Social Assistance Law of the PRC

Dan Young Business Consultancy — www.danyoungcpa.com

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Chapter I — General Provisions

Article 1 — This Law is enacted in accordance with the Constitution for the purpose of safeguarding the basic living of citizens, enabling the people to share the fruits of reform and development, improving the social assistance system, promoting social fairness, and safeguarding social harmony and stability.

Article 2 — The state establishes and improves the social assistance system, and safeguards in accordance with the law the right of citizens to obtain material assistance and assistance services from the state and society.

Article 3 — Social assistance upholds the leadership of the Communist Party of China, adheres to the people-centered approach, and practices the fundamental purpose of serving the people wholeheartedly.

Social assistance adheres to integrated urban-rural planning, adheres to doing one's best while acting within one's capabilities, adheres to guaranteeing the basics, safeguarding the bottom line, providing emergency relief, and maintaining sustainability, adheres to coordination with other social security systems, and adheres to adapting to economic and social development.

Social assistance work follows the principles of openness, fairness, impartiality, convenience for the people, and timeliness.

Article 4 — Social assistance implements a working mechanism of leadership by Party committees, responsibility of the government, lead coordination by civil affairs departments, collaboration among departments, and participation of society.

People's governments at or above the county level establish social assistance coordination mechanisms to coordinate, urge, and guide the relevant departments in properly performing social assistance work within their respective scopes of duties. The specific work of the coordination mechanisms shall be undertaken by the civil affairs departments of people's governments at or above the county level.

The civil affairs, education, human resources and social security, housing and urban-rural development, health, emergency management, medical security, and other departments of people's governments at or above the county level (hereinafter collectively referred to as the social assistance administrative departments) are responsible for the corresponding social assistance work in accordance with their respective duties.

Article 5 — Township people's governments and subdistrict offices shall, in accordance with the law, properly perform the work of accepting, reviewing, and dynamically managing social assistance.

Villagers' committees and residents' committees shall, in accordance with the law, assist in household visits, social assistance applications, and other work.

Article 6 — People's governments at or above the county level shall include social assistance work in national economic and social development plans.

Local people's governments at all levels shall reasonably arrange social assistance funds in light of the level of economic and social development and their financial conditions, implement budget performance management, and make fund payments in accordance with the relevant provisions on centralized treasury payment management.

Article 7 — The state encourages and supports citizens, legal persons, and other organizations in participating in social assistance in accordance with the law.

Organizations such as trade unions, the Communist Youth League, women's federations, federations of persons with disabilities, and Red Cross societies shall participate in social assistance in accordance with their duties or charters and carry out assistance and support activities.

Article 8 — People's governments at all levels, the social assistance administrative departments of people's governments at or above the county level, and villagers' committees and residents' committees shall, through various forms, carry out publicity on social assistance laws, regulations, rules, and policies.

News media such as newspapers, periodicals, radio, and television, and internet service providers shall strengthen public-interest publicity on social assistance.

Article 9 — People's governments at all levels shall take measures to encourage, support, and guide social assistance recipients who have the capacity to work to become self-reliant and to overcome difficulties and poverty.

Article 10 — The state promotes the informatization of social assistance work, strengthens the building of the dynamic monitoring information platform for the low-income population, realizes the precise identification and

regularized assistance and support of the low-income population, and improves the capacity and level of social assistance administration and services.

Article 11 — Social assistance work shall protect personal privacy and personal information in accordance with the law.

Relevant entities and personnel shall follow the principles of lawfulness, legitimacy, and necessity in processing personal information, take effective measures to safeguard the security of personal information, and keep confidential in accordance with the law the personal information and other information learned in social assistance work.

Article 12 — Entities and individuals that have made outstanding achievements in social assistance work shall be commended and rewarded in accordance with the relevant state regulations.

Chapter II — Assistance Recipients and Measures

Article 13 — Social assistance recipients include persons in extreme poverty, minimum subsistence guarantee households, marginal minimum-subsistence households, households with rigid expenditure difficulties, persons affected by disasters, persons whose basic living temporarily encounters serious difficulties, persons in need of emergency medical assistance for illness, and vagrants and homeless persons without means of support, among others.

Article 14 — The state establishes and improves a tiered and categorized social assistance system, scientifically identifies social assistance recipients, and provides social assistance in a timely and targeted manner in accordance with the type of recipients and the degree of their difficulties.

Article 15 — Social assistance is divided into basic living assistance, special social assistance, and emergency social assistance.

Basic living assistance includes support for persons in extreme poverty and minimum subsistence guarantees.

Special social assistance includes medical assistance, education assistance, housing assistance, employment assistance, and assistance to persons affected by disasters.

Emergency social assistance includes temporary assistance, emergency medical assistance for illness, and assistance to vagrants and homeless persons without means of support.

People's governments at or above the county level may, in light of actual conditions, add corresponding social assistance and support measures.

Article 16 — For elderly persons, minors, persons with disabilities, and other persons in extreme poverty who have no capacity to work, no source of livelihood, and no legally obligated supporters, or whose legally obligated supporters are unable to perform their support obligations, the social assistance administrative departments shall provide support for persons in extreme poverty, providing basic living conditions, necessary care services, and disease treatment, and handling funeral matters.

Persons in extreme poverty may be supported centrally in support-service institutions or supported separately at home. Persons in extreme poverty may choose the form of support on their own.

Where a minor among persons in extreme poverty has reached the age of 18 and is still enrolled in compulsory education or upper secondary education (including secondary vocational education), support shall continue to be provided.

Article 17 — The basic living standards and care standards for the support of persons in extreme poverty shall be determined and published by the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government, or by the people's governments of cities divided into

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districts.

Article 18 — For minimum subsistence guarantee households whose per capita household income is below the local minimum subsistence guarantee standard and whose property status conforms to the provisions, the social assistance administrative departments shall provide minimum subsistence guarantees and issue minimum subsistence allowances on a monthly basis.

Minimum subsistence allowances may be issued in the amount of the actual difference by which the per capita household income is below the local minimum subsistence guarantee standard, or issued as fixed amounts by tier.

Article 19 — The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government shall, in light of the local economic and social development and the people's living standards, comprehensively consider factors such as per capita consumption expenditure or per capita disposable income of residents, and formulate and adjust in a timely manner the minimum subsistence guarantee standards or the guiding standards for minimum subsistence guarantees within their respective administrative regions. Where the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government formulate guiding standards for minimum subsistence guarantees, the people's governments of cities divided into districts may formulate minimum subsistence guarantee standards within their respective administrative regions, and the formulated standards shall not be lower than the guiding standards for minimum subsistence guarantees formulated by the people's governments of the provinces, autonomous regions, or municipalities directly under the Central Government.

Article 20 — For elderly persons, minors, persons with severe disabilities, seriously ill patients, and others who still face special difficulties in living after receiving minimum subsistence allowances, local people's governments at or above the county level shall take measures to provide necessary living guarantees.

Article 21 — For marginal minimum-subsistence households whose per capita household income is below the local standard for marginal minimum-subsistence households and whose property status conforms to the provisions, the social assistance administrative departments shall provide corresponding medical, education, housing, employment, and other social assistance according to actual needs.

Persons with severe disabilities, seriously ill patients, and persons with genuine special difficulties in marginal minimum-subsistence households may be included in the scope of minimum subsistence guarantees and receive minimum subsistence allowances on a monthly basis.

The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government shall, in light of the local economic and social development and the people's living standards, determine the standards for marginal minimum-subsistence households or the guiding standards for marginal minimum-subsistence households by raising the local minimum subsistence guarantee standards or the guiding standards for minimum subsistence guarantees by a certain proportion.

Article 22 — For households with rigid expenditure difficulties whose per capita household income is below the per capita disposable income of local residents in the previous year, whose property status conforms to local provisions, and whose necessary expenditures such as medical and education expenditures account for a proportion of total household income exceeding the proportion prescribed by the local people's government at or above the level of a city divided into districts, the social assistance administrative departments shall provide necessary medical, education, and other social assistance according to actual needs.

Article 23 — The measures for identifying the income, property, and other status of persons in extreme poverty, minimum subsistence guarantee households, marginal minimum-subsistence households, and households with rigid expenditure difficulties shall be formulated by the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government in accordance with the

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relevant state regulations and in light of the local economic and social development and the people's living standards.

Article 24 — For persons in extreme poverty, minimum subsistence guarantee households, marginal minimum-subsistence households, and households with rigid expenditure difficulties, the social assistance administrative departments shall provide corresponding medical assistance.

Subsidies shall be provided for the individual contribution portion of persons in extreme poverty and members of minimum subsistence guarantee households who participate in basic medical insurance for urban and rural residents.

For persons in extreme poverty, and seriously ill patients and others in minimum subsistence guarantee households, marginal minimum-subsistence households, and households with rigid expenditure difficulties, the portion of basic medical out-of-pocket expenses conforming to the provisions that individuals and their households find difficult to bear after payment by basic medical insurance, critical illness insurance, and other supplementary medical insurance shall be subsidized in accordance with regulations.

Article 25 — For persons in extreme poverty and members of minimum subsistence guarantee households, marginal minimum-subsistence households, and households with rigid expenditure difficulties, the social assistance administrative departments shall, at the stages of preschool education, compulsory education, upper secondary education (including secondary vocational education), and general higher education, provide education assistance in accordance with regulations through means such as reducing or waiving relevant fees, issuing grants and living subsidies, and providing work-study positions and student loans.

Article 26 — For separately supported persons in extreme poverty, minimum subsistence guarantee households, marginal minimum-subsistence households, and households with rigid expenditure difficulties that face housing difficulties conforming to the prescribed standards, the social assistance administrative departments shall provide housing assistance. For those who are recipients of urban housing assistance, priority shall be given to the allocation of public rental housing or the issuance of public rental housing rental subsidies; for those who are recipients of rural housing assistance, priority shall be given to housing assistance through means such as the renovation of dilapidated rural housing.

Article 27 — For members of minimum subsistence guarantee households, marginal minimum-subsistence households, and households with rigid expenditure difficulties who have the capacity to work and are unemployed, the social assistance administrative departments shall provide employment assistance through means such as encouraging enterprises to absorb them into employment. For those who still cannot obtain employment through the above means and meet the conditions for persons with employment difficulties, employment assistance shall be provided in accordance with regulations through means such as placement in public welfare positions.

Social assistance recipients who have the capacity to work and the conditions for employment shall actively seek employment. Employment assistance shall be coordinated with systems such as minimum subsistence guarantees and unemployment insurance, and employment assistance recipients shall be encouraged and guided to actively seek employment and start businesses.

Article 28 — For persons whose basic living is seriously affected by natural disasters, the social assistance administrative departments shall provide necessary emergency assistance, living assistance, and assistance for the recovery and reconstruction of housing damaged or collapsed by disasters.

People's governments at all levels shall properly perform social assistance work for emergencies and safeguard the basic living of persons in difficulty.

Article 29 — For persons who encounter sudden, urgent, or catastrophic difficulties resulting in temporary serious difficulties in basic living, the social assistance administrative departments shall provide temporary assistance by means such as issuing assistance funds or distributing goods in kind.

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Article 30 — For patients with acute, critical, severe, or dangerous illnesses and injuries who need first aid but whose identity is unknown or who are unable to pay first-aid expenses and who conform to the provisions, the social assistance administrative departments shall provide emergency medical assistance for illness.

Article 31 — For vagrants and homeless persons without means of support, the social assistance administrative departments shall provide assistance such as care services, emergency treatment of illnesses, identity inquiries, assistance in returning home, and family tracing and resettlement.

Article 32 — Local people's governments at or above the county level shall promptly issue temporary price subsidies in light of price increases.

Article 33 — The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government may, in light of local realities, include other households or persons with special difficulties in the scope of social assistance recipients.

Article 34 — The state actively develops service-oriented social assistance and provides social assistance recipients with necessary care services, living services, caring services, and others.

Article 35 — Where social assistance recipients encounter emergencies, the social assistance administrative departments shall promptly provide assistance in accordance with the law.

Article 36 — For parties who have suffered criminal infringement or civil tort and still face living difficulties after obtaining judicial assistance, those who meet the conditions for social assistance shall be included in the scope of social assistance recipients.

Chapter III — Assistance Procedures

Article 37 — Applications for support for persons in extreme poverty, minimum subsistence guarantees, medical assistance, housing assistance, and employment assistance shall be filed by the person concerned or by family members living together with the person, with the township people's government or subdistrict office of the place of household registration. Localities with conditions may, in an orderly manner, promote applications by persons holding residence permits at their place of residence.

Applications for temporary assistance shall be filed by the person concerned or by family members living together with the person, with the township people's government or subdistrict office of the place where the emergency occurred.

Where the person concerned or family members living together with the person have difficulty applying for social assistance, they may entrust villagers' committees, residents' committees, or others to file the application on their behalf.

Article 38 — Applications for education assistance shall be filed with the school attended, and the school shall implement them in accordance with the relevant state regulations.

Applications for housing assistance may also be filed with the housing security department of the local people's government at or above the county level in accordance with the relevant provisions.

Article 39 — Where villagers' committees, residents' committees, and other grassroots entities discover families and persons in need of assistance in their work, they shall promptly report to township people's governments, subdistrict offices, or the social assistance administrative departments of people's governments at the county level.

Township people's governments and subdistrict offices shall proactively understand the living conditions of residents within their administrative regions; upon discovering families and persons in need of assistance, they shall promptly inform them of the relevant social assistance policies and assist in applications or organize assistance in accordance with the law.

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Article 40 — When applying for social assistance, applicants shall truthfully report the basic personal information of family members living together and the household income, property, rigid expenditure, and other information relevant to the social assistance application, and agree to verification by the social assistance administrative departments.

Article 41 — The civil affairs department of the people's government at the county level may verify the income, property, and other status of social assistance households with entities such as household registration administration, tax, social insurance, real property registration, market supervision and administration, housing provident fund administration, and vehicle and vessel administration entities, financial institutions such as banks, insurance companies, and securities companies, and non-bank payment institutions providing monetary fund transfer services; where necessary, with the consent of legally obligated supporters other than family members living together, it may verify their income, property, and other status. The relevant entities and institutions shall provide cooperation.

Article 42 — The civil affairs department of the people's government at or above the county level shall take the lead in improving the mechanism for verifying the economic status of social assistance households, promote cross-department information sharing, and improve the efficiency and accuracy of social assistance review and confirmation.

For those already confirmed as persons in extreme poverty, minimum subsistence guarantee households, marginal minimum-subsistence households, or households with rigid expenditure difficulties, the confirmation results shall be shared and mutually recognized, and other social assistance administrative departments may refrain from re-reviewing their household economic status.

Article 43 — After accepting social assistance applications, township people's governments and subdistrict offices may investigate and verify the circumstances of applicant households or individuals through household surveys, neighborhood visits, and documentary evidence by correspondence, and may also request the civil affairs department of the people's government at the county level to verify the income, property, and other status of social assistance applicants.

Applicants and relevant entities and individuals shall cooperate with verification and truthfully provide relevant information.

Article 44 — Township people's governments and subdistrict offices shall, based on the results of investigation and verification, put forward review opinions and submit them to the social assistance administrative departments of the people's government at the county level for a social assistance confirmation decision.

The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government may provide that township people's governments and subdistrict offices make social assistance confirmation decisions.

Article 45 — Where the social assistance administrative departments of the people's government at the county level, or township people's governments or subdistrict offices, decide to grant social assistance, they shall publish the social assistance confirmation decision within the scope of the village, community, and other areas where the applicant household or individual is located in accordance with regulations; where they decide not to grant social assistance, they shall notify the applicant in writing and explain the reasons.

Article 46 — Where the status of family members living together, income, property, and other circumstances of persons who have already received social assistance changes, they shall promptly inform the social assistance administrative departments or township people's governments or subdistrict offices.

The social assistance administrative departments and township people's governments and subdistrict offices shall periodically verify the family members, income, property, and other status of social assistance recipients, or conduct on-site spot checks as needed.

Article 47 — The social assistance administrative departments, or township people's governments or subdistrict offices, may make corresponding decisions to adjust or terminate social assistance in light of changes in the family members, economic status, and other circumstances of social assistance recipients.

Article 48 — Before making a decision to reduce or terminate social assistance, the social assistance administrative departments, or township people's governments or subdistrict offices, shall hear the opinions of the social assistance recipients; after making the decision, they shall notify the social assistance recipients in writing and explain the reasons.

Article 49 — After the occurrence of natural disasters, the people's governments of the affected areas shall promptly provide assistance to persons affected by disasters in accordance with their duties.

Article 50 — For applications for temporary assistance where the situation is urgent, the assistance amount is small, and immediate assistance measures are required, assistance shall be provided first. After the emergency is resolved, the situation shall be supplemented and explained in accordance with regulations.

Article 51 — For patients with acute, critical, severe, or dangerous illnesses and injuries who are provided emergency medical assistance for illness, the medical institutions shall provide emergency treatment. Emergency treatment expenses conforming to the provisions shall be subsidized by the emergency medical assistance fund for illness.

Article 52 — Applications for assistance to vagrants and homeless persons without means of support shall be filed with the relevant assistance administration institutions of the local people's government at or above the county level of the place where the emergency occurred, and may also be filed with the township people's government or subdistrict office of the place where the emergency occurred. The assistance administration institutions shall provide assistance to vagrants and homeless persons without means of support.

Article 53 — The social assistance administrative departments shall, in light of the actual conditions of social assistance work, optimize work procedures in accordance with the law and improve the level of convenience for the people.

Chapter IV — Participation of Social Forces

Article 54 — The state establishes and improves the mechanism for social forces to participate in social assistance, strengthens the effective coordination and synergy between government assistance and participation by social forces, and mobilizes and guides social forces to actively participate in social assistance.

Social forces participating in social assistance enjoy relevant preferential policies in accordance with the law.

Article 55 — Professional social work forces are encouraged to participate in social assistance. Through means such as purchasing services, developing positions, policy guidance, providing workplaces, and establishing grassroots social work stations, social work service institutions and social workers are encouraged to assist social assistance administrative departments in carrying out affairs such as household economic status investigation and assessment, file establishment and visits, and needs analysis, and to provide services such as visits and care, psychological counseling, resource linkage, capacity improvement, and social integration.

Service institutions primarily engaged in social assistance are encouraged to set up professional social work positions.

Article 56 — The social assistance administrative departments and township people's governments and subdistrict offices may implement service matters in social assistance that fall within the scope of government responsibilities and are suitable for provision through market-based means through government purchase of services.

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Article 57 — Citizens, legal persons, and other organizations are encouraged and supported in voluntarily carrying out support activities through means such as donating property, establishing projects, and providing services, and charitable organizations and other social forces are mobilized and guided to increase their support efforts in social assistance.

Article 58 — The development of volunteer services in the field of social assistance shall be promoted, and volunteer service organizations and volunteers shall be supported and guided in carrying out volunteer services, giving full play to the role of volunteer services in gathering social resources and providing assistance and support.

Article 59 — People's governments at or above the county level and their social assistance administrative departments shall establish mechanisms and channels for social forces to participate in social assistance, properly perform in accordance with the law the work of information release, policy consultation, business guidance, project guidance, and volunteer service records or certification, and create conditions and provide convenience for social forces to participate in social assistance.

Chapter V — Supervision and Safeguards of Assistance

Article 60 — People's governments at or above the county level shall open social assistance service hotlines to accept and refer consultations, reports, and complaints, and accept social supervision.

Article 61 — Social assistance staff shall be objective and impartial and perform their duties with due diligence.

People's governments at all levels shall care for grassroots social assistance staff such as social assistance handling personnel and social assistance assistants, and safeguard the needs of their performance of duties.

Article 62 — The state improves the social assistance statistical system in accordance with the law, and realizes accurate, complete, unified collection, and mutual sharing of social assistance information.

For circumstances that can be verified through the mechanism for verifying the economic status of social assistance households, the social assistance administrative departments shall not require social assistance recipients to provide them.

Article 63 — Local people's governments at or above the county level and their social assistance administrative departments shall strengthen the application of information technologies such as the internet in social assistance work, promote the extension of social assistance services to mobile terminals, and provide families and persons in need of assistance with convenient and efficient services such as online application, processing inquiries, and reports and complaints.

Article 64 — People's governments at the county level shall establish a mechanism of "one-window acceptance and coordinated handling" for social assistance. Township people's governments and subdistrict offices shall establish unified windows for accepting social assistance applications and promptly accept and transfer application matters.

Article 65 — In performing social assistance duties, the social assistance administrative departments of people's governments at or above the county level and township people's governments and subdistrict offices may consult and copy materials related to social assistance matters, inquire of entities and individuals related to social assistance matters, and require them to explain relevant circumstances or provide relevant materials. The relevant entities and individuals shall provide cooperation.

Article 66 — The finance departments of people's governments at or above the county level shall supervise in accordance with the law the administration and use of social assistance funds and materials.

The raising, distribution, administration, and use of social assistance funds and materials shall be subject to audit supervision in accordance with the law.

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Article 67 — The people's governments at the county level and their social assistance administrative departments shall promptly publicize social assistance policies, assistance standards, and the administration and use of social assistance funds and materials.

Article 68 — Staff performing social assistance duties shall accept social supervision in the exercise of their powers.

Any entity or individual has the right to report or complain about illegal acts in social assistance work by staff performing social assistance duties. The organs accepting reports and complaints shall promptly verify and handle them in accordance with the law.

Article 69 — People's governments at or above the county level and their social assistance administrative departments shall strengthen supervision and inspection of social assistance work, improve relevant supervision and administration systems, and incorporate the implementation of the social assistance system into performance evaluation.

Chapter VI — Legal Liability

Article 70 — Where, in violation of this Law, any of the following circumstances exists, rectification shall be ordered; the responsible leaders and directly responsible persons who acted intentionally or with gross negligence shall be subject to sanctions in accordance with the law, and where adverse impact or serious consequences are caused, heavier sanctions shall be imposed in accordance with the law:

(1) failing to accept assistance applications that meet the application conditions;

(2) failing to review and confirm applications that meet the assistance conditions;

(3) reviewing and confirming applications that do not meet the assistance conditions;

(4) concealing, destroying, tampering with, or losing through gross negligence data such as records of receiving, issuing, and registering social assistance funds, materials, or services;

(5) failing to issue assistance funds or assistance materials or to provide relevant assistance services in accordance with regulations;

(6) illegally inquiring into personal information unrelated to social assistance applications, or leaking, selling, or illegally providing personal privacy or personal information;

(7) other acts of abusing power, neglecting duties, or practicing favoritism or fraud.

Article 71 — Where, in violation of this Law, social assistance funds or materials are withheld, misappropriated, or privately divided, the relevant departments shall order rectification within a prescribed time limit; the responsible leaders and directly responsible persons shall be subject to sanctions in accordance with the law; where there are illegal gains, the illegal gains shall be confiscated; and the relevant organizations and individuals may be fined not more than twice the amount of the illegal gains.

Article 72 — For entities or personnel that issue false supporting materials, the social assistance administrative departments shall suggest that the relevant entities or their competent authorities at higher levels handle the responsible persons in accordance with the law.

Article 73 — Where social assistance funds, materials, or services are fraudulently obtained by means such as false reporting, concealment, or forgery, the social assistance administrative departments may order the return of the illegally obtained property and benefits and impose a fine of not more than twice the value of the illegally obtained property and benefits; for social assistance recipients, they may decide to reduce or stop social assistance. Where other laws or administrative regulations are violated, the relevant competent departments shall handle the matter in accordance with the law.

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Article 74 — Where a person refuses to perform a decision to reduce or terminate social assistance made by the social assistance administrative departments or by township people's governments or subdistrict offices, or illegally possesses social assistance property and the like, the social assistance administrative departments shall order the return of such property within a prescribed time limit.

Article 75 — Whoever interferes with the conduct of social assistance work or disrupts the order of social assistance work by means such as violence or threats shall be punished in accordance with the law.

Article 76 — Whoever is dissatisfied with an administrative act concerning social assistance made by the social assistance administrative departments or by township people's governments or subdistrict offices may apply for administrative reconsideration or file an administrative lawsuit in accordance with the law.

Article 77 — Whoever violates this Law, where the act constitutes a violation of public security administration, shall be subject to public security administrative penalties in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Chapter VII — Supplementary Provisions

Article 78 — This Law shall take effect on July 1, 2026.

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