

Veterans Protection Law of the PRC

Dan Young Business Consultancy — www.danyoungcpa.com

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

Contents

Table of Contents	1
Chapter I — General Provisions	2
Chapter II — Transfer and Reception of Veterans	2
Chapter III — Resettlement of Veterans	2
Chapter IV — Education and Training of Veterans	3
Chapter V — Employment and Entrepreneurship of Veterans	3
Chapter VI — Pensions and Preferential Treatment of Veterans	3
Chapter VII — Commendation and Incentives for Veterans	4
Chapter VIII — Service Management of Veterans	4
Chapter IX — Legal Liability	4
Chapter X — Supplementary Provisions	4

Adopted at the 24th Session of the Standing Committee of the Thirteenth National People's Congress on November 11, 2020

Effective: January 1, 2021

Table of Contents

- Chapter I — General Provisions
- Chapter II — Transfer and Reception of Veterans
- Chapter III — Resettlement of Veterans
- Chapter IV — Education and Training of Veterans
- Chapter V — Employment and Entrepreneurship of Veterans
- Chapter VI — Pensions and Preferential Treatment of Veterans
- Chapter VII — Commendation and Incentives for Veterans
- Chapter VIII — Service Management of Veterans
- Chapter IX — Legal Liability
- Chapter X — Supplementary Provisions

Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of strengthening the protection of veterans, safeguarding the lawful rights and interests of veterans, ensuring that veterans are adequately provided for and properly placed, and maintaining social stability.

Article 2 — For the purposes of this Law, "veterans" means officers, non-commissioned officers, conscripts, and other personnel who have retired from active service in the Chinese People's Liberation Army in accordance with the law.

Article 3 — Veterans constitute an important human resource for the Party and the State and are a significant force in socialist modernization. The State shall respect and give preferential treatment to veterans, protect their lawful rights and interests, and create a social atmosphere in which veterans are respected and valued throughout society.

Article 4 — The protection of veterans shall adhere to the leadership of the Communist Party of China and serve the needs of economic and social development and national defense and military construction. It shall follow the principles of putting people first, categorized protection, service first, and combination of protection with education and management.

Article 5 — The treatment of veterans shall be linked to their contributions during active service. The State shall establish a system for the linkage of veterans' treatment with the characteristics of military service contributions. Veterans who have made significant contributions during active service shall be entitled to more preferential treatment in accordance with the law.

Article 6 — The veterans' affairs department under the State Council shall be responsible for the protection of veterans nationwide. The veterans' affairs departments of the local people's governments at or above the county level shall be responsible for the protection of veterans within their respective administrative regions. The relevant departments of the central and local state organs at various levels, and military departments at various levels shall, within their respective scopes of duties, do a good job in the protection of veterans.

Article 7 — The State shall establish a funding guarantee system for veterans' protection that is compatible with economic development. The funds required for the protection of veterans shall be borne by the central and local governments and the military, with the central government bearing the principal responsibility.

Chapter II — Transfer and Reception of Veterans

Article 8 — The military units from which veterans retire shall, in accordance with the provisions of the State, promptly transfer the files and materials of veterans to the relevant departments. The veterans' affairs departments and other relevant departments of the local people's governments at or above the county level shall handle the reception procedures for veterans in accordance with the provisions of the State.

Article 9 — After veterans report for duty, the local people's governments at or above the county level shall organize welcome ceremonies and other activities to create a strong atmosphere of respecting and honoring veterans.

Article 10 — The local people's governments at or above the county level shall strengthen the organization and leadership of the transfer and reception of veterans, coordinate relevant departments to complete the transfer and reception work, and ensure the smooth transition of veterans from military to civilian life.

Chapter III — Resettlement of Veterans

Article 11 — The resettlement of veterans shall take into account their contributions during active service, their expertise and specialties, and their individual wishes. The State shall adopt various methods to properly resettle veterans, including arranging jobs for them, supporting their self-employment, and providing other forms of placement.

Article 12 — State organs, people's organizations, enterprises, public institutions, and social organizations shall accept and resettle veterans in accordance with the law. The State shall encourage and guide enterprises, public institutions, social organizations, and individuals to provide support for the employment and entrepreneurship of veterans.

Article 13 — Veterans who have served as officers or non-commissioned officers for a certain period of time or who have made special contributions may be given priority in resettlement in accordance with the provisions of the State. The specific measures shall be formulated by the State Council and the Central Military Commission.

Chapter IV — Education and Training of Veterans

Article 14 — The State shall establish a system for the education and training of veterans, provide pre-service training before their retirement from active service, and organize vocational skills training after retirement, to assist veterans in improving their knowledge and skills for civilian employment.

Article 15 — Veterans' affairs departments shall, in conjunction with education, human resources and social security, and other relevant departments, coordinate and plan for the training of veterans' vocational skills. Higher education institutions, vocational schools, and specialized training institutions shall provide corresponding training for veterans.

Article 16 — When veterans are admitted to higher education institutions, they shall be entitled to preferential treatment in accordance with the provisions of the State. Veterans who have made contributions during active service shall be entitled to additional treatment in accordance with the provisions of the State.

Chapter V — Employment and Entrepreneurship of Veterans

Article 17 — The State shall adopt measures to support the employment and entrepreneurship of veterans. Public employment service institutions shall, free of charge, provide veterans with services such as employment and entrepreneurship policy consultation, career guidance, and job introduction.

Article 18 — When state organs, people's organizations, enterprises, public institutions, and social organizations recruit staff or employees, they shall give appropriate preference to veterans under the same conditions. Veterans who are disabled due to war, duty-related injuries, or illness shall be given priority in enjoying the employment preferential policies prescribed by the State.

Article 19 — The State shall encourage veterans to start their own businesses, and shall provide support in terms of capital, venues, and taxation in accordance with the relevant provisions. Financial institutions shall provide financial services for veterans' entrepreneurship in accordance with the provisions of the State.

Article 20 — Employers recruiting veterans shall, in accordance with the provisions of the State, enjoy preferential policies such as tax reductions and exemptions. The State shall encourage and guide enterprises to actively fulfill their social responsibilities and recruit veterans.

Chapter VI — Pensions and Preferential Treatment of Veterans

Article 21 — Veterans shall be entitled to pension and preferential treatment in accordance with the law. The standards of pension and preferential treatment for veterans shall be reasonably determined based on the level of economic and social development and shall be subject to dynamic adjustment.

Article 22 — Veterans who are disabled due to war, duty-related injuries, or illness shall be issued disability certificates and shall be entitled to disability pensions and related benefits in accordance with the provisions of the State. The State shall provide medical security for disabled veterans.

Article 23 — Veterans and their family members shall be entitled to preferential treatment in areas such as housing, medical care, transportation, and cultural tourism in accordance with the provisions of the State.

Veterans shall be entitled to priority in accessing public services such as old-age care, medical care, housing, and education.

Chapter VII — Commendation and Incentives for Veterans

Article 24 — The State shall establish a system for the commendation and incentives of veterans. Veterans who have made outstanding contributions in the socialist modernization drive shall be commended and rewarded in accordance with the relevant provisions of the State. Advanced models and exemplary deeds of veterans shall be publicized and promoted through various channels.

Article 25 — The local people's governments at various levels shall carry out activities to select and honor exemplary veterans, and publicize their advanced deeds to create a social atmosphere of learning from and respecting veterans.

Chapter VIII — Service Management of Veterans

Article 26 — The State shall strengthen the construction of veterans' service guarantee systems, and establish service centers and service stations for veterans to provide standardized, convenient, and efficient services to veterans. Veterans' service centers and service stations shall provide veterans with services such as policy consultation, visits and condolences, assistance to those in need, and protection of rights and interests.

Article 27 — The State shall encourage and support enterprises, public institutions, social organizations, and individuals to provide support and services for veterans' protection through donations, establishment of foundations, and provision of voluntary services.

Article 28 — Veterans' affairs departments shall strengthen the information management of veterans, establish veterans' files and databases, and provide information support for veterans' services and management.

Chapter IX — Legal Liability

Article 29 — Where any entity or individual, in violation of the provisions of this Law, refuses to accept or resettle veterans, the relevant department shall order it to make corrections within a prescribed time limit; where it refuses to make corrections, sanctions shall be imposed on the directly responsible person in charge and other directly responsible persons in accordance with the law.

Article 30 — Where any functionary of a veterans' affairs department or any other relevant department abuses his or her power, neglects his or her duties, or engages in malpractice for personal gain, sanctions shall be imposed in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Chapter X — Supplementary Provisions

Article 31 — The protection of veterans of the Chinese People's Armed Police Force shall be governed by this Law. The protection of other veterans provided for by relevant laws and regulations shall be governed by such relevant provisions.

Article 32 — This Law shall come into force on January 1, 2021. Where the relevant provisions formulated by the State Council and the Central Military Commission before the implementation of this Law are inconsistent with the provisions of this Law, the provisions of this Law shall prevail.

Disclaimer: This English translation is provided for reference and informational purposes only. While every effort has been made to ensure accuracy, this is not an official translation. In the event of any discrepancy, the original Chinese text shall prevail. Readers should consult qualified legal professionals for advice on specific employment and compliance matters in China. Neither Dan Young Business Consultancy nor the translator assumes any liability for reliance on this translation.