# Prison Law of the PRC

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## Chapter I — General Provisions

Article 1 — This Law is enacted in accordance with the Constitution for the purposes of regulating and safeguarding the correct execution of criminal punishment by prisons, punishing and rehabilitating offenders in accordance with the law, preventing and reducing crime, and promoting the building of a peaceful China and a law-based China at a higher level.

Article 2 — Prisons are the State's organs for the execution of criminal punishment.

In accordance with the provisions of the Criminal Law and the Criminal Procedure Law of the People's Republic of China, offenders sentenced to death with a two-year reprieve, life imprisonment, or fixed-term imprisonment shall serve their sentences in prisons.

Article 3 — Prison work shall uphold the leadership of the Communist Party of China, uphold the holistic approach to national security, and establish a fair, law-based, civilized, incorruptible, and efficient prison criminal-punishment execution system.

Article 4 — Prison work shall adhere to the combination of punishment and rehabilitation and of education and labor, take the rehabilitation of persons as its purpose, persist in administration in accordance with the law, respect and protect human rights, turn offenders into law-abiding citizens, and promote their reintegration into society.

Article 5 — The judicial administration department under the State Council shall be in charge of prison work nationwide.

The judicial administration departments under the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government shall be in charge of prison work within their respective jurisdictions. Prison administration organs shall be administered by the judicial administration departments under the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government and shall be responsible for the specific administration of prisons within their respective jurisdictions.

Article 6 — People's procuratorates shall, in accordance with the law, supervise the activities of prisons in executing criminal punishment.




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Article 7 — The State shall safeguard the construction and operation of prisons, and prison funds shall be incorporated into budgets in accordance with regulations.

The State shall provide the facilities and funds necessary for offender labor and provide conditions for offender rehabilitation activities.

Article 8 — Prisons shall practice open prison affairs, promptly and accurately disclosing in accordance with the law the legal basis, procedures, and results of the execution of criminal punishment, and shall proactively accept supervision. Information involving State secrets or individual privacy, as well as information that may endanger national security, social stability, or prison order if disclosed, shall not be disclosed.

Article 9 — The State shall encourage and support theoretical research and personnel training in prisons and in the execution of criminal punishment, providing theoretical support and personnel guarantees for the high-quality development of prison work.

The State shall encourage and support international exchanges in the fields of crime prevention and the execution of criminal punishment, so as to enhance judicial mutual trust and cooperation.

Article 10 — Units and individuals that have made outstanding contributions to prison work shall be commended and rewarded in accordance with relevant State regulations.

## Chapter II — Prisons

### Section 1 — Establishment and Safeguards of Prisons

Article 11 — The establishment, abolition, and relocation of prisons shall be subject to the approval of the judicial administration department under the State Council.

Article 12 — Prison construction shall, in accordance with the needs of offender rehabilitation work and relevant State regulations, adhere to overall planning and rational layout, so as to achieve complete functions and an appropriate scale.

Based on the sex and age of offenders, prisons for male offenders, prisons for female offenders, and juvenile correctional institutions shall be established. Based on the type of crime, term of sentence, and degree of personal danger of offenders, prisons and prison districts of different security levels shall be established. Based on the health conditions and rehabilitation needs of offenders, prison districts of different functional types shall be established.

Article 13 — The land, mineral resources, and other natural resources lawfully used by prisons, as well as prison property, shall be protected by law, and no organization or individual may occupy or damage them.

Article 14 — Prisons shall strengthen informatization development, apply modern science and technology, and improve the level of prison administration and the quality of offender rehabilitation work.

### Section 2 — Security and Guarding of Prisons

Article 15 — The armed guarding of the perimeter of prisons shall be the responsibility of the People's Armed Police Force, and the specific scope of tasks shall be carried out in accordance with relevant State regulations.

Article 16 — Prisons shall, in accordance with the needs of supervision, set up guard facilities. Security isolation zones shall be established around prisons, and no one may enter them without permission.

Article 17 — State organs, social organizations, enterprises, public institutions, and grassroots organizations around prisons shall assist prisons in doing a good job of security and guarding.

Without approval, no one may conduct photography, video recording, audio recording, surveying, or similar activities at prison guard facilities, offender rehabilitation sites, or other places; no one may, in violation of



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regulations, conduct flight activities such as those of unmanned aerial vehicles within the controlled airspace above a prison and its surrounding area within a certain range.

Article 18 — Prison security shall be incorporated into the security work system of the local people's government. Prisons, the People's Armed Police Force, public security organs, health, disease prevention and control, emergency management, and other relevant units shall, in work such as counter-terrorism and riot prevention in prisons, offender escort, disease prevention and treatment, and disaster prevention, reduction, and relief, divide responsibilities and coordinate handling.

### Section 3 — Prison People's Police

Article 19 — A prison shall have one warden and one political commissar, and several deputy wardens, and shall, in accordance with actual needs, establish necessary working organs and deploy other prison administrative personnel.

The administrative personnel of prisons are people's police. Prison people's police are an important component of the people's police.

The State shall reasonably determine the number of prison people's police in accordance with the needs of administering prisons, executing criminal punishment, and rehabilitating offenders.

Article 20 — Prison people's police shall be loyal to the Party, serve the people, enforce the law impartially, and be strictly disciplined, and shall strictly abide by the Constitution and the law.

The activities of prison people's police in administering prisons, executing criminal punishment, and rehabilitating offenders in accordance with the law shall be protected by law.

Article 21 — The State shall advance the building of a high-caliber contingent of prison people's police. Prison people's police shall be trained in a planned manner. Relevant departments shall strengthen the administration, supervision, training, and professional safeguarding of prison people's police.

Article 22 — Prison people's police shall, in accordance with the law, perform the following duties:

(1) admitting and releasing offenders;

(2) maintaining supervision order and security;

(3) supervising, educating, and rehabilitating offenders, and administering the daily life and hygiene of offenders;

(4) assessing, rewarding, and punishing the rehabilitation performance of offenders;

(5) putting forward proposals for handling temporary service of sentence outside prison, commutation of sentence, and parole;

(6) handling complaints, accusations, and reports of offenders;

(7) preventing, stopping, and investigating criminal activities of offenders within prisons;

(8) escorting offenders;

(9) other duties prescribed by law.

Article 23 — Prison people's police shall not commit any of the following acts:

(1) unlawfully releasing offenders or causing offenders to escape through dereliction of duty;

(2) extorting confessions by torture or subjecting offenders to corporal punishment or abuse;

(3) beating offenders, or instigating or conniving at others beating offenders;

(4) insulting the personal dignity of offenders;



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(5) using offenders to seek personal gain;

(6) extorting, accepting, or seizing the property of offenders or of their relatives or friends;

(7) delivering letters, information, or articles to offenders in violation of regulations;

(8) handling the assessment, rewards, or punishments of offenders in violation of regulations;

(9) handling the change of the place for executing the sentence of offenders in violation of regulations;

(10) putting forward proposals for handling temporary service of sentence outside prison, commutation of sentence, or parole in violation of regulations;

(11) using restraining devices or weapons in violation of regulations;

(12) handing over the authority of supervising offenders to others in violation of regulations;

(13) divulging State secrets, commercial secrets, personal privacy, or personal information learned in the course of work;

(14) other acts in violation of regulations.

Article 24 — Judicial administration departments shall establish a police inspection system to supervise the implementation of laws and regulations by prison people's police and their compliance with discipline.

Where prison people's police cause damage to the lawful rights and interests of citizens or organizations in the course of performing their duties, the prison shall provide compensation or reimbursement in accordance with the State Compensation Law of the People's Republic of China and other relevant laws and regulations.

Article 25 — Prisons and their higher-level organs shall safeguard the lawful performance of duties by prison people's police.

The professional dignity and personal safety of prison people's police shall be protected by law. No unit or individual may retaliate against prison people's police or their close relatives. Whoever retaliates against, falsely accuses, insults, slanders, violently injures, threatens, intimidates, or harasses prison people's police or their close relatives in an unlawful or criminal manner shall be punished in accordance with the law.

Where prison people's police suffer damage to their reputation as a result of unfounded reports, false accusations, insults, or slander arising from the lawful performance of duties, the prison and its higher-level organs shall, together with relevant departments, promptly clarify the facts, eliminate the adverse impact, and hold the relevant units and individuals accountable in accordance with the law.

### Section 4 — Rights and Obligations of Prisoners Serving Sentences

Article 26 — Prisons shall safeguard the rights lawfully enjoyed by offenders during their service of sentence against infringement.

The personal dignity of offenders shall not be infringed upon, and their personal safety, lawful property, and rights of defense, complaint, accusation, and reporting, as well as other rights not deprived or restricted in accordance with the law, shall not be infringed upon.

Article 27 — Prisons shall safeguard the life and health of offenders in accordance with the law, and where an offender is found to be ill, shall provide treatment in accordance with regulations.

Article 28 — Offenders must strictly abide by laws, regulations, and prison rules and discipline, submit to administration, and receive education.

Offenders who have the capacity for labor shall participate in labor.

Article 29 — After an offender is admitted to prison, the prison shall inform the offender of the rights they lawfully enjoy and the obligations they must perform.

Article 30 — Where an offender files an application for legal aid in accordance with the law, the prison shall, in accordance with regulations, promptly forward the application to a legal aid institution.

## Chapter III — Execution of Criminal Punishment

### Section 1 — Admission to Prison

Article 31 — Prisons shall execute criminal punishment against offenders in accordance with the effective judgments, rulings, and decisions of people's courts.

Within ten days after a judgment or ruling takes effect, the people's court shall serve on the public security organ a copy of the indictment of the people's procuratorate or a copy of the private prosecution complaint in a private prosecution case, the judgment, the ruling, the execution notice, and the case-closing registration form; where the effective judgment or ruling contains property-related items, the materials on the actual execution of the property-related items shall be served together. The public security organ shall, within one month from the date of receipt of the aforesaid materials, deliver the offender to a prison for execution of the criminal punishment. Where an offender is not in custody at the time of delivery for execution, the public security organ shall first take the offender into custody or pursue and capture the offender in accordance with the law.

Where an offender has a remaining sentence of not more than three months before being delivered for execution of the criminal punishment, the sentence shall be executed by the detention house on behalf of the prison.

Article 32 — When an offender is delivered for execution of criminal punishment, the public security organ shall serve the following legal documents on the prison at the same time:

(1) a copy of the indictment of the people's procuratorate or a copy of the private prosecution complaint in a private prosecution case;

(2) the judgment, the ruling, the execution notice, and the case-closing registration form of the people's court.

Where an offender has their probation or parole revoked or is ordered to be taken into prison for execution, the public security organ shall also serve on the prison the people's court's ruling revoking probation, ruling revoking parole, and decision on taking the offender into prison for execution.

Where the prison has not received the aforesaid documents, it shall not admit the offender; where the aforesaid documents are incomplete or contain errors in recording, the people's court that made the effective judgment or ruling shall promptly supplement or correct them; where the admission may be erroneous because the offender delivered does not correspond to the legal documents, the recorded criminal punishment is erroneous, or for other reasons, the offender shall not be admitted. Where the prison does not admit the offender, it shall issue a written explanation and send a copy to the people's procuratorate; where the people's procuratorate considers the reasons untenable and issues a written opinion to the prison, the prison shall admit the offender.

Where an offender is delivered for execution of criminal punishment and satisfies the provisions of paragraphs 1 and 2, or the people's court that made the effective judgment or ruling promptly supplements the relevant documents or makes corrections, the offender shall be admitted.

Article 33 — When admitting an offender, the prison shall strictly inspect the offender's body and the articles carried by the offender. Contraband shall be confiscated in accordance with the law; other articles shall, with the consent of the offender, be handed over to the offender's close relatives or guardian, and where the offender does not consent to the handover or the handover is not possible, they shall be kept in custody by the prison on behalf of the offender.

Female offenders shall be inspected by female people's police.



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Article 34 — After an offender is admitted to prison, the prison shall conduct a physical examination of the offender; where disability or serious illness is found, it shall inquire into the circumstances and keep records. Where, upon examination, there are circumstances for temporary service of sentence outside prison, the prison may put forward a written proposal and report it to the prison administration organ of the province, autonomous region, or municipality directly under the Central Government for approval.

Article 35 — Prisons shall establish offender files and do a good job of collecting, archiving, and securely keeping relevant materials.

Where an offender was held in a detention house before admission to prison, the public security organ shall, when delivering the offender, deliver to the prison the relevant materials such as the offender's detention performance and health records; where an offender was not held in custody before delivery, the relevant materials such as health examination records shall be delivered to the prison.

Article 36 — Where a national security organ is responsible in accordance with the law for delivering an offender to a prison for execution of criminal punishment, the national security organ shall deliver the offender to the prison in accordance with the provisions of Articles 31, 32, and 35 of this Law concerning public security organs.

Article 37 — After an offender is admitted to prison, the prison shall notify the offender's family members or guardian. Where the offender has no family members or guardian, or it is impossible to notify them, the prison shall notify the residents' committee or villagers' committee at the place of the offender's household registration or residence. The notice shall be issued within five working days from the date of admission.

Article 38 — Offenders shall not bring their children into prison to serve sentences with them.

### Section 2 — Handling of Prisoners' Complaints, Accusations, and Reports

Article 39 — Where an offender files a complaint against an effective judgment or ruling, the people's procuratorate or the people's court shall, after receiving the complaint materials, handle the matter within the prescribed time limit and, in accordance with regulations, notify the prison and the offender in writing of the result of the handling.

Article 40 — Complaints and reports filed by offenders that are handled by the prison shall be handled within three months; those forwarded to supervisory organs, people's procuratorates, or public security organs shall be handled by such organs within the prescribed time limit after receiving the materials forwarded by the prison, and the result of handling shall be notified to the prison in writing in accordance with regulations.

Where an offender files a complaint or report under a real name, the handling organ shall also notify the offender in writing of the result of handling in accordance with regulations.

Article 41 — After receiving complaint, accusation, or report materials from an offender, the prison shall, where the materials need to be forwarded to another organ for handling, forward them within five working days and shall not detain or suppress them.

After forwarding complaint, accusation, or report materials, the prison shall notify the offender within five working days. Where an extension is necessary under special circumstances, the extension shall not exceed five working days.

Article 42 — Where, in the course of executing criminal punishment, the prison considers that a judgment, ruling, or decision may be erroneous, it shall request the people's procuratorate or the people's court that made the effective judgment or ruling to handle the matter; the people's procuratorate or the people's court shall, within three months from the date of receipt of the prison's written request for handling, notify the prison of the result of handling. Where an extension is necessary because the case is complex or the circumstances are special, the extension shall not exceed three months.



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Article 43 — Prisons, people's courts, and people's procuratorates shall not take the lawful filing of a complaint, accusation, or report by an offender as the basis for determining that the offender has disobeyed discipline or shown no sign of repentance.

### Section 3 — Temporary Service of Sentence Outside Prison

Article 44 — Offenders sentenced to life imprisonment or fixed-term imprisonment who serve their sentences in prisons and satisfy the conditions for temporary service of sentence outside prison prescribed by the Criminal Procedure Law of the People's Republic of China may serve their sentences temporarily outside prison.

The offender personally, or their relatives or guardian, may file a written application for temporary service of sentence outside prison with the prison. Where the prison considers, based on the written application or the actual circumstances, that the offender needs to serve the sentence temporarily outside prison, it shall organize the diagnosis of the offender's illness, a pregnancy examination, or a determination of the offender's inability to care for themselves.

Article 45 — Temporary service of sentence outside prison shall be proposed by the prison in writing, reported to the prison administration organ of the province, autonomous region, or municipality directly under the Central Government for approval, with a copy sent to the people's procuratorate. The people's procuratorate may issue a written opinion to the prison administration organ.

A proposal for temporary service of sentence outside prison shall be subject to review by the prison's review committee for temporary service of sentence outside prison. Where, after review, the committee agrees to propose temporary service of sentence outside prison for the offender, the matter shall be publicly announced within the prison. The period of public announcement shall be three working days. Where, during the period of public announcement, the offender raises an objection to the announced content, the prison's review committee for temporary service of sentence outside prison shall conduct a re-examination. Where there is no objection after the public announcement or the objection is not sustained upon re-examination, the proposal for temporary service of sentence outside prison shall be determined through collective discussion by the persons in charge of the prison. Where the illness is serious and temporary service of sentence outside prison must be implemented immediately, the public announcement may be omitted, but a notice shall be issued within the prison within three working days after the temporary service of sentence outside prison is implemented.

A proposal for temporary service of sentence outside prison shall be reviewed by the review committee for temporary service of sentence outside prison of the prison administration organ of the province, autonomous region, or municipality directly under the Central Government; where the matter is difficult, complex, or major, it shall be determined through collective discussion by the persons in charge of the prison administration organ.

Article 46 — Where the prison administration organ of a province, autonomous region, or municipality directly under the Central Government approves temporary service of sentence outside prison, it shall serve the decision on temporary service of sentence outside prison on the prison and the community correction institution at the place of execution, and send a copy to the people's procuratorate at the same level, the people's court that made the effective judgment or ruling, and the public security organ at the place where the community correction is executed.

Where the people's procuratorate considers the application of temporary service of sentence outside prison to an offender inappropriate, it shall, within one month from the date of receipt of the decision on temporary service of sentence outside prison, submit a written opinion to the prison administration organ that approved the temporary service of sentence outside prison; the prison administration organ shall, upon receipt of the written opinion of the people's procuratorate, immediately re-examine the decision and handle the matter within one month.



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Article 47 — Offenders serving sentences temporarily outside prison shall be subject to community correction in accordance with the law, which shall be executed by community correction institutions. The prison that originally held the offender shall, within ten days from the date of receipt of the decision on temporary service of sentence outside prison, transfer the offender to the community correction institution, report on the offender's rehabilitation situation, and promptly report the transfer to the people's procuratorate.

Article 48 — Where an offender serving a sentence temporarily outside prison has circumstances for being taken back into prison as prescribed by the Criminal Procedure Law of the People's Republic of China, the community correction institution shall put forward a proposal for taking the offender back into prison for execution to the prison administration organ at the place of execution or the prison administration organ that originally approved the temporary service of sentence outside prison, and the prison administration organ shall make a decision in accordance with the law; where the term of sentence has expired, the prison that originally held the offender or that received the offender's file shall handle the formalities for release upon completion of the sentence in accordance with the law.

Where an offender dies during the period of temporary service of sentence outside prison, the community correction institution shall promptly notify the prison administration organ that originally approved the temporary service of sentence outside prison.

The proposal for taking the offender back into prison for execution, the decision on taking the offender back into prison for execution, the certificate of release upon completion of sentence, and the materials on the fact of death shall be copied to the people's procuratorate at the same time.

### Section 4 — Commutation of Sentence and Parole

Article 49 — Offenders sentenced to life imprisonment or fixed-term imprisonment who, during the service of sentence, show genuine repentance or meritorious performance and satisfy the conditions for commutation of sentence prescribed by law may have their sentences commuted based on the results of prison assessment; where they have any of the following instances of major meritorious performance, their sentences shall be commuted:

(1) preventing others from committing major criminal activities;

(2) reporting major criminal activities inside or outside the prison, which are verified as true;

(3) having inventions or major technical innovations;

(4) rescuing others at the risk of their own life in daily production and life;

(5) having outstanding performance in resisting natural disasters or eliminating major accidents;

(6) making other major contributions to the State and society.

Article 50 — A proposal by a prison for commutation of sentence or parole shall be subject to review by the prison's review committee for commutation of sentence and parole. Where, after review, the committee agrees to propose commutation of sentence or parole for the offender, the matter shall be publicly announced within the prison. The period of public announcement shall be five working days. Where, during the period of public announcement, the offender raises an objection to the announced content, the prison's review committee for commutation of sentence and parole shall conduct a re-examination. Where there is no objection after the public announcement or the objection is not sustained upon re-examination, the proposal for commutation of sentence or parole shall be determined through collective discussion by the persons in charge of the prison.

Where, in accordance with Articles 51, 52, and 53 of this Law, the matter needs to be reported to the prison administration organ of the province, autonomous region, or municipality directly under the Central Government for review and approval, it shall be reviewed by the review committee for commutation of sentence and parole of the prison administration organ; where the matter is difficult, complex, or major, it



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shall be determined through collective discussion by the persons in charge of the prison administration organ.

Article 51 — A proposal for commutation of a fixed-term imprisonment sentence shall be submitted by the prison to the intermediate people's court at the place of the prison for a ruling; where a life imprisonment sentence is to be commuted to fixed-term imprisonment, the prison shall put forward a proposal for commutation, and after it is reported to the prison administration organ of the province, autonomous region, or municipality directly under the Central Government for review and approval, submit it to a higher people's court for a ruling. The proposal for commutation shall be copied to the people's procuratorate. The people's procuratorate may issue a written opinion to the people's court.

The people's court shall make a ruling within one month from the date of receipt of the proposal for commutation; where the case is complex or the circumstances are special, the time limit may be extended by one month. A copy of the ruling shall be sent to the people's procuratorate at the same level.

Article 52 — Where an offender sentenced to death with a two-year reprieve satisfies the conditions prescribed by law for commutation to life imprisonment or fixed-term imprisonment during the period of the death sentence with a two-year reprieve, the prison where the offender is held shall, upon expiration of the period of the death sentence with a two-year reprieve, promptly put forward a proposal for commutation, and after it is reported to the prison administration organ of the province, autonomous region, or municipality directly under the Central Government for review and approval, submit it to a higher people's court for a ruling.

Article 53 — Where an offender sentenced to fixed-term imprisonment or whose sentence has been commuted to fixed-term imprisonment satisfies the conditions for parole prescribed by law, the parole shall be submitted by the prison to the intermediate people's court at the place of the prison for a ruling; where an offender sentenced to life imprisonment or whose sentence has been commuted to life imprisonment satisfies the conditions for parole prescribed by law, the prison shall put forward a proposal for parole, and after it is reported to the prison administration organ of the province, autonomous region, or municipality directly under the Central Government for review and approval, submit it to a higher people's court for a ruling. The proposal for parole shall be copied to the people's procuratorate. The people's procuratorate may issue a written opinion to the people's court.

The people's court shall make a ruling within one month from the date of receipt of the proposal for parole; where the case is complex or the circumstances are special, the time limit may be extended by one month. A copy of the ruling shall be sent to the people's procuratorate at the same level.

Article 54 — Where the people's court rules to grant parole, the prison shall grant parole on schedule and issue a parole certificate.

Offenders released on parole shall be subject to community correction in accordance with the law, which shall be executed by community correction institutions. Where an offender released on parole, during the parole probation period, commits an act in violation of laws, administrative regulations, or the supervision and administration provisions on parole of the relevant department under the State Council, but which does not yet constitute a new crime, the community correction institution shall put forward a proposal to revoke parole to the people's court, and the people's court shall make a ruling within one month from the date of receipt of the proposal to revoke parole. Where the people's court rules to revoke parole, the public security organ shall deliver the offender to the prison for admission.

Article 55 — People's courts hearing commutation of sentence or parole cases shall make a ruling on whether to grant commutation of sentence or parole. Where an adjustment is made to the extent of commutation proposed by the prison, or commutation or parole is not granted, the reasons shall be stated in the ruling.

Article 56 — Offenders who do not satisfy the conditions for commutation of sentence or parole prescribed by law shall not have their sentences commuted or be granted parole.

Where, before a people's court makes a ruling on commutation of sentence or parole, the prison discovers that the proposal for commutation or parole is erroneous, it shall file a written application for withdrawal; where the people's court approves the withdrawal, the proposal for commutation or parole shall be withdrawn and the people's procuratorate shall be promptly notified.

Where a people's court discovers that an effective ruling on commutation of sentence or parole is indeed erroneous, it shall retry the case and make a ruling.

Where the people's procuratorate considers a ruling on commutation of sentence or parole by a people's court inappropriate, it shall submit a written correction opinion to the people's court within the period prescribed by the Criminal Procedure Law of the People's Republic of China. For cases in which the people's procuratorate submits a written correction opinion, the people's court shall retry the case and make a ruling.

Where, in the course of executing criminal punishment, the prison considers an effective ruling on commutation of sentence or parole erroneous, it shall refer the matter to the people's procuratorate or the people's court for handling.

Article 57 — Prisons, people's courts, and people's procuratorates shall promptly and impartially handle commutation of sentence and parole cases of offenders in accordance with the law, and give full play to the role of commutation of sentence and parole in the execution of criminal punishment.

### Section 5 — Release and Resettlement and Assistance in Education

Article 58 — Prisons shall, before an offender completes the sentence or is released on parole, provide the offender with education before release for a certain period, so as to consolidate the results of education and rehabilitation, improve the offender's ability to adapt to social life promptly after release, and promote the offender's smooth return to society.

Article 59 — After an offender completes the sentence or is granted amnesty, the prison shall release the offender on schedule, issue a release certificate, and complete the handover of the person with the resettlement and assistance institution at the county level at the place of the offender's household registration or residence.

Where an offender is sentenced to deprivation of political rights, the prison shall, before releasing the offender, notify the public security organ at the place of the offender's household registration or residence, which shall execute the deprivation of political rights.

After the release of an offender, the public security organ shall handle household registration based on the release certificate.

Article 60 — For persons released after completing their sentences, the people's government at the place of their household registration or residence shall organize education and guidance, encourage and support them to start their own businesses and seek employment on their own, and guide them to participate in social insurance, so as to promote their reintegration into society.

Where a person released after completing the sentence has difficulty in life and satisfies the prescribed conditions, the people's government at the place of their household registration or residence shall help settle their life and provide assistance and support in accordance with the law.

Article 61 — The State shall encourage, guide, and support social forces to participate in the resettlement and assistance work for persons released after completing their sentences.

Article 62 — Persons released after completing their sentences shall enjoy rights equal to those of other citizens in accordance with the law, and shall not be discriminated against in employment, schooling,



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enjoyment of social security, and other respects.

## Chapter IV — Prison Administration

### Section 1 — Separate Detention and Separate Management

Article 63 — Prisons shall separately detain and manage male and female offenders, and adult and juvenile offenders.

Prisons shall, based on the type of crime, type of punishment, age, term of sentence, degree of personal danger, rehabilitation performance, health conditions, and rehabilitation needs of offenders, among other circumstances, implement separate detention, classified management, and graded treatment of offenders, and make timely adjustments based on changes in the rehabilitation performance and other circumstances of offenders.

The prison administration organ of a province, autonomous region, or municipality directly under the Central Government shall, in accordance with rehabilitation needs, determine or adjust the prisons in which offenders are detained.

Article 64 — The management of juvenile offenders, female offenders, elderly offenders, sick offenders, and disabled offenders shall take their physiological and psychological characteristics into account.

Female offenders shall be directly managed by female people's police.

### Section 2 — Use of Restraining Devices and Weapons

Article 65 — Prison people's police may use restraining police devices under any of the following circumstances:

(1) when carrying out escort tasks such as leaving prison for medical treatment, special leave from prison, or transfer between prisons;

(2) when there are signs that an offender may commit acts such as violent prison escape, making disturbances in the prison, assault, escape, self-injury, self-mutilation, or suicide, or when it is necessary to prevent the offender from continuing to commit such acts;

(3) when an offender seriously violates management regulations and disrupts supervision order, and preventive measures need to be taken.

Where an offender commits acts such as violence, making disturbances in the prison, damaging supervision and rehabilitation equipment and facilities, leaving the prescribed area without authorization, or resisting or obstructing prison people's police in the lawful performance of their duties, disrupting normal supervision order, and a warning is ineffective, prison people's police may, in accordance with regulations, use evicting or subduing police devices.

Article 66 — Prison people's police and personnel on duty of the People's Armed Police Force may, in accordance with relevant State regulations, use weapons where an offender commits an emergency such as riot, escape, resisting arrest, assault, seizing weapons, or other violent acts, and a warning is ineffective and the act cannot be stopped without the use of weapons.

Personnel who use weapons shall promptly report the situation in accordance with relevant State regulations.

Article 67 — Prison people's police shall use police devices and weapons only to the extent necessary to stop offenders from committing the acts set out in Articles 65 and 66 of this Law; where the circumstances set out in Articles 65 and 66 of this Law disappear, or the offender is found no longer suitable for continued restraint and control, the use shall be stopped immediately. Where bodily injury is caused to an offender, treatment shall be provided promptly.



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Prison people's police shall make audio and video recordings in accordance with regulations when using police devices and weapons.

### Section 3 — Correspondence and Visits

Article 68 — Prisons shall safeguard the right of offenders to correspondence in accordance with the law.

Offenders may correspond with others during the service of sentence, but incoming and outgoing letters shall be subject to security inspection. Where letters suspected of endangering national security or involving criminal activities are found, they shall be detained and handled in accordance with the law.

Letters written by offenders to the higher-level organs of the prison and to supervision, judicial, and other State organs shall not be subject to inspection.

Article 69 — During the service of sentence in prison, offenders may, in accordance with regulations, have telephone calls and visits with relatives and guardians; where telephone calls and visits with other persons are conducive to the rehabilitation of the offender, they may also be permitted with the approval of the prison.

Prisons shall reasonably arrange the frequency and duration of offender telephone calls and visits in accordance with the rehabilitation needs, treatment grading, and other circumstances of offenders. Prisons may also, in accordance with regulations, additionally arrange video visits for offenders.

Article 70 — During the service of sentence in prison, offenders may have visits with lawyers retained by themselves or their legal representatives or close relatives, or lawyers appointed by legal aid institutions. Visits between offenders and their defense lawyers shall not be monitored.

Lawyers in other cases who need to investigate and collect evidence from offenders may have visits with the offenders.

Article 71 — Where, during telephone calls or visits, there are acts in violation of regulations, prison people's police shall immediately stop the acts and give a warning; where the person does not heed the advice or the circumstances are serious, prison people's police shall terminate the telephone call or visit.

### Section 4 — Daily Life and Hygiene

Article 72 — Prisons shall establish medical institutions and facilities for daily life and hygiene, and establish systems for the daily life and hygiene of offenders.

Article 73 — The living standards of offenders shall be calculated on a physical quantity basis and prescribed by the State.

Article 74 — The clothing, bedding, and necessary daily necessities of offenders shall be uniformly issued by the prison.

Article 75 — The receipt of articles and money by offenders shall be subject to the approval and inspection of the prison.

Article 76 — Special living habits of offenders related to specific customs and habits shall be accommodated in light of the actual circumstances.

Article 77 — The cells where offenders live shall meet the requirements of being solid, ventilated, well-lit, clean, warm, and heat-resistant.

Article 78 — Where weather conditions permit, prisons shall ensure appropriate daily outdoor activity time for offenders.

Article 79 — The State shall safeguard the basic medical care of offenders. The drug catalogue, medical service item catalogue, and medical consumable catalogue for basic medical care of offenders shall be implemented with reference to the relevant provisions on basic medical insurance in the locality.



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The disease prevention and control and the medical and health work of offenders in prisons shall be incorporated into the planning of the region where the prison is located.

Article 80 — During the service of sentence in prison, matters concerning the continuation of offenders' participation in social insurance before admission to prison and after release upon completion of sentence shall be handled in accordance with relevant State regulations, and the prison and relevant departments shall provide assistance. The specific measures shall be formulated by the judicial administration department under the State Council together with the departments of human resources and social security, medical security, and others.

Article 81 — Where an offender dies during the service of sentence in prison, the prison shall immediately notify the offender's close relatives or guardian, and immediately notify the people's procuratorate.

After receiving the notice, the people's procuratorate shall immediately be present and supervise the prison's investigation of the cause of death. Where the people's procuratorate has no objection to the prison's investigation result, it shall notify the prison; where it has objections, it may entrust a judicial appraisal institution to appraise the cause of death. Where the offender's close relatives or guardian have objections to the prison's investigation result, they may raise the matter with the people's procuratorate, which shall handle it in accordance with the law.

Where an offender dies abnormally, the people's procuratorate shall immediately conduct an examination and entrust a judicial appraisal institution to appraise the cause of death.

After the cause of death of an offender is determined, the prison shall handle the body and belongings of the offender in accordance with relevant regulations.

### Section 5 — Rewards and Punishments

Article 82 — Prisons shall establish a daily assessment system for offenders in accordance with relevant regulations, and the assessment results shall serve as the basis for rewarding and punishing offenders.

Where an offender has an objection to the assessment result, they may raise it with the prison, and the prison shall handle it promptly.

The prison's assessment of offenders shall be subject to the supervision of the people's procuratorate in accordance with the law.

Article 83 — Where an offender has any of the following circumstances, the prison may grant a commendation, material reward, or record of merit:

(1) abiding by prison rules and discipline, studying diligently, working actively, and showing an attitude of admitting guilt and obeying the law;

(2) reporting, exposing, or preventing unlawful or criminal activities inside or outside the prison, or providing clues for solving cases, which are verified as true;

(3) assisting supervisory organs or judicial organs in capturing persons under investigation or criminal suspects;

(4) exceeding labor quotas;

(5) saving raw materials or caring for public property with achievements;

(6) carrying out technical innovation or imparting labor skills with certain results;

(7) making certain contributions to the prevention or elimination of disasters and accidents;

(8) making other contributions to the State and society.

Article 84 — Where an offender has any of the following circumstances of disrupting supervision order, the prison may give a warning, record a demerit, or impose solitary confinement:

(1) gathering a crowd to make disturbances in the prison, disrupting normal supervision order;

(2) threatening, insulting, assaulting, or beating prison people's police or other persons;

(3) bullying other offenders;

(4) stealing, gambling, fighting, or picking quarrels and provoking trouble;

(5) refusing to participate in labor despite having the capacity for labor, or being passive and slack in work and failing to change after education;

(6) deliberately violating operating procedures in labor, or intentionally damaging labor tools and other labor materials;

(7) resisting rehabilitation by means such as self-injury, self-mutilation, suicide, or hunger strike;

(8) deliberately damaging prison equipment and facilities;

(9) transmitting, using, privately hiding, or manufacturing contraband;

(10) crossing the security line or leaving the prescribed area without authorization;

(11) organizing other offenders to disrupt supervision order;

(12) committing other acts disrupting supervision order.

The period of solitary confinement imposed on an offender shall be not more than fifteen days.

Where an offender commits any of the acts enumerated in this Article and it constitutes a crime, criminal liability shall be pursued in accordance with the law.

### Section 6 — Home Visits and Special Leave from Prison

Article 85 — Where an offender sentenced to fixed-term imprisonment or whose sentence has been commuted to fixed-term imprisonment has served more than one half of the fixed-term sentence, has consistently performed well during the service of sentence, and there is no risk of committing a crime again if leaving prison, the prison may, upon the offender's written commitment and a guarantee from relatives, permit the offender to leave prison for a home visit.

Prisons shall reasonably set the frequency and duration of offender home visits in light of the circumstances. Where the prison permits an offender to leave prison for a home visit, it shall promptly notify the public security organ at the place of the home visit of the relevant circumstances, and the offender shall promptly report to the public security organ at the place of the home visit and proactively accept its supervision.

Article 86 — Where the spouse, lineal relative, or guardian of an offender sentenced to fixed-term imprisonment or whose sentence has been commuted to fixed-term imprisonment is critically ill or has died, or a major change has occurred in the family, and it is truly necessary for the offender to leave prison to handle the matter, the prison may, upon the offender's written application and in light of the circumstances, specially permit the offender to leave prison for a visit or to handle the matter, escorted by prison people's police.

Article 87 — Where supervisory organs, people's courts, people's procuratorates, public security organs, or national security organs need to take an offender back for investigation, criminal investigation, prosecution, or trial for case-handling needs, it shall be subject to the approval of the prison administration organ of the province, autonomous region, or municipality directly under the Central Government.

### Section 7 — Handling of Offenses Committed During the Service of Sentence

Article 88 — Where an offender intentionally commits a crime during the service of sentence, a heavier punishment shall be imposed in accordance with the law.

Article 89 — Cases in which an offender is suspected of committing a crime within the prison shall be filed and investigated by the prison. After the investigation is concluded, where the criminal facts are clear and the evidence is reliable and sufficient, a prosecution recommendation shall be issued and transferred, together with the case file and evidentiary materials, to the people's procuratorate.

Article 90 — Where a prison discovers that a detained offender has escaped, it shall capture the offender immediately; where the offender cannot be captured immediately, it shall promptly notify the public security organ, which shall be responsible for pursuit and capture, and the prison shall closely cooperate.

Article 91 — Where the prison handles cases in which offenders are suspected of committing crimes within the prison and needs relevant criminal technical support, or needs to take investigative measures and criminal compulsory measures outside the prison, the public security organ and other relevant units shall provide assistance in accordance with the law.

## Chapter V — Education and Rehabilitation of Prisoners

Article 92 — Prisons shall innovate the methods and means of education and rehabilitation, and continuously advance the scientific, professional, and social development of education and rehabilitation work.

Prisons shall, through educating and rehabilitating offenders, help offenders reshape a healthy personality, become self-reliant and self-improving, turn over a new leaf, and cultivate the offenders' awareness of abiding by the law and their ability to reintegrate into society.

Article 93 — Education and rehabilitation of offenders shall implement the principles of individualized instruction, classified education, and convincing through reason, and adopt the methods of combining collective education with individual education and combining education inside the prison with social education.

Prisons shall, in accordance with the type of crime, cause of crime, type of punishment, term of sentence, and degree of personal danger of offenders, combined with their age, health conditions, psychological characteristics, attitude of repentance, and other circumstances, formulate targeted rehabilitation plans, regularly evaluate the results of rehabilitation, and make corresponding adjustments based on the evaluation and rehabilitation needs.

Article 94 — Prisons shall provide offenders with education on norms of conduct, urging them to abide by daily administration systems and develop good behavioral habits.

Article 95 — Prisons shall provide offenders with ideological education on the rule of law, morality, the current situation, policies, and prospects, provide education in patriotism, collectivism, and fine traditional Chinese culture, and guide offenders to foster socialist core values, strengthen their awareness of the rule of law, discipline, and morality, admit guilt and obey the law, and consciously accept rehabilitation.

Article 96 — Prisons shall carry out mental health education for offenders and, in accordance with needs, provide psychological counseling, crisis intervention, and psychological correction.

Article 97 — Prisons shall, in accordance with different circumstances, provide offenders with literacy education and compulsory education; where offenders meet the academic requirements, the schools shall issue corresponding academic certificates. Offenders shall be encouraged to participate in vocational education and continuing education for academic qualifications, and those who pass examinations shall be issued corresponding certificates by the relevant departments or units.

The literacy education and compulsory education of offenders shall be incorporated into the education planning of the region where the prison is located.



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Article 98 — Prisons shall, in accordance with economic and social development and the needs of offenders for employment after release, organize offenders to participate in vocational skills training; those who pass assessment shall be issued corresponding certificates by the relevant departments or units.

The vocational skills training of offenders shall be incorporated into local planning.

Article 99 — Prisons shall establish necessary educational facilities and activity venues such as classrooms and reading rooms, and equip them with necessary books, newspapers and periodicals, and radio and television receiving equipment.

Prisons shall equip necessary sports and cultural and recreational facilities, and organize offenders to carry out appropriate sports activities and cultural and recreational activities.

Article 100 — Prisons shall strengthen contact and cooperation with relevant State organs, social organizations, military units, enterprises, public institutions, and personages from all walks of life, so as to create conditions and provide assistance for educating and rehabilitating offenders and promoting the reintegration of persons released after completing their sentences into society.

Relevant State organs, social organizations, military units, enterprises, public institutions, and personages from all walks of life, as well as relatives of offenders, shall assist prisons in doing a good job of educating and rehabilitating offenders.

The State shall encourage and support social workers, volunteers, and other social forces to participate in social assistance and education for offenders, and provide policy support in accordance with the law.

Prisons may, in accordance with the needs of educating and rehabilitating offenders, organize personnel with professional knowledge or practical experience in law, education, psychology, social work, and other fields to carry out education and rehabilitation-related work.

Article 101 — Prisons shall make use of their own facilities and conditions to cooperate with relevant parties in carrying out publicity on the rule of law and crime prevention education, and provide support and convenience for institutions of higher learning, research institutions, and others to carry out theoretical research and personnel training in prisons and the execution of criminal punishment.

Article 102 — Prisons shall, in accordance with the labor capacity, physical health conditions, and other personal circumstances of offenders and the needs of education and rehabilitation, reasonably determine labor items and tasks, so as to enable offenders to correct bad habits, develop labor habits, learn labor skills, and create conditions for employment after release.

Article 103 — The labor hours of offenders in prisons shall be implemented with reference to the relevant State provisions on working hours.

Offenders have the right to rest on statutory holidays and rest days, and their rest time shall be safeguarded; where it is occupied under special circumstances, compensatory rest shall be arranged.

Article 104 — Prisons shall give remuneration to offenders participating in labor in accordance with relevant regulations, and implement the relevant State provisions on labor protection.

Article 105 — Where an offender is injured, disabled, or dies in labor, the prison shall handle the matter in accordance with relevant regulations; the specific provisions shall be formulated by the judicial administration department under the State Council together with the departments of finance and human resources and social security.

## Chapter VI — Special Provisions on Juvenile Offenders

Article 106 — Juvenile offenders shall serve their sentences in juvenile correctional institutions.



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Article 107 — Where a juvenile offender reaches the age of eighteen and the remaining term of sentence is not more than two years, the offender may still remain in the juvenile correctional institution to serve the remaining term.

Article 108 — Juvenile correctional institutions shall safeguard the lawful rights and interests of juvenile offenders in accordance with the law, respect the personal dignity of juvenile offenders, and create a rehabilitation environment conducive to the physical and mental health of juvenile offenders and conducive to their positive development.

Article 109 — Juvenile correctional institutions shall be staffed with people's police who have professional backgrounds in law, education, psychology, and other related fields, have undergone special training, and are familiar with the physical and mental characteristics of minors.

Article 110 — The execution of criminal punishment against juvenile offenders shall implement the policy of education, persuasion, and redemption, with education and rehabilitation as the main approach. The labor of juvenile offenders shall conform to the characteristics of minors and focus on learning culture and labor skills.

Article 111 — The conditions for correspondence, visits, home visits, and special leave from prison of juvenile offenders may be appropriately relaxed compared with those of adult offenders.

Article 112 — Juvenile correctional institutions shall establish psychological correction institutions, conduct psychological tests on juvenile offenders, and, in accordance with the psychological characteristics of juvenile offenders, regularly carry out activities such as psychological counseling and psychological consultation, so as to promote their physical and mental health development.

Article 113 — Juvenile correctional institutions shall cooperate with schools and other educational institutions to provide necessary conditions for juvenile offenders to receive compulsory education and other education.

When a juvenile offender is released upon completion of sentence, the juvenile correctional institution shall assist the education administrative department at the place of the offender's household registration or residence in completing the handover of education records, student status, and other matters.

Article 114 — Juvenile correctional institutions shall strengthen contact with the guardians and family members of juvenile offenders and other persons conducive to the education and rehabilitation of juvenile offenders, guiding them to jointly do a good job of educating and rehabilitating juvenile offenders.

Juvenile correctional institutions and relevant units such as juvenile protection organizations, educational institutions, the Communist Youth League, women's federations, and trade unions shall strengthen mutual contact and jointly do a good job of educating and rehabilitating juvenile offenders.

Article 115 — Prisons shall, in accordance with the provisions of relevant laws, seal the criminal records and relevant case information of juvenile offenders who satisfy the conditions for sealing; except for inquiries by judicial organs for case-handling needs or by relevant units in accordance with State regulations, the criminal records and relevant case information of juvenile offenders shall not be provided to any unit or individual.

Article 116 — With respect to the management and education and rehabilitation of juvenile offenders, where this Chapter does not provide otherwise, the relevant provisions of this Law shall apply.

## Chapter VII — Legal Liability

Article 117 — Where prison people's police commit any of the acts enumerated in Article 23 of this Law, they shall be given sanctions in accordance with the law; where the act constitutes a crime, criminal liability shall be pursued in accordance with the law.

Where other State organ staff fail to perform relevant duties or obligations in accordance with the provisions of this Law, legal liability shall be pursued in accordance with the law.

When pursuing liability in accordance with the provisions of the preceding two paragraphs, the facts of the act, its nature, harmful consequences, and the subjective fault of the actor shall be comprehensively considered, and the matter shall be handled in accordance with the law.

Article 118 — Where a unit or individual commits any of the following acts, and it constitutes a violation of public security administration, the public security organ shall impose a public security administration penalty in accordance with the law; where the act constitutes a crime, criminal liability shall be pursued in accordance with the law:

(1) disrupting supervision order;

(2) gathering a crowd to besiege or attack a prison;

(3) obstructing prison people's police in the lawful performance of their duties;

(4) colluding with offenders to destroy or fabricate evidence, affecting the lawful execution of criminal punishment by the prison;

(5) stealing, seizing, plundering, occupying, or intentionally damaging prison property, facilities, land, or other resources;

(6) violating paragraph 2 of Article 17 of this Law;

(7) other acts seriously affecting prison order.

## Chapter VIII — Supplementary Provisions

Article 119 — Prisons shall safeguard the lawful rights and interests of foreign-national offenders and ensure that they are treated fairly and impartially in the execution of criminal punishment.

Matters concerning visits to foreign-national offenders shall be handled in accordance with relevant State regulations.

The transfer of offenders shall be handled in accordance with the provisions of the International Criminal Judicial Assistance Law of the People's Republic of China and other laws.

Article 120 — For the purposes of this Law, "not less than," "not more than," and "within" include the figure itself.

Article 121 — This Law shall come into force on November 1, 2026.

Disclaimer: This English translation is provided for general reference only. It is an unofficial translation prepared for the convenience of English-speaking readers and does not carry legal effect. The official Chinese text of the Prison Law of the People's Republic of China (2026 Revision) as published by the authorities remains the sole authoritative version. For any matter requiring legal certainty, please consult the original Chinese text or seek professional legal advice.