Public Cultural Service Guarantee Law of the PRC

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of strengthening the construction of the public cultural service system, enriching the spiritual and cultural life of the people, passing on outstanding traditional Chinese culture, promoting core socialist values, enhancing cultural confidence, and advancing the flourishing development of socialist culture with Chinese characteristics.

Article 2 — For the purposes of this Law, the term "public cultural services" refers to public cultural facilities, cultural products, cultural activities, and other related services provided by the people's governments at all levels and by social forces under the leadership of the government to meet the basic cultural needs of citizens.

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Article 3 — The provision of public cultural services shall adhere to the orientation of advanced socialist culture, follow the people-centered approach, be driven by the core socialist values, and be oriented to the public interest and the provision of basic public services; it shall be equal and convenient, provide classified guidance, and promote coordinated development.

Article 4 — The people's governments at or above the county level shall incorporate the provision of public cultural services into their national economic and social development plans at the corresponding level and shall include the funds required in the fiscal budgets at the corresponding level.

Article 5 — The cultural administrative department under the State Council shall be responsible for the overall coordination and guidance of the nationwide public cultural services. The relevant departments under the State Council shall be responsible for the relevant work of public cultural services within their respective functions and duties.

Article 6 — The State shall encourage and support citizens, legal persons, and other organizations to participate in the provision of public cultural services and shall protect the lawful rights and interests of those participating in the provision of public cultural services in accordance with the law.

Chapter II — Construction of Public Cultural Facilities

Article 7 — The people's governments at all levels shall, in accordance with national standards and in light of the actual conditions of their respective regions, plan, construct, and equip public cultural facilities such as libraries, museums, cultural centers (stations), art galleries, science and technology museums, memorial halls, sports venues, workers' cultural palaces, youth and children's activity centers, and comprehensive cultural service centers for villages (communities).

Article 8 — Local people's governments at all levels shall, in accordance with the requirements for the standardization and equalization of public cultural services, determine the types, quantities, scales, and layout of public cultural facilities within their respective administrative areas, forming a public cultural facility network that is well-distributed and easily accessible.

Article 9 — Public cultural facilities shall be constructed in locations with concentrated populations, convenient transportation, and a suitable environment. Public cultural facilities shall meet accessibility requirements and comply with barrier-free environmental construction standards.

Article 10 — The land used for the construction of public cultural facilities shall be included in the overall land use planning and shall be approved in accordance with the statutory authority and procedures. No unit or individual may change the purpose of the land used for public cultural facilities without authorization.

Article 11 — No unit or individual may occupy public cultural facilities, dismantle them without authorization, change their functions, or alter theiruse without authorization. Where public cultural facilities are required to be dismantled due to urban or rural construction, the principle of first building and then dismantling, or building and dismantling simultaneously, shall be followed.

Chapter III — Provision of Public Cultural Services

Article 12 — The people's governments at all levels shall make full use of public cultural facilities, promote the free or preferential opening of public cultural facilities such as public libraries, cultural centers (stations), and art galleries, and provide rich, diverse, and easily accessible public cultural services.

Article 13 — The State shall focus on increasing public cultural services in rural areas, old revolutionary base areas, ethnic minority areas, border areas, and poverty-stricken areas, and shall promote the integrated development of urban and rural public cultural services.

Article 14 — Public cultural facilities shall be open to the public free of charge or at reduced rates in accordance with their functions and characteristics. The management units of public cultural facilities shall

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publicize the service items, opening hours, and service content, and shall facilitate the use of facilities by the public.

Article 15 — Public cultural facilities shall meet the needs of different groups and provide targeted services. Public cultural facilities shall be equipped with corresponding service content and facilities for key groups such as minors, the elderly, persons with disabilities, and migrant workers.

Article 16 — The State shall promote the digitalization of public cultural services and establish an integrated online and offline public cultural service platform to enhance the accessibility and coverage of public cultural services.

Chapter IV — Social Participation

Article 17 — The State shall encourage and support citizens, legal persons, and other organizations in establishing public cultural facilities such as libraries, museums, cultural centers, and art galleries, and in providing public cultural services to the public in accordance with the law.

Article 18 — The State shall encourage and support citizens, legal persons, and other organizations in donating items and funds to public cultural services. Those who make donations shall enjoy tax incentives and other preferences in accordance with the law.

Article 19 — The State shall encourage and support citizens, legal persons, and other organizations in voluntarily participating in public cultural services. People's governments and their relevant departments shall provide necessary guidance, training, and support for cultural volunteer services.

Article 20 — The State shall encourage State organs, social organizations, enterprises, public institutions, and other organizations to open their cultural and sports facilities to the public under the condition of ensuring normal work, production, and teaching order.

Chapter V — Safeguard Measures

Article 21 — The State Council shall formulate national standards for basic public cultural services in accordance with the level of national economic and social development. The local people's governments at or above the county level shall, in accordance with national standards and local realities, formulate and publish standards and catalogs of basic public cultural services for their respective administrative areas.

Article 22 — The State shall establish and improve a government procurement mechanism for public cultural services. People's governments at all levels shall, in accordance with the actual situation, determine the catalogs of public cultural services procured by the government and guide and support social forces in participating in the provision of public cultural services.

Article 23 — The State shall establish and improve a public cultural service funding guarantee mechanism. The people's governments at or above the county level shall, in accordance with the standards of basic public cultural services, include the funds required for public cultural services in the fiscal budgets.

Article 24 — The State shall establish and improve a talent cultivation, evaluation, and incentive mechanism for public cultural services. The specialized staffing and remuneration packages of public cultural service personnel shall be reasonably determined in accordance with the relevant provisions of the State.

Article 25 — The State shall establish a supervision, evaluation, and public announcement system for public cultural services. The people's governments at or above the county level shall incorporate the provision of public cultural services into the evaluation and assessment system and establish a feedback mechanism for public cultural services that reflects the needs of the public.

Chapter VI — Legal Liability

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Article 26 — Where a local people's government at or above the county level or any of its relevant departments fails to perform its duties of safeguarding public cultural services in accordance with this Law, the people's government at a higher level or the relevant department shall order it to make rectification; where the circumstances are serious, the directly responsible person in charge and other directly responsible persons shall be given administrative sanctions in accordance with the law.

Article 27 — Where a management unit of a public cultural facility commits any of the following acts, the competent department shall order it to make rectification within a specified time limit and confiscate the illegal proceeds; if the circumstances are serious, the directly responsible person in charge and other directly responsible persons shall be given sanctions in accordance with the law: (1) changing the function or use of a public cultural facility without authorization; (2) failing to open a public cultural facility to the public free of charge or at reduced rates in accordance with the provisions; or (3) using public cultural facilities to engage in activities unrelated to public cultural services.

Article 28 — Anyone who occupies public culturalfacilities, dismantles them without authorization, or damages public cultural facilities shall bear civil liability in accordance with the law; if the act constitutes a violation of public security administration, a public security administration penalty shall be imposed in accordance with the law; if the act constitutes a crime, criminal liability shall be pursued in accordance with the law.

Chapter VII — Supplementary Provisions

Article 29 — The State Council may formulate specific measures for the implementation of this Law.

Article 30 — This Law shall come into effect as of March 1, 2017.

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