

Law of the PRC on the Protection of the Status, Rights, and Interests of Military Personnel

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Chapter I — General Provisions

Article 1 — This Law is enacted in accordance with the Constitution for the purposes of safeguarding the status and lawful rights and interests of military personnel, encouraging military personnel to perform their duties faithfully and to dedicate themselves to their missions, making the occupation of military personnel one that is respected by the whole society, and promoting the modernization of national defense and the armed forces.

Article 2 — For the purposes of this Law, "military personnel" refers to officers, non-commissioned officers, conscripts, and other personnel of the People's Liberation Army of China who are serving on active duty.

Article 3 — Military personnel are members of the heroic people's army under the leadership of the Communist Party of China. They are loyal guardians of the people and the country, and combatants in times of war and builders in times of peace.

Article 4 — The whole society shall respect and show solicitude for military personnel. The State shall protect the status and lawful rights and interests of military personnel.

Chapter II — Status of Military Personnel

Article 5 — The status and rights and interests of military personnel shall be prescribed by the State in accordance with the law. Military personnel shall enjoy the special rights and treatment conferred by law commensurate with their professional characteristics and the nature of their duties.

Article 6 — Military personnel shall receive honors and commendations from the State and society for their meritorious service and contributions.

Article 7 — The ranks, posts, and treatment of military personnel shall be determined in accordance with their professional competence, contributions, and years of service, and shall be protected by law.

Article 8 — Military personnel shall enjoy the rights of citizens in accordance with the law. During the period of active service, the exercise of certain civil rights by military personnel shall be subject to necessary reasonable restrictions in accordance with the provisions of laws and military regulations.

Chapter III — Honors and Protection

Article 9 — The State shall establish and improve the system of honors for military personnel. Military personnel who have made outstanding contributions shall receive corresponding honors and commendations in accordance with the provisions of the State and the armed forces.

Article 10 — Military personnel shall wear military uniforms and insignia in accordance with provisions and shall carry military identification documents. No organization or individual may illegally manufacture, purchase, sell, or use military uniforms, insignia, or identification documents.

Article 11 — The reputation and personal dignity of military personnel shall be protected by law. No organization or individual may defame, slander, or otherwise infringe upon the reputation or personal dignity of military personnel.

Article 12 — The media and the Internet shall actively promote the heroic deeds and spirit of dedication of military personnel and maintain the good image of military personnel.

Chapter IV — Treatment and Support

Article 13 — The State shall establish a salary and benefit system for military personnel that is commensurate with their special characteristics. The salary and benefits of military personnel shall be determined in accordance with factors such as their professional characteristics, degree of risk, degree of hardship, and length of service.

Article 14 — Military personnel shall enjoy housing security in accordance with the law. The State shall adopt preferential housing policies for military personnel and provide housing subsidies and housing fund guarantees for military personnel.

Article 15 — Military personnel and their family members shall enjoy medical security in accordance with the law. The State shall establish a medical security system for military personnel and shall give preferential treatment to military personnel and their family members in receiving medical care.

Article 16 — The children of military personnel shall receive education and preferential treatment in accordance with the law. Local people's governments at various levels and their relevant departments shall create conditions for the children of military personnel to receive a quality education.

Article 17 — The spouses and children of military personnel who travel to visit military personnel stationed in hardship and remote areas shall enjoy transportation and accommodation benefits in accordance with

provisions.

Article 18 — The State shall provide traffic and travel preferences for military personnel in accordance with the law. Military personnel shall enjoy priority in ticket purchase, boarding, and other procedures at public transportation sites such as railway stations, airports, and docks.

Chapter V — Legal Liability

Article 19 — Where a State organ or its staff member violates the provisions of this Law by infringing upon the lawful rights and interests of military personnel, the competent authority shall order the staff member to make corrections and shall impose sanctions on the directly responsible person-in-charge and other directly responsible persons in accordance with the law.

Article 20 — Where an organization or individual, in violation of the provisions of this Law, defames, slanders, or otherwise infringes upon the reputation or personal dignity of military personnel, it or he or she shall bear civil liability such as cessation of the infringement, elimination of the adverse effects, restoration of reputation, and formal apology in accordance with the law; where the act constitutes a violation of public security administration, the public security organ shall impose a public security administrative penalty in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Chapter VI — Supplementary Provisions

Article 21 — Matters not covered by this Law shall be subject to the provisions of relevant laws and administrative regulations.

Article 22 — This Law shall take effect as of August 1, 2021.

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