Law of the PRC on the National Emblem

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Unofficial English translation prepared for reference only. The official Chinese text prevails.

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Chapter I — General Provisions

Article 1 — This Law is enacted in accordance with the Constitution for the purpose of safeguarding the dignity of the National Emblem, correctly using the National Emblem, enhancing citizens' sense of the State, promoting the spirit of patriotism, and cultivating and practicing the core socialist values.

Article 2 — The National Emblem of the People's Republic of China shall comprise, in the center, Tiananmen illuminated by five stars and encircled by ears of grain and a cogwheel. The National Emblem shall be made in accordance with the Design of the National Emblem of the People's Republic of China adopted by the Central People's Government Council in 1950, and the Directions for the Making of the Design of the National Emblem of the People's Republic of China promulgated by the General Office of the Central People's Government Council.

Article 3 — The National Emblem of the People's Republic of China is the symbol and hallmark of the People's Republic of China. All citizens and organizations shall respect and protect the National Emblem.

Chapter II — Display and Use of the National Emblem

Article 4 — The National Emblem shall be displayed at the following premises: (1) the entrance gates of the Standing Committee of the National People's Congress, the State Council, the Central Military Commission,

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the National Commission of Supervision, the Supreme People's Court and the Supreme People's Procuratorate; (2) the entrance gates of the National Committee of the Chinese People's Political Consultative Conference; (3) the entrance gates of the local standing committees of the people's congresses at or above the county level, local people's governments at or above the county level, local commissions of supervision, local people's courts and local people's procuratorates at all levels, and local committees of the Chinese People's Political Consultative Conference at all levels; (4) the entrance gates of the Ministry of Foreign Affairs; (5) the premises of Chinese embassies, consulates and other diplomatic missions stationed abroad; (6) at border ports such as airports, ports and railway stations designated by the central people's government; (7) other premises required by law to display the National Emblem. In addition to the premises specified in the preceding paragraph, the National Emblem may be displayed at the entrance gates of the township-level people's congresses as needed. The National Emblem shall be displayed at a prominent position directly above the main entrance gate of the premises, and shall be in the center where displayed together with other emblems at the entrance gate.

Article 5 — The National Emblem shall be displayed at the following institutions and places: (1) the meeting halls of the Standing Committee of the National People's Congress, the State Council, the Central Military Commission, the National Commission of Supervision, the Supreme People's Court, and the Supreme People's Procuratorate; (2) the meeting halls of the National Committee of the Chinese People's Political Consultative Conference; (3) the courtrooms of the people's courts at all levels and the specialized people's courts; (4) the venues of oath-taking ceremonies for public officials conducted under the provisions of the State; (5) the meeting halls of local standing committees of the people's congresses at all levels, local people's governments at all levels, local commissions of supervision, local people's courts, and local people's procuratorates at all levels, and local committees of the Chinese People's Political Consultative Conference at all levels; (6) other places required by law to display the National Emblem.

Article 6 — The National Emblem shall be printed on the following documents, certificates and publications: (1) the envelopes, correspondence paper, and invitations to events of the Standing Committee of the National People's Congress, the State Council, the Central Military Commission, the National Commission of Supervision, the Supreme People's Court, and the Supreme People's Procuratorate; (2) the envelopes, correspondence paper, and invitations to events of the National Committee of the Chinese People's Political Consultative Conference; (3) the envelopes, correspondence paper and invitations to events of the local standing committees of the people's congresses at or above the county level, local people's governments at or above the county level, local commissions of supervision, local people's courts, and local people's procuratorates at all levels, and local committees of the Chinese People's Political Consultative Conference at all levels where they represent the State in external exchanges or other circumstances requiring the use of the National Emblem on envelopes, correspondence paper, and invitations as prescribed by the State; (4) the envelopes, correspondence paper and invitations to events of the General Administration of Customs; (5) the certificates of the deputies to the people's congresses, membership cards of the members of the Chinese People's Political Consultative Conference, identity documents of public officials, and other identity documents and certificates required by law to bear the National Emblem; (6) the bulletins of the State, covers of important legal texts officially published by the State, and other publications required by law to bear the National Emblem.

Article 7 — For the purposes of this Law, the National Emblem as mentioned in Articles 4, 5, and 6 shall be the standard version of the National Emblem. The standard version of the National Emblem shall be published on the websites of the National People's Congress and the State Council. Where the National Emblem pattern is used as provided in this Law, the standard version shall be used.

Article 8 — The National Emblem to be displayed at the premises of diplomatic activities, Chinese embassies, consulates and other diplomatic missions stationed abroad shall be provided by the Ministry of Foreign Affairs in accordance with the provisions of this Law.

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Article 9 — Where the National Emblem is required to be displayed or printed beyond the scope specified in this Law, the relevant state organ shall make a proposal, which shall be submitted to the General Office of the Standing Committee of the National People's Congress or the General Office of the State Council for approval in accordance with the division of functions, and the standard version of the National Emblem prescribed by this Law shall be used.

Article 10 — The National Emblem and its pattern shall not be used for the following purposes: (1) as a trademark, for patent granting, or in commercial advertisements; (2) on the furnishings and decorations of everyday life; (3) in private celebratory or condolence activities; (4) in other circumstances inappropriate for the use of the National Emblem and its pattern as prescribed by the General Office of the Standing Committee of the National People's Congress and the General Office of the State Council. The National Emblem and its pattern shall not be used in designs of trademarks, product packaging, tools, souvenirs, or tokens of personal entertainment.

Article 11 — No damaged, defiled, or substandard National Emblem shall be displayed or used.

Article 12 — The National Emblem displayed shall be in a uniform size. The specific standards for the diameter of the National Emblem to be displayed shall be formulated by the General Office of the Standing Committee of the National People's Congress and the General Office of the State Council.

Article 13 — Where citizens and organizations use the pattern of the National Emblem on websites, they shall abide by the relevant provisions on network administration and shall not impair the dignity of the National Emblem. The standard version of the pattern of the National Emblem used for online activities shall be published on the websites of the National People's Congress and the State Council.

Chapter III — Legal Liability

Article 14 — Whoever, in a public place, intentionally insults the National Emblem of the People's Republic of China by burning, damaging, scrawling on, defiling, or trampling upon it, or by any other means, shall be investigated for criminal liability in accordance with the law; where the circumstances are relatively minor, the public security organ shall impose a detention of not more than 15 days.

Article 15 — Whoever displays or uses the National Emblem in violation of the provisions of this Law shall be ordered to make corrections by the department performing supervisory and administrative functions in the place where the violation is committed; where the violator refuses to make corrections, the public security organ shall impose an administrative penalty in accordance with the law on public security administration penalties.

Article 16 — Where anyone uses the National Emblem or its pattern online in violation of the relevant provisions of this Law, the cyberspace administration department and the relevant competent departments shall order the violator to make corrections and impose an administrative penalty in accordance with the law on network administration. Where the circumstances are serious and a crime is constituted, criminal liability shall be pursued in accordance with the law.

Chapter IV — Supplementary Provisions

Article 17 — The provisions of this Law shall apply to the National Emblem of the Hong Kong Special Administrative Region and the National Emblem of the Macao Special Administrative Region, which shall be displayed and used in accordance with the relevant provisions of their respective Basic Laws. The specific measures for the display and use of the National Emblem in diplomatic activities and by Chinese embassies, consulates and other diplomatic missions stationed abroad shall be formulated by the Ministry of Foreign Affairs. The specific measures for the display and use of the National Emblem by military units shall be formulated by the Central Military Commission.

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Article 18 — This Law shall come into effect on October 1, 1991. The Amendment shall come into effect on January 1, 2021.

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