Organic Law of the National People’s Congress of the PRC

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Chapter I — General Provisions

Article 1 — This Law is enacted in accordance with the Constitution to prescribe the organizational structure and working procedures of the National People's Congress.

Article 2 — The National People's Congress is the highest organ of state power. Its permanent body is the Standing Committee of the National People's Congress.

Article 3 — The National People's Congress and its Standing Committee shall uphold the leadership of the Communist Party of China, adhere to the guidance of Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory, the Important Thought of Three Represents, the Scientific Outlook on Development, and Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era, and exercise their functions and powers in accordance with the provisions of the Constitution and laws.

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Article 4 — The National People's Congress shall be composed of deputies elected by the provinces, autonomous regions, municipalities directly under the Central Government, special administrative regions, and the armed forces. All ethnic minorities shall have an appropriate number of deputies.

Article 5 — Each term of office of the National People's Congress is five years. Two months before the expiration of the term of office of the National People's Congress, its Standing Committee must complete the election of deputies to the succeeding National People's Congress. If extraordinary circumstances prevent an election, the election may be postponed by a resolution adopted by a two-thirds majority of all members of the Standing Committee of the National People's Congress, and the term of office of the current National People's Congress may be extended until the first session of the succeeding National People's Congress is convened.

Chapter II — Sessions of the National People's Congress

Article 6 — A session of the National People's Congress shall be convened once a year by its Standing Committee. The first session of each National People's Congress shall be convened by the Standing Committee of the preceding National People's Congress within two months after the election of deputies to the current National People's Congress. An interim session of the National People's Congress may be convened if the Standing Committee deems it necessary or if one-fifth or more of the deputies so propose.

Article 7 — When the National People's Congress meets, it shall elect a presidium to conduct its sessions. The presidium shall elect a number of persons as executive chairpersons of the presidium to preside over its meetings. The presidium shall nominate a number of persons as its secretary-general and elect a number of persons as its deputy secretaries-general; the secretary-general shall assist the executive chairpersons in their work.

Article 8 — The presidium shall handle the following matters: (1) nominate candidates for the Presidium and the Secretary-General of the Standing Committee of the National People's Congress, the President and Vice-President of the People's Republic of China, the Chairperson of the Central Military Commission, the Chairperson of the National Commission of Supervision, the President of the Supreme People's Court, and the Procurator-General of the Supreme People's Procuratorate; (2) decide on the list of persons who shall attend the sessions of the National People's Congress without voting rights; and (3) perform other duties provided for by law.

Article 9 — The presidium shall submit bills and proposals that fall within the scope of the functions and powers of the National People's Congress to a session of the National People's Congress for deliberation. 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, the Supreme People's Procuratorate, and the special committees of the National People's Congress may submit bills and proposals to the National People's Congress, which shall be placed on the agenda by decision of the presidium.

Article 10 — A delegation or a group of thirty or more deputies may submit bills and proposals to the National People's Congress that fall within the scope of its functions and powers; the presidium shall decide whether to place such bills and proposals on the agenda, or to refer them to the relevant special committees for deliberation and then decide, based on the report of the special committees, whether to place them on the agenda.

Article 11 — Bills and proposals that have been placed on the agenda of the National People's Congress shall be deliberated by the delegations after explanations given by the sponsors at a plenary meeting, and shall then be submitted by the presidium to a plenary meeting for voting. Where a bill or proposal submitted by a delegation or a group of thirty or more deputies is to be placed on the agenda, the presidium shall refer it to the relevant special committees for deliberation and decide, based on the deliberation report of the special committees, whether to submit it to a plenary meeting for voting; the presidium may also first refer it

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to a session of the National People's Congress for deliberation and then decide whether to submit it to a plenary meeting for voting.

Article 12 — When the National People's Congress holds its sessions, the State Council shall submit government work reports, plans for national economic and social development, and reports on the implementation of the plans, state budgets and reports on the implementation of the state budgets to the current session of the National People's Congress for deliberation. The Standing Committee of the National People's Congress, the Supreme People's Court, and the Supreme People's Procuratorate shall also submit work reports to each session of the National People's Congress for deliberation. The delegations shall deliberate on the reports and raise opinions. After the reports have been deliberated by the delegations, the relevant organs shall revise the reports in accordance with the deliberation opinions of the delegations, and the presidium shall submit the revised reports to a plenary meeting of the current session for voting.

Article 13 — The members of the presidium, the heads of delegations, or representatives elected by delegations may speak at the meetings of the presidium or at plenary meetings of the sessions, but each speaker may speak no more than twice on the same topic, and the first speech shall not exceed fifteen minutes and the second speech shall not exceed ten minutes.

Article 14 — The sessions of the National People's Congress shall be conducted in public. When necessary, the presidium may, by a decision of a simple majority of all its members, decide that a session, meeting of the delegations, or group meetings of the delegations be held in closed session.

Article 15 — When the National People's Congress holds its sessions, the deputies shall participate in the deliberations of bills and proposals and reports in various forms such as plenary meetings, meetings of the delegations, and group meetings.

Chapter III — The Standing Committee of the National People's Congress

Article 16 — The Standing Committee of the National People's Congress shall be composed of the Chairperson, the Vice-Chairpersons, the Secretary-General, and other members. All members of the Standing Committee shall be elected by the National People's Congress from among its deputies. No member of the Standing Committee of the National People's Congress shall hold office in an administrative, supervisory, adjudicatory, or procuratorial organ of the state.

Article 17 — The Chairperson of the Standing Committee shall preside over the work of the Standing Committee and convene and preside over its meetings. The Vice-Chairpersons and the Secretary-General shall assist the Chairperson in his or her work. The Chairperson, Vice-Chairpersons, and the Secretary-General shall constitute the Council of Chairpersons, which shall handle the important day-to-day work of the Standing Committee.

Article 18 — The Standing Committee shall meet once every two months. An interim meeting may be convened when the Council of Chairpersons deems it necessary, or upon a proposal by one-fifth or more of the members of the Standing Committee. When the Standing Committee meets, the members of the special committees of the National People's Congress, the leaders of the standing committees of the people's congresses of provinces, autonomous regions, and municipalities directly under the Central Government may attend the meeting as non-voting participants. The Council of Chairpersons may decide on the attendance of other relevant personnel at the meetings of the Standing Committee as non-voting participants.

Article 19 — The Council of Chairpersons, the State Council, the Central Military Commission, the National Commission of Supervision, the Supreme People's Court, the Supreme People's Procuratorate, and the special committees of the National People's Congress may submit bills and proposals to the Standing Committee; the Council of Chairpersons shall decide whether to place such bills and proposals on the agenda of a meeting of the Standing Committee, or to first refer them to the relevant special committees for

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deliberation and then decide, based on the report of the special committees, whether to place them on the agenda.

Article 20 — Ten or more members of the Standing Committee may jointly submit to the Standing Committee bills and proposals that fall within the scope of its functions and powers; the Council of Chairpersons shall decide whether to place such bills and proposals on the agenda of a meeting of the Standing Committee, or to first refer them to the relevant special committees for deliberation and then decide, based on the report of the special committees, whether to place them on the agenda of a meeting of the Standing Committee. If the Council of Chairpersons decides not to place a bill or proposal on the agenda of a meeting, it shall report to the Standing Committee or explain to the sponsors.

Article 21 — The Standing Committee shall deliberate on bills and proposals placed on its agenda. Deliberation of a bill or proposal placed on the agenda of the Standing Committee shall generally be conducted through three readings before being submitted to a plenary meeting of the Standing Committee for voting. Where the Council of Chairpersons deems that a bill or proposal involves a major issue or there are significant differences of opinion, it may decide to conduct additional readings.

Article 22 — When deliberating bills and proposals, the Standing Committee shall, where necessary, convene joint group meetings or plenary meetings to discuss the main issues in the bills and proposals.

Article 23 — When submitting a bill or proposal to the Standing Committee for voting, a simple majority of all members of the Standing Committee may vote for its adoption. Where the result of voting on a bill or proposal is a tie, the bill or proposal shall be deemed not adopted. Voting shall be conducted by means of secret ballot, a show of hands, or other methods; voting by electronic device shall also be permitted.

Article 24 — The Standing Committee shall exercise the following functions and powers: (1) interpret the Constitution and supervise its enforcement; (2) enact and amend laws other than those to be enacted by the National People's Congress; (3) when the National People's Congress is not in session, partially supplement and amend laws enacted by the National People's Congress, provided that such supplementation or amendment does not contravene the basic principles of those laws; (4) interpret laws; (5) when the National People's Congress is not in session, review and approve partial adjustments to the plan for national economic and social development and the state budget that are necessary in the course of their implementation; (6) supervise the work of the State Council, the Central Military Commission, the National Commission of Supervision, the Supreme People's Court, and the Supreme People's Procuratorate; (7) annul administrative regulations, decisions, and orders formulated by the State Council that contravene the Constitution or laws; (8) annul local regulations and resolutions adopted by the organs of state power of provinces, autonomous regions, and municipalities directly under the Central Government that contravene the Constitution, laws, or administrative regulations; (9) when the National People's Congress is not in session, decide on the appointment or removal of ministers, the heads of commissions, the Auditor-General, and the Secretary-General of the State Council upon nomination by the Premier of the State Council; (10) when the National People's Congress is not in session, decide on the appointment or removal of other members of the Central Military Commission upon nomination by the Chairperson of the Central Military Commission; (11) appoint or remove, upon the recommendation of the Chairperson of the National Commission of Supervision, the vice-chairpersons and members of the National Commission of Supervision; (12) appoint or remove the vice-presidents, judges, and members of the Judicial Committee of the Supreme People's Court, and the president of the Military Court, upon the recommendation of the President of the Supreme People's Court; (13) appoint or remove the deputy procurators-general, procurators, and members of the Procuratorial Committee of the Supreme People's Procuratorate, and the chief procurator of the Military Procuratorate, upon the recommendation of the Procurator-General of the Supreme People's Procuratorate, and approve the appointment or removal of the chief procurators of the people's procuratorates of provinces, autonomous regions, and municipalities directly under the Central Government; (14) decide on the appointment or recall of plenipotentiary representatives abroad; (15) decide on the

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ratification or abrogation of treaties and important agreements concluded with foreign states; (16) prescribe the system of titles and ranks for military and diplomatic personnel and other field-specific title and ranking systems; (17) institute state medals and titles of honor and decide on their conferment; (18) decide on the granting of special pardons; (19) decide, when the National People's Congress is not in session, on the proclamation of a state of war in the event of armed aggression against the country or in fulfillment of international treaty obligations concerning common defense against aggression; (20) decide on general mobilization or partial mobilization; (21) decide on entering a state of emergency nationwide or in particular provinces, autonomous regions, or municipalities directly under the Central Government; and (22) exercise such other functions and powers as are vested in it by the National People's Congress.

Article 25 — The Standing Committee shall be responsible to the National People's Congress and shall report on its work to the National People's Congress.

Article 26 — The Standing Committee may, when necessary, organize investigation committees on specific questions. The composition of an investigation committee shall be decided by the Council of Chairpersons and submitted to a plenary meeting of the Standing Committee for approval. All state organs, public organizations, and citizens shall have the obligation to provide the necessary information to investigation committees organized by the Standing Committee.

Article 27 — The Standing Committee shall establish a working body for letters and visits to receive letters and visits from citizens and hear their criticisms and suggestions regarding the work of state organs and state functionaries.

Article 28 — The Standing Committee shall establish a Legislative Affairs Commission and a Budget Working Commission, as well as other working bodies as needed.

Article 29 — When the Standing Committee is not in session, the Council of Chairpersons may make decisions on routine and important day-to-day work of the Standing Committee, and shall report such decisions to the next meeting of the Standing Committee.

Chapter IV — Special Committees of the National People's Congress

Article 30 — The National People's Congress shall establish the Ethnic Affairs Committee, the Constitution and Law Committee, the Supervisory and Judicial Affairs Committee, the Financial and Economic Affairs Committee, the Education, Science, Culture, and Public Health Committee, the Foreign Affairs Committee, the Overseas Chinese Affairs Committee, the Environmental Protection and Resources Conservation Committee, the Agriculture and Rural Affairs Committee, the Social Development Affairs Committee, and such other special committees as are necessary. When the National People's Congress is not in session, the Standing Committee may, when necessary, establish special committees. The special committees shall work under the direction of the National People's Congress; when the National People's Congress is not in session, they shall work under the direction of its Standing Committee.

Article 31 — Each special committee shall be composed of a chairperson, several vice-chairpersons, and several members. The chairperson, vice-chairpersons, and members of each special committee shall be nominated by the presidium from among the deputies and submitted to a session of the National People's Congress for approval. During a session of the National People's Congress, the Standing Committee may appoint additional vice-chairpersons and members of the special committees upon nomination by the Council of Chairpersons and approval by a meeting of the Standing Committee.

Article 32 — The chairpersons of the special committees shall preside over the meetings and work of their respective committees; the vice-chairpersons shall assist the chairpersons in their work.

Article 33 — The functions of the special committees shall be: (1) to deliberate on bills and proposals referred by the presidium or the Standing Committee; (2) to submit to the presidium or the Standing

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Committee bills and proposals that fall within the scope of the functions and powers of the National People's Congress or its Standing Committee and are related to the work of the committees; (3) to deliberate on regulations, decisions, and orders of the State Council, orders, directives, and regulations of ministries and commissions of the State Council, local regulations and resolutions of the people's congresses and their standing committees of provinces, autonomous regions, and municipalities directly under the Central Government, and regulations of the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government that are deemed to contravene the Constitution or laws, and submit reports; (4) to deliberate on inquiries referred by the presidium or the Standing Committee, hear the responses of the organs inquired of, and, when necessary, submit reports to the presidium or the Standing Committee; and (5) to conduct investigations, conduct research, and make suggestions on issues that fall within the scope of the functions and powers of the National People's Congress or its Standing Committee and are related to the work of the committees.

Article 34 — When a special committee conducts investigations or research, it may invite experts and relevant personnel to provide consultation and advice. All state organs, public organizations, enterprises, and public institutions shall truthfully provide necessary information to the special committees.

Article 35 — The National People's Congress or its Standing Committee may, when it deems it necessary, organize investigation committees on specific questions. The composition of an investigation committee shall be proposed by the presidium or the Council of Chairpersons and submitted to a plenary meeting for decision. All state organs, public organizations, and citizens shall have the obligation to provide the necessary information to such investigation committees.

Chapter V — Deputies to the National People's Congress

Article 36 — Deputies to the National People's Congress must exemplarily observe the Constitution and laws, safeguard state secrets, and assist in the enforcement of the Constitution and laws in the production, work, and social activities in which they participate.

Article 37 — Deputies shall maintain close contact with the electoral units and the people from whom they were elected, listen to and convey the opinions and demands of the people, and strive to serve the people.

Article 38 — Deputies shall attend the sessions of the National People's Congress, deliberate on all bills and proposals and reports placed on the agenda, and express their opinions. They shall have the right to submit bills and proposals, to address inquiries to the State Council or the various ministries and commissions under the State Council in accordance with the procedures prescribed by law, and to put forward suggestions, criticisms, and opinions on all aspects of the work.

Article 39 — Deputies shall actively participate in activities such as inspections and thematic investigations organized by the Standing Committee, the special committees, and the standing committees of the people's congresses of provinces, autonomous regions, and municipalities directly under the Central Government during the intersessional period.

Article 40 — Deputies shall receive training organized by the Standing Committee to study and master the knowledge needed to perform their duties in accordance with the law.

Article 41 — Deputies shall strengthen their performance of duties by conducting intensive inspections before the sessions of the National People's Congress, conducting special investigations during the intersessional period, and engaging in other forms of activities, so as to understand the economic and social development and the enforcement of laws and regulations, and hear the opinions of the people.

Article 42 — The speeches and votes of deputies at various meetings of the National People's Congress shall not be subject to legal liability.

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Article 43 — No deputy to the National People's Congress may be arrested or placed on criminal trial without the consent of the presidium of the current session of the National People's Congress or, when the National People's Congress is not in session, without the consent of its Standing Committee. If a deputy is caught in the act of committing a crime and is detained, the organ effecting the detention shall immediately report to the presidium or the Standing Committee of the National People's Congress for approval.

Article 44 — Deputies shall be subject to the supervision of the electoral units from which they were elected. The electoral units shall have the power to recall deputies elected by them in accordance with the procedures prescribed by law.

Article 45 — Deputies shall receive subsidies for the performance of their duties and their material needs such as travel expenses shall be guaranteed by the state.

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