

The National People's Congress of China



*Law of the People's Republic
of China on Penalties for
Administration of Public Security*

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Chapter I General Provisions

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Article 1 This Law is formulated in order to maintain the order of public security, safeguard public safety, protect the lawful rights and interests of citizens, legal persons and other organizations, and regularize and guarantee performance of the duties for administration of public security by public security organs and people's police according to law.

Article 2 A person who disturbs public order, endangers public safety, infringes on the rights of person and property or hampers social administration, which is harmful to the society and which, according to the provisions of the Criminal Law of the People's Republic of China, constitutes a crime, shall be investigated for criminal responsibility according to law; and if such an act is not serious enough for criminal punishment, the public security organ shall impose on him a penalty for administration of public security according to this Law.

Article 3 The provisions of this Law are applicable to the procedure of penalties for administration of public security; and to cases for which no such provisions are stipulated in this Law, the relevant provisions of the Law of the People's Republic of China on Administrative Penalty shall be applicable.

Article 4 This Law shall be applicable to acts committed against the administration of public security within the territory of the People's Republic of China, except where specially provided for by other laws.

This Law shall be applicable to acts against the administration of public security committed aboard ships or aircrafts of the People's Republic of China, except where specially provided for by other laws.

Article 5 A penalty for administration of public security shall be based on facts and fit the nature and circumstances of the act committed against the administration of public security and the extent of harm done to the society.

Penalties for administration of public security shall be imposed openly and impartially, human rights shall be respected and safeguarded, and the dignity of citizens shall be protected.

The principle of combining education with penalty shall be upheld in dealing with cases of public security.

Article 6 People's governments at various levels shall make comprehensive improvement of public security and take effective measures to dissolve social contradictions, enhance social harmony and maintain social stability.

Article 7 The department of public security under the State Council shall be responsible for administration of public security throughout the country. The public security organs of the local people's governments at or above the county level shall be responsible for administration of public security within their respective administrative areas.

Jurisdiction over the cases of public security shall be determined by the department of public security under the State Council.

Article 8 Where an act against the administration of public security causes harm to another person, the person