Law of the PRC on the Red Cross Society

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

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Adopted at the 4th Session of the Standing Committee of the 8th National People's Congress on October 31, 1993

Amended in accordance with the Decision on Amending the Law of the PRC on the Red Cross Society adopted at the 26th Session of the Standing Committee of the 12th National People's Congress on February 24, 2017

Effective: October 31, 1993

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purpose of protecting human life and health, safeguarding human dignity, carrying forward the spirit of humanitarianism, promoting the cause of peace and progress, and ensuring and regulating the Red Cross Society's performance of its functions and duties in accordance with the law.

Article 2 — The Red Cross Society of China is a unified Red Cross organization of the People's Republic of China, and a social relief organization engaged in humanitarian work.

Article 3 — Citizens of the People's Republic of China, regardless of ethnic status, race, sex, occupation, religious belief and level of education, who recognize the Constitution and the present Law and voluntarily participate in Red Cross activities may join the Red Cross Society.

Article 4 — The Red Cross Society of China shall abide by the Constitution and the laws, follow the Fundamental Principles of the International Red Cross and Red Crescent Movement, and independently carry out its work in accordance with the Geneva Conventions to which China is a party and the Additional Protocols thereto, as well as its own Constitution.

Article 5 — The people's governments shall provide support and funding for the Red Cross Society, ensure the performance of its functions and duties, and exercise supervision over its activities. The Red Cross Society shall assist the people's governments in carrying out activities related to its functions and duties.

Article 6 — The Red Cross Society of China shall develop friendly cooperative relations with the Red Cross and Red Crescent Societies of other countries and international organizations in accordance with the principles of independence, equality and mutual respect.

Chapter II — Organization

Article 7 — The Red Cross Society of China shall establish national and local organizations at various levels. The Red Cross Society of China shall have a national organizational structure; local Red Cross Societies at various levels shall be established according to administrative divisions; Red Cross grassroots organizations may be set up in enterprises, institutions, state organs, and other organizations as needed.

Article 8 — The National Congress of the Red Cross Society of China shall be the highest authority of the Red Cross Society of China. The National Congress shall be convened once every five years and shall be convened by the Council. When necessary, the Council may convene the National Congress ahead of schedule or postpone it.

Article 9 — The Council of the Red Cross Society of China shall be the executive body of the National Congress and shall be responsible to the National Congress. The Council shall be composed of a president, vice presidents, and council members. During the intersessional period of the National Congress, the Council shall carry out the resolutions of the National Congress.

Article 10 — The president of the Red Cross Society of China shall be the legal representative of the Red Cross Society of China. The Red Cross Society of China may have an honorary president and honorary vice presidents. The honorary president and honorary vice presidents shall be invited by the Council of the Red Cross Society of China.

Article 11 — The local Red Cross Societies at various levels shall establish councils in accordance with the law. The local Red Cross Societies at various levels may have an honorary president.

Chapter III — Functions and Duties

Article 12 — The Red Cross Society shall perform the following functions and duties:

(1) to carry out disaster preparedness and relief work; to provide emergency humanitarian relief such as rescue, medical treatment and material assistance to the injured, sick and other victims in natural disasters, accidents and public health emergencies;

(2) to carry out training in emergency rescue skills, popularize knowledge of emergency rescue, disaster prevention and risk avoidance, and public health, and organize volunteers to participate in on-site rescue;

(3) to participate in and promote blood donation without compensation, and to carry out work relating to hematopoietic stem cell donation and organ donation;

(4) to organize and carry out Red Cross youth work and Red Cross volunteer services;

(5) to carry out humanitarian assistance and other activities; and

(6) to fulfill other functions and duties in accordance with the law.

Article 13 — In the event of armed conflict, the Red Cross Society shall provide humanitarian relief to the wounded, sick and other victims in accordance with the relevant provisions of the Geneva Conventions and the Additional Protocols thereto.

Article 14 — The Red Cross Society shall carry out international humanitarian relief and cooperation activities in accordance with the relevant provisions of the State.

Chapter IV — The Red Cross Sign

Article 15 — The Red Cross Society of China shall use the Red Cross sign composed of a white background with a red cross.

The Red Cross sign shall be used in a protective and indicative manner. In armed conflicts, the protective sign shall be used by the medical services of the armed forces and the relief organizations in accordance with the provisions of the Geneva Conventions; the indicative sign shall be used by the Red Cross Society to mark its personnel, premises and activities.

Article 16 — The use of the Red Cross sign shall be protected in accordance with the provisions of this Law, the Law on the National Flag, the Law on the National Emblem and the relevant international law.

The Red Cross sign shall not be used for any commercial purpose or in any other inappropriate manner.

Article 17 — The use of the name and sign of the Red Cross Society by any organization or individual without authorization is prohibited. The forms and methods for the use of the Red Cross sign shall be formulated by the State Council.

Chapter V — Property and Supervision

Article 18 — The sources of property of the Red Cross Society shall include:

(1) membership dues paid by its members;

(2) donations and contributions from organizations and individuals at home and abroad;

(3) income generated from movable and immovable property;

(4) allocations from the people's governments; and

(5) other lawful income.

Article 19 — The Red Cross Society shall use its property in accordance with the law and in compliance with the purposes determined by its Constitution and the wishes of its donors.

The property of the Red Cross Society shall be subject to the supervision of the relevant government departments and the public. The Red Cross Society shall accept social supervision in respect of the income and use of its property.

Article 20 — The Red Cross Society shall, in accordance with the provisions of the State, establish a system for the management and supervision of donated property. The Red Cross Society shall, in a timely manner, make public the receipt and use of donated property to the public and shall accept social supervision.

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Article 21 — Any organization or individual may not misappropriate, intercept or encroach upon the property of the Red Cross Society.

Article 22 — The Red Cross Society shall establish a financial management system, implement a budget and final accounts system, and accept the supervision of the relevant government departments in accordance with the law.

Chapter VI — Legal Liability

Article 23 — Where a staff member of the Red Cross Society neglects his or her duties, abuses his or her powers, or engages in malpractices for personal gain, thereby causing damage to the Red Cross Society, disciplinary action shall be taken in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 24 — Where any organization or individual uses the name or sign of the Red Cross without authorization, the Red Cross Society shall have the right to demand that such acts be stopped and to request the relevant departments to deal with the matter in accordance with the law; where losses are caused, compensation may be claimed.

Article 25 — Whoever misappropriates, intercepts or encroaches upon the property of the Red Cross Society shall be ordered to return the property and shall be given an administrative sanction in accordance with the law by the relevant department; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 26 — Where the people's government or its relevant department, or its staff members, violate the provisions of this Law, the relevant department shall order them to make corrections and shall impose sanctions on the persons directly in charge and other persons directly responsible in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Chapter VII — Supplementary Provisions

Article 27 — For the purposes of this Law, the "Fundamental Principles of the International Red Cross and Red Crescent Movement" means the seven Fundamental Principles adopted by the 25th International Conference of the Red Cross in Geneva in 1986, namely: humanity, impartiality, neutrality, independence, voluntary service, unity and universality.

Article 28 — This Law shall come into force as of the date of promulgation. The Law of the People's Republic of China on the Red Cross Society adopted on October 31, 1993 shall be repealed simultaneously.

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