Law of the PRC on the Protection of Persons with Disabilities

Dan Young Business Consultancy — www.danyoungcpa.com

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

Contents

Table of Contents 1

Chapter I — General Provisions 1

Chapter II — Rehabilitation 2

Chapter III — Education 2

Chapter IV — Employment 3

Chapter V — Cultural Life 3

Chapter VI — Social Security 3

Chapter VII — Barrier-Free Environment 3

Chapter VIII — Legal Liability 4

Chapter IX — Supplementary Provisions 4

Table of Contents

- Chapter I — General Provisions
- Chapter II — Rehabilitation
- Chapter III — Education
- Chapter IV — Employment
- Chapter V — Cultural Life
- Chapter VI — Social Security
- Chapter VII — Barrier-Free Environment
- Chapter VIII — Legal Liability
- Chapter IX — Supplementary Provisions

Chapter I — General Provisions

Article 1 — This Law is enacted in accordance with the Constitution of the People’s Republic of China for the purposes of protecting the lawful rights and interests of persons with disabilities, developing undertakings for persons with disabilities, ensuring their equal and full participation in social life, and enabling them to share in the material and cultural achievements of society.

Article 2 — A person with disabilities means a person who has lost, abnormally, or lost all or part of a certain organ or function, either psychologically, physiologically, or in human structure, and who has lost all or part

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of the ability to engage in certain activities in a normal manner. Persons with disabilities include those with visual disabilities, hearing and speech disabilities, physical disabilities, intellectual disabilities, mental disabilities, multiple disabilities, and other disabilities. The criteria for the classification of disabilities shall be prescribed by the State Council.

Article 3 — Persons with disabilities shall enjoy equal rights with other citizens in political, economic, cultural, social, and family life. The civil rights and personal dignity of persons with disabilities shall be protected by law. Discrimination on the basis of disability is prohibited. Insulting or infringing upon persons with disabilities is prohibited. Degrading or undermining the personal dignity of persons with disabilities through mass media or any other means is prohibited.

Article 4 — The State shall adopt auxiliary methods and supportive measures to provide special assistance to persons with disabilities, to reduce or eliminate the impact of disability and external barriers, and to ensure the realization of the rights of persons with disabilities.

Article 5 — The people's governments at or above the county level shall incorporate undertakings for persons with disabilities into their national economic and social development plans, strengthen leadership, coordinate comprehensive efforts, and include the funding for undertakings for persons with disabilities in their fiscal budgets, establishing a stable funding guarantee mechanism.

Chapter II — Rehabilitation

Article 6 — The State and society shall adopt measures to provide rehabilitation services to persons with disabilities, with emphasis on priority projects, to help persons with disabilities restore or compensate their functions and enhance their ability to participate in social life.

Article 7 — Rehabilitation work shall proceed from actual conditions, combining modern rehabilitation techniques with traditional Chinese rehabilitation techniques; with community rehabilitation as the basis and rehabilitation institutions as the backbone, and relying on the families of persons with disabilities.

Article 8 — The people's governments and relevant departments shall organize and guide urban and rural community service networks, medical prevention and healthcare institutions, organizations of persons with disabilities, families of persons with disabilities, and other social forces to carry out community rehabilitation work.

Article 9 — Medical colleges and other relevant institutions shall, in a planned manner, offer courses and specialties in rehabilitation to train various types of rehabilitation professionals. The State and society shall provide rehabilitation training in various forms for rehabilitation workers.

Chapter III — Education

Article 10 — The State shall guarantee the right of persons with disabilities to receive education. People's governments at all levels shall incorporate education for persons with disabilities into the State education system, make unified plans and arrangements, and provide convenience and assistance to persons with disabilities in receiving education.

Article 11 — Education for persons with disabilities shall implement the State education policy, shall develop their physical and mental strengths, shall compensate for their physical and mental deficiencies, shall provide vocational and technical education, and shall focus on the development of their ability to participate in and adapt to social life.

Article 12 — Pre-school education institutions for children with disabilities, regular primary schools for children and juveniles with disabilities accepting students with disabilities, and special education schools and schools with special education classes for children and juveniles with disabilities shall be established to provide compulsory education to children and juveniles with disabilities.

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Chapter IV — Employment

Article 13 — The State shall guarantee the right to work of persons with disabilities. People's governments at all levels shall make overall planning for the employment of persons with disabilities and create conditions for their employment.

Article 14 — Employment of persons with disabilities shall follow the principle of combining centralization with dispersion, adopting preferential policies and supportive and protective measures, and gradually making employment for persons with disabilities widespread, stable, and rational through multiple channels, at multiple levels, and in multiple forms.

Article 15 — The State and society shall establish welfare enterprises for persons with disabilities, massage institutions for the blind, work-therapy institutions, and other welfare enterprises and institutions to provide centralized employment for persons with disabilities.

Article 16 — The State shall implement a proportional employment system for persons with disabilities. State organs, social organizations, enterprises, public institutions, and private non-enterprise units shall arrange for the employment of persons with disabilities in accordance with the proportion specified by the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government. Where employment of persons with disabilities fails to meet the prescribed proportion, the employer shall pay an employment security fund for persons with disabilities.

Chapter V — Cultural Life

Article 17 — The State and society shall encourage and assist persons with disabilities to participate in various forms of cultural, sports, and recreational activities and shall strive to meet the needs of persons with disabilities for cultural life.

Article 18 — Government departments and relevant social organizations shall, in light of the characteristics and needs of persons with disabilities, organize and support persons with disabilities in carrying out cultural, sports, and recreational activities, and shall establish special activity venues.

Article 19 — The State and society shall adopt the following measures to enrich the cultural life of persons with disabilities: reflecting the lives of persons with disabilities through literature, film, television, theater, music, fine arts, and other forms; organizing and supporting the compilation, writing, and publication of Braille books, audio materials for the blind, and reading materials for persons with other types of disabilities.

Chapter VI — Social Security

Article 20 — The State shall guarantee the right of persons with disabilities to equally enjoy social insurance, social assistance, social welfare, and other social security benefits. The State shall adopt measures to gradually improve the social security for persons with disabilities.

Article 21 — Persons with disabilities and their organizations shall have the right to participate in the social security system. Persons with disabilities who are entitled to social security benefits shall enjoy them equally with other citizens in accordance with the law.

Article 22 — When public welfare lotteries at all levels allocate public welfare funds, a certain proportion shall be used for undertakings for persons with disabilities. The State encourages and supports social forces in donating funds and materials for undertakings for persons with disabilities.

Chapter VII — Barrier-Free Environment

Article 23 — The State and society shall progressively implement barrier-free facilities and promote the exchange of information without barriers to create a barrier-free environment for the equal participation of persons with disabilities in social life.

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Article 24 — The construction, renovation, and expansion of public buildings, urban roads, public transport facilities, and residential buildings shall comply with the national technical specifications for barrier-free facilities. Barrier-free facilities shall be maintained and protected in a timely manner to ensure their normal use.

Article 25 — Public service institutions shall create conditions to provide persons with disabilities with priority services and supportive services such as sign language and Braille. The State shall encourage and support the development of information and communication technologies, products, and services that facilitate the access and use by persons with disabilities.

Chapter VIII — Legal Liability

Article 26 — Where the lawful rights and interests of a person with disabilities are infringed upon, the person with disabilities, his or her guardian, or other interested parties shall have the right to request that the relevant competent authority handle the matter, or to bring a lawsuit in a people's court in accordance with the law.

Article 27 — Where a State organ, social organization, enterprise, public institution, or private non-enterprise unit infringes upon the rights and interests of a person with disabilities, the relevant competent authority shall order corrective action and shall impose administrative sanctions on the directly responsible person in charge and other directly responsible persons in accordance with the law.

Article 28 — Organizations of persons with disabilities shall have the right to protect the lawful rights and interests of persons with disabilities. They shall have the right to request that the relevant competent authority investigate and deal with any infringement upon the lawful rights and interests of persons with disabilities, and shall have the right to support injured persons with disabilities in initiating litigation in a people's court.

Chapter IX — Supplementary Provisions

Article 29 — The people's congresses of ethnic autonomous areas may formulate adaptable or supplementary provisions in accordance with the principles of this Law and in light of the characteristics of the local ethnic groups and the actual circumstances of undertakings for persons with disabilities.

Article 30 — This Law shall go into effect as of July 1, 2008. The Law of the People's Republic of China on the Protection of Persons with Disabilities adopted at the 17th Meeting of the Standing Committee of the Seventh National People's Congress on December 28, 1990 shall be repealed simultaneously.

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