规

Article 65 The State Council shall develop administrative regulations in accordance with the Constitution and laws. 第六十五条 国务院根据宪法和法律，制定行政法规。

The following matters may be governed by administrative regulations: 行政法规可以就下列事项作出规定：

(1) Matters requiring the development of administrative regulations to implement the provisions of laws. （一）为执行法律的规定需要制定行政法规的事项；

(2) Matters within the administrative functions and powers of the State Council as set out in Article 89 of the Constitution. （二）宪法第八十九条规定的国务院行政管理职权的事项。

Where administrative regulations have been first developed by the State Council according to an empowerment decision of the National People's Congress or its Standing Committee for matters for which the National People's Congress or its Standing Committee shall develop a law, if after testing in practice, the conditions for developing a law become mature, the State Council shall, in a timely manner, request the National People's Congress or its Standing Committee to develop a law. 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。

Article 66 The legislative affairs office of the State Council shall draft an annual legislative plan of the State Council according to the overall work arrangements of the state and submit the plan to the State Council for approval. The law projects in the annual legislative plan of the State Council shall be connected with the comprehensive legislative plan and annual legislative plan of the Standing Committee of the National People's Congress. The legislative affairs office of the State Council shall, in a timely manner, track and obtain information on the implementation of the legislative plan by all the departments of the State Council and strengthen organization, coordination, oversight, and guidance. 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。

Where a relevant department of the State Council deems it necessary to develop an administrative regulation, it shall file a report with the State Council to request establishment of the project. 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。

Article 67 The relevant departments of the State Council or the legislative affairs office of the State Council shall be specifically responsible for drafting administrative regulations, and the legislative affairs office of the State Council shall organize the drafting of significant draft laws and administrative regulations on administration management. In drafting administrative regulations, the opinions of the relevant authorities, organizations, deputies to the people's congresses, and the general public shall be extensively solicited in multiple forms such as forums, discussion meetings, and hearings. 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。

A draft administrative regulation shall be published to request public comment, unless the State Council decides not to publish it. 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。

Article 68 After the drafting of an administrative regulations is completed, the drafting division shall submit the draft, its explanation, different opinions of all parties concerned on major issues in the draft, and other relevant information to the legislative affairs office of the State Council for examination.

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。

The legislative affairs office of the State Council shall submit an examination report and a revised draft to the State Council, and an explanation of the major issues in the draft shall be provided in the examination report. 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。

Article 69 The decision-making procedures for administrative regulations shall be governed by the relevant provisions of the Law on the Organization of the State Council of the People's Republic of China. 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。

Article 70 Administrative regulations shall be issued by an Order of the State Council signed by the Premier of the State Council. 第七十条 行政法规由总理签署国务院令公布。

An administrative regulation on national defense construction may be issued by an order of the State Council and the Central Military Commission jointly signed by the premier of the State Council and the chairman of the Central Military Commission. 有关国防建设的行政法规，可以由国务院总理、中央军事委员会主席共同签署国务院、中央军事委员会令公布。

Article 71 After issuance upon signature, an administrative regulation shall be published in a timely manner in the State Council Gazette, on the website of the Legislative Affairs Office of the State Council, and in newspapers distributed nationwide. 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。

The text of an administrative regulation published in the Bulletin of the State Council shall be the standard text. 在国务院公报上刊登的行政法规文本为标准文本。

Chapter IV Local Regulations, Autonomous Regulations, Separate Regulations, and Rules

第四章 地方性法规、自治条例和单行条例、规章

Section 1 Local Regulations, Autonomous Regulations, and Separate Regulations

第一节 地方性法规、自治条例和单行条例

Article 72 The people's congress and its standing committee of a province, autonomous region, or municipality directly under the Central Government may, according to the specific circumstances and actual needs of the administrative region, develop local regulations, provided that such regulations do

not contravene the Constitution, laws, and administrative regulations. 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。

The people's congress and its standing committee of a districted city may, according to the city's specific circumstances and actual needs, develop local regulations on urban and rural development and administration, environmental protection, and historical culture protection, among others, provided that they do not contravene the Constitution, laws, administrative regulations, and the local regulations of the province or autonomous region where the city is located, unless a law provides otherwise for the development of local regulations by a districted city. The local regulations of the districted city shall come into force after being reported to and approved by the standing committee of the people's congress of the province or autonomous region. The standing committee of the people's congress of the province or autonomous region shall examine the legality of the local regulations submitted to it for approval, and approve them within four months if they do not contravene the Constitution, laws, administrative regulations, and the local regulations of the province or autonomous region. 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。

Where, in examining a local regulation of a districted city submitted to it for approval, the standing committee of the people's congress of a province or autonomous region discovers that the local regulation contravenes any rules of the people's government of the province or autonomous region, it shall make a handling decision. 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、自治区的人民政府的规章相抵触的，应当作出处理决定。

Except for a city where the people's government of a province or autonomous region is located, a city where a special economic zone is located, and a relatively large city as approved by the State Council, the specific procedures and time for district cities to begin developing local regulations shall be determined by the standing committee of the people's congress of the province or autonomous region after comprehensively considering the population, territorial area, economic and social development, legislative demand, legislative capacity, and other factors of the districted cities of the province or autonomous region, and be reported to the Standing Committee of the National People's Congress and the State Council for recordation. 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。

The people's congress and its standing committee of an autonomous prefecture may exercise a districted city's power to develop local regulations in accordance with the provision of paragraph 2 of this article. The specific procedures and time for autonomous prefectures to begin developing local regulations shall be determined in accordance with the provision of the preceding paragraph. 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。

The existing local regulations of a city where the people's government of a province or autonomous region is located, a city where a special economic zone is located, or a relatively large city as approved by the State Council which fall outside the scope of matters prescribed in paragraph 2 of this article shall remain effective. 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。

Article 73 The following matters may be governed by local regulations: 第七十三条 地方性法规可以就下列事项作出规定：

(1) Matters requiring the development of specific provisions according to the actual circumstances of the administrative region in order to implement the provisions of laws or administrative regulations.

（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；

(2) Matters as local affairs that require the development of local regulations. （二）属于地方性事务需要制定地方性法规的事项。

Except for the matters as set out in Article 8 of this Law, a province, an autonomous region, a municipality directly under the Central Government, a districted city, or an autonomous prefecture may, according to its specific circumstances and actual needs, first develop local regulations on matters for which no law or administrative regulation has been developed by the state. Once a law or administrative regulation developed on such matters by the state comes into force, the provisions of local regulations which contravene the law or administrative regulation shall be null or void and be amended or repealed by the developing authorities in a timely manner. 除本法第八条规定的项外，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。

The local regulations developed by a districted city or an autonomous prefecture in accordance with the provisions of paragraphs 1 and 2 of this article shall be limited to the matters prescribed in paragraph 2, Article 72 of this Law. 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。

In the development of local regulations, no repetitive provisions shall be made on the matters that have been explicitly prescribed in the superordinate law. 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 74 The people's congress and its standing committee of the province or city where a special economic zone is located shall, according to the empowerment decision of the National People's Congress, develop regulations to be enforced within the special economic zone. 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 75 The people's congress of an ethnic autonomous area shall have the power to develop autonomous regulations and separate regulations based on the political, economic, and cultural characteristics of the local ethnicities. The autonomous regulations and separate regulations of an autonomous region shall come into force after being reported to and approved by the Standing

Committee of the National People's Congress. The autonomous regulations and separate regulations of an autonomous prefecture or an autonomous county shall come into force after being reported to and approved by the standing committee of the people's congress of the province, autonomous region, or municipality directly under the Central Government.

第七十五条 民族自治地方的人民代表大会有权依照当地民族的政治、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。

Certain provisions of laws and administrative regulations may be adapted according to the characteristics of local ethnicities in the autonomous regulations and separate regulations, provided that such adaptation does not contravene the basic principles in laws and administrative regulations and no adaptation of the provisions of the Constitution and the Law on Regional Ethnic Autonomy and the special provisions of other laws and administrative regulations for ethnic autonomous areas is made. 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。

Article 76 Local regulations governing especially important matters of an administrative region shall be adopted by the people's congress of the administrative region.

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。

Article 77 The introduction, deliberation, and voting procedures for bills of local regulations, autonomous regulations, and separate regulations shall be prescribed by the people's congress at the same level in accordance with the Law of the People's Republic of China on the Organization of Local People's Congresses and Local People's Governments and by reference to the provisions of Sections 2, 3, and 5, Chapter II of this Law.

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。

For a draft local regulation, the authority responsible for uniform deliberation shall produce a report on the result of deliberation and a revised draft. 地方性法规草案由负责统一审议的机构提出审议结果的报告和草案修改稿。

Article 78 Local regulations adopted by the people's congress of a province, autonomous region, or municipality directly under the Central Government shall be issued by the presidium of the congress in an announcement.

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。

Local regulations adopted by the standing committee of the people's congress of a province, autonomous region, or municipality directly under the Central Government shall be issued by the standing committee in an announcement. 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。

Local regulations adopted by the people's congress and its standing committee of a districted city or an autonomous prefecture shall, upon approval, be issued by the standing committee of the people's congress of the districted city or autonomous prefecture in an announcement. 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。

Autonomous regulations and separate regulations shall, upon approval, be issued by the standing committee of the people's congress of the autonomous region, autonomous prefecture, or autonomous county in an announcement. 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议务委员会发布公告予以公布。

Article 79 After a local regulation or an autonomous region's autonomous regulation or separate regulation is issued, it shall be published in a timely manner in the gazette of the standing committee of the people's congress at the same level, on the websites of the National People's Congress and the local people's congress, and in newspapers distributed within the local administrative region. 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议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载。

The text of a local regulation, an autonomous regulation, or a separate regulation published in the gazette of the standing committee shall be the standard text. 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。

Section 2 Rules

第二节 规章

Article 80 The ministries and commissions of the State Council, the People's Bank of China, the State Audit Administration, and other divisions with administrative functions directly under the State Council may, in accordance with the laws and the administrative regulations, decisions, and orders of the State Council, develop rules within their respective power. 第八十条 国务院各部、委员会、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。

The matters prescribed in State Council departmental rules shall be matters for the enforcement of laws or the administrative regulations, decisions, and orders of the State Council. Without any basis in laws or the administrative regulations, decisions, and orders of the State Council, state Council departmental rules shall not set out any requirements that impair the rights or increase the obligations of citizens, legal persons, and other organizations, nor increase the power or decrease the statutory duties of the department. 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。

Article 81 For matters that fall within the power of two or more departments of the State Council, a request for the State Council to develop an administrative regulation shall be filed, or the relevant departments of the State Council shall jointly develop rules. 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。

Article 82 The people's government of a province, an autonomous region, a municipality directly under the Central Government, a districted city, or an autonomous prefecture may develop rules in accordance with laws, administrative regulations, and the local regulations of the province,

autonomous region, or municipality. 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。

The following matters may be governed by the rules of local governments: 地方政府规章可以就下列事项作出规定：

(1) Matters requiring the development of rules in order to implement the provisions of laws, administrative regulations, and local regulations. （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；

(2) Specific administrative matters of the administrative region. （二）属于本行政区域的具体行政管理事项。

The rules of a local government as developed by the people's government of a districted city or an autonomous prefecture in accordance with the provisions of paragraphs 1 and 2 of this article shall be limited to the matters on urban and rural development and administration, environmental protection, and historical culture protection, among others. The existing rules of local governments that fall outside the aforesaid scope of matters shall remain effective. 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、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。

Except for a city where the people's government of a province or autonomous region is located, a city where a special economic zone is located, and a relatively large city as approved by the State Council, the time for the people's government of a districted city or an autonomous prefecture to begin developing rules shall be the same as the time determined by the standing committee of the people's congress of the province or autonomous region for the city or autonomous prefecture to begin developing local regulations. 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。

Where a local regulation shall be developed but the conditions for developing the regulation are immature, the local government may first develop rules to satisfy the urgent need for administrative management. Where the rules have been implemented for two years, and it is necessary to continue implementing the administrative measures prescribed in the rules, a request for developing a local regulation shall be submitted to the people's congress or its standing committee at the same level. 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。

Without any basis in laws, administrative regulations, or local regulations, no rules of a local government may set out any requirements that impair the rights or increase the obligations of citizens, legal persons, and other organizations 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。

Article 83 The procedures for developing State Council departmental rules and the rules of local governments shall be prescribed by the State Council by reference to the provisions of Chapter III of this Law. 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 84 State Council departmental rules shall be decided at the executive meetings of ministries or the meetings of commissions. 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。

The rules of a local government shall be decided by the executive meetings or plenary meetings of the local government. 地方政府规章应当经政府常务会议或者全体会议决定。

Article 85 State Council departmental rules shall be issued by an order signed by the head of a department. 第八十五条 部门规章由部门首长签署命令予以公布。

The rules of a local government shall be issued by an order signed by the governor of a province or autonomous region or the mayor of a city or autonomous prefecture. 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。

Article 86 State Council departmental rules shall, after issuance upon signature, be published in a timely manner in the State Council Gazette or gazettes of the departments, on the website of the Legislative Affairs Office of the State Council, and in newspapers distributed nationwide. 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。

The rules of a local government shall, after issuance upon signature, be published in a timely manner in the gazette of the local people's government, on the website of the Legislative Affairs Office of the State Council, and in newspapers distributed within its administrative region. 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。

The text of rules published in the gazette of the State Council or the gazette of a department or in the gazette of the local people's government shall be the standard text. 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。

Chapter V Application and Recordation Review

第五章 适用与备案审查

Article 87 The Constitution shall have the supreme legal effect, and no laws, administrative regulations, local regulations, autonomous regulations, separate regulations, or rules may contravene the Constitution. 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。

Article 88 The effect of laws shall be higher than that of administrative regulations, local regulations, and rules. 第八十八条 法律的效力高于行政法规、地方性法规、规章。

The effect of administrative regulations shall be higher than that of local regulations and rules. 行政法规的效力高于地方性法规、规章。

Article 89 The effect of local regulations shall be higher than that of the rules of local governments at the same level and at a lower level. 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。

The effect of the rules developed by the people's government of a province or autonomous region is higher than that of the rules developed by the people's government of a districted city or an autonomous prefecture within the administrative region of the province or autonomous region. 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。

Article 90 Where certain provisions of laws, administrative regulations, or local regulations are legally adapted in the autonomous regulations or separate regulations of an autonomous area, the provisions of the autonomous regulations or separate regulations shall apply only in the autonomous area.

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。

Where, according to empowerment, certain provisions of laws, administrative regulations, or local regulations are adapted in the regulations of a special economic zone, the provisions of the regulations of the special economic zones shall apply only in the special economic zone. 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。

Article 91 The rules of different departments of the State Council shall be equally effective, as well as State Council departmental rules and the rules of local governments, and these rules shall be implemented within their respective power. 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。

Article 92 For laws, administrative regulations, local regulations, autonomous regulations, separate regulations, or rules developed by the same authority, if there is any discrepancy between special provisions and general provisions, special provisions shall prevail; if there is any discrepancy between new provisions and old provisions, new provisions shall prevail. 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。

Article 93 Laws, administrative regulations, local regulations, autonomous regulations, separate regulations, and rules shall not be retroactive, except for the special provisions developed for the better protection of the rights and interests of citizens, legal persons, and other organizations. 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。

Article 94 Where there is any discrepancy in laws between new general provisions and old special provisions in the same matter and the application of such provisions cannot be determined, the Standing Committee of the National People's Congress shall decide. 第九十四条 法律之间对同一事项的新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。

Where there is any discrepancy in administrative regulations between new general provisions and old special provisions in the same matter and the application of such provisions cannot be determined, the State Council shall decide. 行政法规之间对同一事项的新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。

Article 95 Where there is any discrepancy between local regulations and rules, the relevant authority shall decide it according to the following power: 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：

(1) For any discrepancy between new general provisions and old special provisions developed by the same authority, the authority shall decide. （一）同一机关制定的新的一般规定与旧的特别规定不一致时，由制定机关裁决；

(2) For any discrepancy between the provisions of local regulations and State Council departmental rules in the same matter and the application of such provisions cannot be determined, the State Council shall offer an opinion, and if it deems that local regulations shall be applied, it shall make a decision to apply the provisions of local regulations in the local area; or if it deems that State Council departmental rules shall be applied, it shall request the Standing Committee of the National People's Congress for decision. （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；

(3) For any discrepancy between the provisions of State Council departmental rules or between the provisions of State Council departmental rules and the rules of local governments in the same matter, the State Council shall decide. （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。

Where there is any discrepancy between the provisions of regulations developed according to empowerment and the provisions of laws and the application of such provisions cannot be determined, the Standing Committee of the National People's Congress shall decide. 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 96 Where any law, administrative regulation, local regulation, autonomous regulation, separate regulation, or rule falls under any of the following circumstances, the relevant authority shall modify or revoke it in accordance with the power prescribed in Article 97 of this Law: 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：

(1) The prescribed power is transcended. （一）超越权限的；

(2) Subordinate legislation contravenes superordinate legislation. （二）下位法违反上位法规定的；

(3) There is any discrepancy between the provisions of different rules in the same matter, and as decided, the provisions of one side shall be modified or revoked. （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；

(4) The provisions of rules are deemed inappropriate and shall be modified or revoked. （四）规章的规定被认为不适当，应当予以改变或者撤销的；

(5) Statutory procedures are violated. （五）违背法定程序的。

Article 97 The power to modify or revoke laws, administrative regulations, local regulations, autonomous regulations, separate regulations, or rules shall be as follows: 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：

(1) The National People's Congress shall have the power to modify or revoke inappropriate laws enacted by its Standing Committee, and have the power to revoke autonomous regulations and separate regulations approved by its Standing Committee which contravene the Constitution or the provision of paragraph 2, Article 75 of this Law. （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；

(2) The Standing Committee of the National People's Congress shall have the power to revoke administrative regulations which contravene the Constitution and laws, have the power to revoke local regulations which contravene the Constitution, laws, and administrative regulations, and have the power to revoke autonomous regulations and separate regulations approved by the standing committee of the people's congress of a province, autonomous region, or municipality directly under the Central Government which contravene the Constitution or the provision of paragraph 2, Article 75 of this Law.

（二）全国人民代表大会常务委员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和本法第七十五条第二款规定的自治条例和单行条例；

(3) The State Council shall have the power to modify or revoke inappropriate State Council departmental rules and the rules of local governments. （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；

(4) The people's congress of a province, autonomous region, or municipality directly under the Central Government shall have the power to modify or revoke inappropriate local regulations developed and approved by its standing committee. （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；

(5) The standing committee of a local people's congress shall have the power to revoke inappropriate rules developed by the people's government at the same level. （五）地方人民代表大会常务委员会有权撤销本级人民政府制定的不适当的规章；

(6) The people's government of a province or autonomous region shall have the power to modify or revoke inappropriate rules developed by the people's governments at the next lower level. （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；

(7) The empowering authority shall have the power to revoke regulations developed by the empowered authority which transcend the scope of empowerment or contravene the purpose of empowerment, and when necessary, may revoke the empowerment. （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。

Article 98 An administrative regulation, local regulation, autonomous regulation, separate regulation, or rule shall, within 30 days of issuance, be reported to the relevant authority for recordation in accordance with the following provisions: 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：

(1) Administrative regulations shall be reported to the Standing Committee of the National People's Congress for recordation. （一）行政法规报全国人民代表大会常务委员会备案；

(2) Local regulations developed by the people's congress and its standing committee of a province, autonomous region, or municipality directly under the Central Government shall be reported to the

Standing Committee of the National People's Congress and the State Council for recordation; and the local regulations developed by the people's congress and its standing committee of a districted city or an autonomous prefecture shall be reported by the standing committee of the people's congress of the province or autonomous region to the Standing Committee of the National People's Congress and the State Council for recordation. (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；

(3) Autonomous regulations and separate regulations developed by an autonomous prefecture or autonomous county shall be reported by the standing committee of the people's congress of the province, autonomous region, or municipality directly under the Central Government to the Standing Committee of the National People's Congress and the State Council for recordation; and when an autonomous regulation or separate regulation is submitted for recordation, an explanation on adaptation of laws, administrative regulations, and local regulations shall be provided. (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；

(4) State Council departmental rules and the rules of local governments shall be reported to the State Council for recordation. The rules of a local government shall be reported at the same time to the standing committee of the people's congress at the same level for recordation. The rules developed by the people's government of a districted city or an autonomous prefecture shall be reported at the same time to the standing committee of the people's congress and the people's government of the province or autonomous region for recordation. (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；

(5) Regulations developed as empowered shall be reported to the authorities specified in the empowerment decisions for recordation; and when regulations of a special economic zone are submitted for recordation, an explanation on adaptation of laws, administrative regulations, and local regulations shall be provided. (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。

Article 99 The State Council, the Central Military Commission, the Supreme People's Court, the Supreme People's Procuratorate, or the standing committee of the people's congress of a province, autonomous region, or municipality directly under the Central Government, which deems that any administrative regulation, local regulation, autonomous regulation, or separate regulation contravenes the Constitution or any law, may submit to the Standing Committee of the National People's Congress a written request for review, and the operating divisions of the Standing Committee shall refer such requests to the relevant specialized committees for review and opinion. 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。

A state authority other than those as mentioned in the preceding paragraph, a social organization, an enterprise, a public institution, or a citizen, which deems that any administrative regulation, local

regulation, autonomous regulation, or separate regulation contravenes the Constitution or any law, may submit to the Standing Committee of the National People's Congress a written recommendation on review, and the operating divisions of the Standing Committee shall conduct research, and when necessary, refer such recommendations to the relevant specialized committees for review and opinion. 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。

The relevant specialized committees and the operating divisions of the Standing Committee may, on their own initiative, review the regulatory documents submitted for recordation. 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。

Article 100 Where a specialized committee in the process of review or an operating division of the Standing Committee of the National People's Congress in the process of research deems that an administrative regulation, local regulation, autonomous regulation, or separate regulation contravenes the Constitution or any law, it may offer a written review or research opinion to the authority developing the regulation; or the Law Committee and the relevant specialized committee or the operating division of the Standing Committee may convene a joint review meeting, require the authority developing the regulation to attend the meeting and provide an explanation, and then offer a written review opinion to the authority developing the regulation. The authority developing the regulation shall, within two months, conduct research, offer an opinion on whether to amend the regulation, and provide feedback to the Law Committee and the relevant specialized committee or the operating division of the Standing Committee of the National People's Congress. 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。

Review shall be terminated after the Law Committee, the relevant specialized committee, or the operating division of the Standing Committee of the National People's Congress offers a review or research opinion to the authority developing the regulation according to the provision of the preceding paragraph and the authority developing the regulation amends or repeals the administrative regulation, local regulation, autonomous regulation, or separate regulation according to the offered opinion. 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。

Where, upon review or research, the Law Committee, the relevant specialized committee, or the operating division of the Standing Committee of the National People's Congress deems that an administrative regulation, local regulation, autonomous regulation, or separate regulation contravenes the Constitution or any law and the authority developing the regulation refuses to make amendment, it may submit a proposal or recommendation for revocation of the regulation to the Chairmen's Meeting, which shall decide whether to submit the proposal or recommendation to a session of the Standing Committee for deliberation and decision. 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。

Article 101 The relevant specialized committees and the operating divisions of the Standing Committee of the National People's Congress shall, according to the prescribed requirements, provide feedback on review or research to the state authorities, social organizations, enterprises, public institutions, and citizens recommending review, and may release it to the public. 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。

Article 102 Other authorities receiving local regulations, autonomous regulations, separate regulations, or rules for recordation shall, under the principle of maintaining the unity of the legal system, prescribe the review procedures for such regulations or rules. 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。

Chapter VI Supplementary Provisions

第六章 附则

Article 103 The Central Military Commission shall, in accordance with the Constitution and laws, develop military regulations. 第一百零三条 中央军事委员会根据宪法和法律，制定军事法规。

The General Departments, the various services and arms, and the military commands of the Central Military Commission and the people's armed police force may, in accordance with laws and the military regulations, decisions, and orders of the Central Military Commission, develop military rules within their respective power. 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。

Military regulations and military rules shall be implemented within the armed forces. 军事法规、军事规章在武装力量内部实施。

The measures for developing, amending, and repealing military regulations and military rules shall be prescribed by the Central Military Commission in accordance with the principles laid down in this Law. 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。

Article 104 The interpretations on specific application of law in trial or procuratorial work as developed by the Supreme People's Court or the Supreme People's Procuratorate shall primarily involve the specific clauses of laws and conform to the objectives, principles, and original meaning of legislation. Under any of the circumstances as set out in paragraph 2, Article 45 of this Law, a request for legal interpretation or a proposal for developing or amending a relevant law shall be submitted to the Standing Committee of the National People's Congress. 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。

The interpretations on specific application of law in trial or procuratorial work as developed by the Supreme People's Court or the Supreme People's Procuratorate shall be reported to the Standing Committee of the National People's Congress for recordation within 30 days of issuance. 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。

Judicial and procuratorial authorities other than the Supreme People's Court and the Supreme People's Procuratorate shall not develop any interpretation on specific application of law. 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 105 This Law shall come into force on July 1, 2000. 第一百零五条 本法自 2000 年 7 月 1 日起施行。