National Emblem Law of the PRC

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

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Adopted at the 18th Session of the Standing Committee of the 7th National People's Congress on March 2, 1991; Amended for the first time in accordance with the Decision on Amending the National Emblem Law of the People's Republic of China adopted at the 13th Session of the Standing Committee of the 11th National People's Congress on August 27, 2009; Amended for the second time in accordance with the Decision on Amending the National Emblem Law of the People's Republic of China adopted at the 22nd Session of the Standing Committee of the 13th National People's Congress on October 17, 2020
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National Emblem Law of the PRC

Articles 1–5

Article 1 — This Law is enacted in accordance with the Constitution for the purposes of safeguarding the dignity of the national emblem, correctly using the national emblem, enhancing citizens' awareness of the State, promoting the spirit of patriotism, and fostering and practicing the core socialist values.

Article 2 — The national emblem of the People's Republic of China shall comprise the design of Tiananmen Gate under the light of 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 organizations and citizens shall respect and care for the national emblem.

Article 4 — The national emblem shall be hung at the following organs: (1) The standing committees of people's congresses at or above the county level; (2) The people's governments at or above the county level; (3) The Central Military Commission; (4) The supervisory commissions at all levels; (5) The people's courts and special people's courts at all levels; (6) The people's procuratorates and special people's

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procuratorates at all levels; (7) The Ministry of Foreign Affairs; and (8) Embassies and consulates of the People's Republic of China abroad and other diplomatic representative agencies. The people's governments of townships, ethnic townships, and towns shall hang the national emblem, and the specific measures shall be prescribed by the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government in light of actual circumstances. The national emblem shall be hung directly above the main entrance of the organ concerned and in a prominent position.

Article 5 — The national emblem shall be hung at the appropriate prominent places of the following sites: (1) The Great Hall of the People in Beijing and the halls of people's congresses at or above the county level; (2) The venues of the meetings of the constitutional oath-taking ceremony; (3) The conference halls of the organs that should hang the national emblem; (4) The border inspection, border defense, and coastal defense posts; and (5) The central government office building of the Hong Kong Special Administrative Region and the central government office building of the Macao Special Administrative Region.

Articles 6–10

Article 6 — The seals of the following organs shall have the national emblem design engraved on them: (1) 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 special committees of the National People's Congress and the General Office and working committees of the Standing Committee of the National People's Congress; (3) The ministries and commissions under the State Council, organs directly under the State Council, the General Office of the State Council, and the administrative offices of the State Council that should have the national emblem design engraved on their seals; and the institutions directly under the State Council; (4) The General Office of the Central Military Commission and the organs directly under the Central Military Commission that should have the national emblem design engraved on their seals; (5) The local standing committees of people's congresses at various levels, local people's governments at various levels, local supervisory commissions at various levels, local people's courts at various levels, special people's courts, local people's procuratorates at various levels, and special people's procuratorates; (6) Embassies and consulates of the People's Republic of China abroad and other diplomatic representative agencies; and (7) The people's governments of townships, ethnic townships, and towns.

Article 7 — The following documents and publications in the name of the State shall have the national emblem design printed on their covers: (1) Certificates of honor, letters of appointment, and diplomatic documents issued by the Standing Committee of the National People's Congress, the President of the People's Republic of China, and the State Council; (2) Instruments of ratification of treaties and important agreements issued by the President of the People's Republic of China in accordance with the decisions of the Standing Committee of the National People's Congress; and (3) Publications of laws and regulations published by the organs concerned of the State.

Article 8 — The national emblem and its design shall not be used in the following circumstances: (1) On trademarks, granted patents, and commercial advertisements; (2) On articles for daily use and decorations for daily life; (3) On articles for private celebrations and condolences; and (4) In other circumstances in which the national emblem and its design cannot be used as prescribed by the General Office of the State Council.

Article 9 — Where the national emblem design is to be used on the outer package of a publication, or any other article, as required for a special purpose, it must be reported to the General Office of the State Council or the General Office of the Standing Committee of the National People's Congress for approval. The national emblem must be hung or used at the prescribed venues, organs, websites, seals, certificates, documents, and publications in strict compliance with the specifications for the national emblem prescribed by this Law.

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Article 10 — The national emblem hanging at an organ that should hang the national emblem shall be made in accordance with the prescribed specifications and shall be produced by enterprises designated by the General Office of the State Council.

Articles 11–17

Article 11 — Damaged, defiled, or substandard national emblems shall not be hung or used. The national emblem shall not be discarded arbitrarily. Damaged, defiled, or substandard national emblems shall be withdrawn and disposed of in accordance with the relevant State regulations.

Article 12 — The national emblem shall be properly kept and safeguarded by a designated person at the organ where it is hung.

Article 13 — The people's governments at or above the county level shall supervise and administer the use of the national emblem within their respective administrative regions.

Article 14 — People's governments at all levels and their relevant departments shall strengthen publicity and education on the National Emblem Law and enhance citizens' awareness of the national emblem.

Article 15 — Where anyone intentionally insults the national emblem of the People's Republic of China by burning, damaging, scribbling on, defiling, or trampling upon it in a public place, criminal liability shall be pursued in accordance with the law; where the circumstances are relatively minor, the public security authority shall impose detention of not more than 15 days.

Article 16 — The Hong Kong Special Administrative Region and the Macao Special Administrative Region shall hang and use the national emblem and the emblem design in accordance with the provisions of this Law and their respective basic laws.

Article 17 — This Law shall come into force on October 1, 1991.

Disclaimer: This translation is provided for informational purposes only and does not constitute legal advice. While every effort has been made to ensure accuracy, the English translation is unofficial and has no legal force. For all legal purposes, reference should be made to the official Chinese text promulgated by the National People's Congress of the People's Republic of China. Users should consult qualified legal professionals for advice on specific legal matters. Dan Young Business Consultancy makes no warranties, express or implied, regarding the accuracy, completeness, or timeliness of this translation.

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