Law of the PRC on Safeguarding Women’s Rights and Interests

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Chapter I — General Provisions

Article 1 — This Law is enacted in accordance with the Constitution and the actual conditions of the country for the purpose of protecting the lawful rights and interests of women, promoting equality between men and women, and giving full play to the role of women in the socialist modernization drive.

Article 2 — Women shall enjoy equal rights with men in all aspects of political, economic, cultural, social, and family life. The State shall protect the special rights and interests enjoyed by women in accordance with law and shall gradually improve the social security system for women. Discrimination against, maltreatment of, or cruel treatment causing bodily injury to or death of women, and abandonment of women shall be prohibited.

Article 3 — The State Council shall formulate a program for the development of Chinese women and incorporate it into the national economic and social development plan. Local people's governments at or above the county level shall formulate programs for the development of women in their respective administrative areas in light of the program for the development of Chinese women and incorporate them into the national economic and social development plans.

Article 4 — The protection of the rights and interests of women is the shared responsibility of the whole society. State organs, social organizations, enterprises, public institutions, urban and rural grassroots mass self-governing organizations shall protect the rights and interests of women in accordance with the provisions of this Law and relevant laws.

Article 5 — The State shall encourage women to cultivate self-esteem, self-confidence, self-reliance, and self-improvement, and to safeguard their own lawful rights and interests by means of law. Women shall abide by the laws of the State, respect social morality, and perform their obligations under the law.

Article 6 — The people's governments at all levels shall attach importance to and strengthen the protection of the rights and interests of women. The departments in charge of women and children's work of the people's governments at or above the county level shall be responsible for organizing, coordinating, guiding, and urging the relevant departments to do a good job in protecting the rights and interests of women.

Chapter II — Political Rights

Article 7 — Women shall enjoy equal rights with men to vote and to stand for election in accordance with law. There shall be an appropriate number of women deputies to the National People's Congress and local people's congresses at all levels.

Article 8 — The State shall actively train and select female cadres and attach importance to the training and selection of female cadres from minority ethnic groups. State organs, social organizations, enterprises and public institutions shall, in the selection and appointment of State functionaries, adhere to the principle of equality between men and women, and shall have an appropriate number of women holding leading positions.

Article 9 — The relevant State organs, social organizations, enterprises and public institutions shall create conditions for women to exercise their rights in the management of State affairs, economic and cultural undertakings, and social affairs. Women and women's organizations shall have the right to put forward opinions and suggestions to State organs at all levels on the protection of the rights and interests of women.

Chapter III — Cultural and Educational Rights

Article 10 — The State shall guarantee that women enjoy equal rights with men to receive education.

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Article 11 — When enrolling students, schools and other educational institutions shall adhere to the principle of equality between men and women, unless otherwise provided for by the State, and shall not refuse to enroll female students or raise the admission standards for female students on the grounds of sex.

Article 12 — The relevant State organs, social organizations, enterprises and public institutions shall, in accordance with relevant State regulations, guarantee that women enjoy equal rights with men to engage in scientific, technological, literary, artistic, and other cultural activities.

Chapter IV — Labor and Social Security Rights

Article 13 — The State shall guarantee that women enjoy equal rights with men to work.

Article 14 — When hiring employees, all units shall not refuse to hire women or raise the hiring standards for women on the grounds of sex, except for the types of work or posts that are not suitable for women as prescribed by the State. When hiring employees, no unit may stipulate in the employment contract that female employees be restricted from marrying or bearing children.

Article 15 — Men and women shall receive equal pay for equal work. Women shall enjoy equal rights with men in the enjoyment of welfare benefits.

Article 16 — In such matters as promotion in position or rank, assessment and determination of professional and technical titles, no unit may discriminate against women or refuse to promote them in violation of the principle of equality between men and women.

Article 17 — All units shall protect the safety and health of female employees at work in accordance with law and shall not assign them work that is not suitable for women. Female employees shall be given special protection during menstruation, pregnancy, maternity leave, and breastfeeding.

Article 18 — No unit may unilaterally terminate the employment contract with a female employee on the grounds of her marriage, pregnancy, maternity leave, or breastfeeding, or reduce her wages or benefits. However, this restriction shall not apply where the female employee requests the termination of the employment contract.

Article 19 — The State shall develop social insurance, social relief, social welfare, and medical and health services to guarantee that women enjoy the rights to social insurance, social relief, social welfare, and health care services. The State shall promote and encourage public welfare activities that are beneficial to the protection of the rights and interests of women.

Chapter V — Property Rights

Article 20 — The State shall guarantee that women enjoy equal property rights with men.

Article 21 — In the division of the contractual management right of rural land, the right to use homestead land, and other such rights and interests, women shall enjoy equal rights with men, and shall not be infringed upon on the grounds of being unmarried, married, divorced, or widowed.

Article 22 — Women's equal right with men to succeed to property shall be protected by law. Among the statutory successors of the same order, women shall not be discriminated against. A widowed woman shall have the right to dispose of the property she has inherited, and no one may interfere with such right.

Chapter VI — Personal Rights

Article 23 — Women shall enjoy equal personal rights with men.

Article 24 — Women's rights relating to their persons, such as the right to life, right to health, and right to personal freedom, shall be inviolable. The following acts shall be prohibited: (1) drowning, abandoning, or cruelly killing baby girls in any other manner; (2) discriminating against or maltreating women who have

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given birth to baby girls or women who are infertile; (3) using superstition, violence, or other means to injure women; (4) maltreating or abandoning elderly women; or (5) abducting and trafficking in women or kidnapping women for sale.

Article 25 — Women's right to portrait, right to reputation, right to privacy, right to honor, and other such personality rights shall be protected by law. No one may harm a woman's reputation or personal dignity by means such as insult or defamation. The reputation and personal dignity of women shall be protected through media reports, literary and artistic works, and other such means, and shall not be derogated.

Article 26 — Sexual harassment against women shall be prohibited. Victims of sexual harassment shall have the right to complain to the relevant units and State organs. The units and State organs concerned shall take measures to prevent and stop the sexual harassment of women and shall handle complaints of sexual harassment against women.

Article 27 — The personal freedom of women shall be inviolable. No one may restrict or deprive women of their personal freedom by illegal detention or other illegal means. The physical examination of women shall be conducted by female medical staff or doctors in accordance with law.

Chapter VII — Marriage and Family Rights

Article 28 — The State shall guarantee that women enjoy equal rights with men in marriage and family.

Article 29 — Women shall enjoy equal rights with men in the disposition of the property jointly owned by husband and wife, and shall not be interfered with by the other party.

Article 30 — Women's right to childbearing shall be protected by law. A woman shall have the right to bear children and the freedom not to bear children. Where both husband and wife disagree on whether to bear children, the woman's opinion shall prevail.

Article 31 — The State Council shall formulate measures for the implementation of these measures. Where laws or administrative regulations provide otherwise for the protection of the rights and interests of women, such provisions shall apply.

Article 32 — The relevant State organs, social organizations, enterprises and public institutions shall, in protecting the rights and interests of women, listen to the opinions of women's organizations.

Chapter VIII — Legal Liability

Article 33 — Where a woman's lawful rights and interests are infringed upon, she shall have the right to demand that the relevant authority handle the matter in accordance with law, or apply for arbitration to an arbitration institution, or bring a lawsuit in a people's court. Women who have financial difficulties may apply to legal aid institutions or people's courts for legal aid or judicial relief.

Article 34 — Where the rights and interests of women in terms of culture and education, work, or property are infringed upon, the victim may lodge a complaint with the relevant authority. The relevant authority shall handle the complaint within 30 days from the date of receipt of the complaint. Women's organizations shall have the right to provide support and assistance.

Article 35 — Women's organizations may request and assist the relevant authorities or units in investigating and handling infringements upon women's rights and interests. The relevant authorities or units shall investigate and handle such cases in accordance with law and respond.

Article 36 — Where any unit, in violation of the provisions of this Law, infringes upon the lawful rights and interests of women, the unit and its directly responsible person in charge and other directly responsible persons shall bear legal liability in accordance with law.

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Article 37 — Where anyone, in violation of the provisions of this Law, discriminates against women or infringes upon the lawful rights and interests of women, and causes damage to property or other damage, the person shall bear civil liability in accordance with law; where a crime is constituted, criminal liability shall be pursued in accordance with law.

Chapter IX — Supplementary Provisions

Article 38 — Where the relevant departments of the people's governments of provinces, autonomous regions, and municipalities directly under the central government, or the standing committees of the people's congresses at the same level, formulate local regulations or rules for the implementation of this Law in accordance with this Law and the actual conditions of their respective administrative areas, they shall report to the relevant State authorities for the record.

Article 39 — This Law shall come into force as of October 1, 1992.

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