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Amendment to the Constitution of the People's Republic of China (2018)

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Announcement of the National People's Congress of the People's Republic of China

No.1

The Amendment to the Constitution of the People's Republic of China, as adopted at the First Session of the Thirteenth National People's Congress of the People's Republic of China on March 11, 2018, is hereby issued for implementation.

The Presidium of the First Session of the 13th National People's Congress of the People's Republic of China

Beijing March 11, 2018

Amendment to the Constitution of the People's Republic of China (2018)

(Adopted at the First Session of the 13th National People's Congress on March 11, 2018)

Article 32 "the guidance of Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory and the important thought of Three Represents" in Paragraph 7, the Preamble of the Constitution shall be amended to read as: "the guidance of Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory, the important thought of Three Represents, the Scientific Outlook on Development, and the Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era"; "improve the socialist legal system" shall be amended to read as: "improve the socialist rule of law"; "implement the new development concept" shall be added before "and work hard and self-reliantly"; and "promote the coordinated development of the material, political and spiritual civilizations, to turn China into a socialist country that is prosperous, powerful, democratic and culturally advanced" shall be amended to read as: "promote the coordinated development of the material, political, spiritual, social, and ecological civilizations, to turn China into a great modern socialist country that is prosperous, powerful, democratic, culturally advanced, harmonious, and beautiful and achieve the rejuvenation of the Chinese nation." Accordingly, this paragraph shall be amended to read as: "The victory in China's New-Democratic Revolution and the successes in its socialist cause have been achieved by the Chinese people of all nationalities, under the leadership of the Communist Party of China and the guidance of Marxism-Leninism and Mao Zedong Thought, by upholding truth, correcting errors and surmounting numerous difficulties and hardships. China will be in the primary stage of socialism for a long time to come. The basic task of the nation is to concentrate its effort on socialist modernization along the road

of Chinese-style socialism. Under the leadership of the Communist Party of China and the guidance of Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory, the important thought of Three Represents, the Scientific Outlook on Development, and the Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era, the Chinese people of all nationalities will continue to adhere to the people's democratic dictatorship and the socialist road, persevere in reform and opening to the outside world, steadily improve socialist institutions, develop the socialist market economy, develop socialist democracy, improve the socialist rule of law, implement the new development concept, and work hard and self-reliantly to modernize the country's industry, agriculture, national defense and science and technology step by step and promote the coordinated development of the material, political, spiritual, social, and ecological civilizations, to turn China into a great modern socialist country that is prosperous, powerful, democratic, culturally advanced, harmonious, and beautiful and achieve the rejuvenation of the Chinese nation."

Article 33 "In the long years of revolution and construction" in Paragraph 10, the Preamble of the Constitution shall be amended to read as: "In the long years of revolution, construction and reform"; and "which embraces all socialist working people, all builders of socialism, all patriots who support socialism, and all patriots who stand for the reunification of the motherland" shall be amended to read as: "which embraces all socialist working people, all builders of socialism, all patriots who support socialism, all patriots who stand for the reunification of the motherland, and all patriots devoted to the rejuvenation of the Chinese nation." Accordingly, this paragraph shall be amended to read as: "In building socialism it is essential to rely on workers, peasants and intellectuals and to unite all forces that can be united. In the long years of revolution, construction and reform, there has been formed under the leadership of the Communist Party of China a broad patriotic united front which is composed of the democratic parties and people's organizations and which embraces all socialist working people, all builders of socialism, all patriots who support socialism, all patriots who stand for the reunification of the motherland, and all patriots devoted to the rejuvenation of the Chinese nation. This united front will continue to be consolidated and developed. The Chinese People's Political Consultative Conference, a broadly based representative organization of the united front which has played a significant historical role, will play a still more important role in the country's political and social life, in promoting friendship with other countries and in the struggle for socialist modernization and for the reunification and unity of the country. The system of the multi-party cooperation and political consultation led by the Communist Party of China will exist and develop for a long time to come."

Article 34 "Socialist relations of equality, unity and mutual assistance have been established among the nationalities and will continue to be strengthened." in Paragraph 11, the Preamble of the Constitution shall be amended to read as: "Socialist relations of equality, unity, mutual assistance, and harmony have been established among the nationalities and will continue to be strengthened."

Article 35 "China's achievements in revolution and construction are inseparable from the support of the people of the world" in Paragraph 12, the Preamble of the Constitution shall be amended to read as: "China's achievements in revolution, construction, and reform are inseparable from the support of the people of the world"; "the path of peaceful development, and the reciprocal opening-up strategy" shall be added at the end of "China consistently carries out an independent foreign policy and adheres to the five principles of mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit, and peaceful coexistence;" and "in developing diplomatic relations and economic and cultural exchanges with other countries" shall be amended to read as: "in developing diplomatic relations and economic and cultural exchanges with other countries and prompting the building of a community with a shared future for mankind." Accordingly, this paragraph shall be amended to read as: "China's achievements in revolution, construction, and reform are inseparable from the support of the people of the world. The future of China is closely linked to the future of the world. China consistently carries out an independent foreign policy and adheres to the five principles of mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit, and peaceful coexistence, the path of peaceful development, and the reciprocal opening-up strategy in developing diplomatic relations and economic and cultural exchanges with other countries and prompting the building of a community with a shared future for mankind. China consistently opposes imperialism, hegemonism and colonialism, works to strengthen unity with the people of other countries, supports the oppressed nations and the developing countries in their just struggle to win and preserve national independence and develop their national economies, and strives to safeguard world peace and promote the cause of human progress."

Article 36 Paragraph 2, Article 1 of the Constitution shall be amended by adding "The leadership of the Communist Party of China is the defining feature of socialism with Chinese characteristics." to the end of "The socialist system is the basic system of the People's Republic of China."

Article 37 Paragraph 3, Article 3 of the Constitution: "All administrative, judicial and procuratorial organs of the State are created by the people's congresses to which they are responsible and by which they are supervised." shall be amended to read as: "All administrative, supervisory, judicial and procuratorial organs of the State are created by the people's congresses to which they are responsible and by which they are supervised."

Article 38 Paragraph 1 of Article 4 of the Constitution: "The State protects the lawful rights and interests of the minority nationalities and upholds and develops a relationship of equality, unity and mutual assistance among all of China's nationalities." shall be amended to read as: "The State protects the lawful rights and interests of the minority nationalities and upholds and develops a relationship of equality, unity, mutual assistance, and harmony among all of China's nationalities."

Article 39 "The state promotes civic virtues such as patriotism, love for the people, enjoyment of labor, respect for science, and devotion to socialism." in Paragraph 2 of Article 24 of the Constitution shall be amended to read as "The state advocates socialist core values and promotes civic virtues such as patriotism, love for the people, enjoyment of labor, respect for science, and devotion to socialism." Accordingly, this paragraph shall be amended to read as: "The state advocates socialist core values and promotes civic virtues such as patriotism, love for the people, enjoyment of labor, respect for science, and devotion to socialism. The people are educated in patriotism, collectivism, internationalism, communism, dialectical and historical materialism, and are educated to oppose capitalism, feudalism, and other decadent ideas."

Article 40 One paragraph shall be added to Article 27 of the Constitution as Paragraph 3 which reads as: "All state functionaries shall take a public oath to the Constitution when taking office."

Article 41 Article 62 of the Constitution "The National People's Congress exercises the following functions and powers:" shall be amended by adding one item as Item 7 which reads as: "7. election of minister of the State Committee of Supervisory", and Item 7 to Item 15 shall be correspondingly amended to be Item 8 to Item 16.

Article 42 Article 63 of the Constitution: "The National People's Congress has the power to remove from office the following persons:" shall be amended by adding one item as Item 4 which reads as: "4. minister of the State Committee of Supervisory", and Item 4 and Item 5 shall be correspondingly amended to be Item 5 and Item 6.

Article 43 Paragraph 4 of Article 65 of the Constitution: "No member of the Standing Committee of the National People's Congress shall hold office in any state administrative, judicial, or procuratorial organ." shall be amended to read as: "No member of the Standing Committee of the National People's Congress shall hold office in any state administrative, supervisory, judicial, or procuratorial organ."

Article 44 Item 6: "6. supervision over the affairs of the State Council, the Central Military Commission, the Supreme People's Court, and the Supreme People's Procuratorate" in Article 67 of the Constitution: "The Standing Committee of the National People's Congress exercises the following functions and powers" shall be amended to read as: "supervision over the affairs of the State Council, the Central Military Commission, the State Committee of Supervisory, the Supreme People's Court, and the Supreme People's Procuratorate". One item shall be added as Item 11 which reads as: "appointment or removal, at the recommendation of the minister of the State Committee of Supervisory, of a vice minister or a member of the State Committee of Supervisory", and Item 11 to 21 shall be correspondingly amended to be Item 12 to Item 22.

Paragraph 1 of Article 70 of the Constitution: "The National People's Congress establishes a Minority Affairs Committee, a Law Committee, an Economics and Finance Committee, an Education, Science, Culture and Public Health Committee, a Foreign Affairs Committee, an Overseas Chinese Committee and other special committees as necessary." shall be amended to read as: "The National People's Congress establishes a Minority Affairs Committee, a Constitution and Law Committee, an Economics and Finance Committee, an Education, Science, Culture and Public Health Committee, a Foreign Affairs Committee, an Overseas Chinese Committee and other special committees as necessary."

Article 45 Paragraph 3 of Article 79 of the Constitution: "The terms of office for the President and Vice-President of the People's Republic of China are the same as those of deputies to the National People's Congress; presidents and vice-presidents shall serve no more than two consecutive terms." shall be amended to read as: "The terms of office for the President and Vice-President of the People's Republic of China are the same as those of deputies to the National People's Congress."

Article 46 Item 6 "6. direction and administration of economic affairs and urban and rural construction" in Article 89 of the Constitution: "The State Council exercises the following functions and powers" shall be amended to read as: "6. direction and administration of economic affairs, urban and rural construction and ecological civilization construction"; Item 8: "8. direction and administration of civil affairs, public security, judicial administration, supervision and other related matters" shall be amended to read as: "8. direction and administration of civil affairs, public security, judicial administration, and other related matters".

Article 47 One paragraph shall be added to Article 100 of the Constitution as Paragraph 2 which reads as: "The people's congresses and standing committees of cities divided into districts may draft local regulations, provided these regulations do not contravene the Constitution, laws, administrative regulations, and local regulations of the corresponding provinces or autonomous regions, and that such local regulations are filed with the standing committees of the people's congresses of the corresponding provinces or autonomous regions."

Article 48 Paragraph 2 of Article 101 of the Constitution: "Local people's congresses at or above the county level elect and have the power to recall presidents of the people's courts and chief procurators of the people's procuratorates at the corresponding level." shall be amended to read as: "Local people's congresses at or above the county level elect and have the power to recall ministers of the supervisory committee, presidents of the people's courts and chief procurators of the people's procuratorates at the corresponding level."

Article 49 Paragraph 3 of Article 103 of the Constitution: "No member of the standing committee of a local people's congress at or above the county level shall hold concurrent office in any state administrative, judicial, or procuratorial organ." shall be amended to read as: "No member of the standing committee of a local people's congress at or above the county level shall hold concurrent office in any state administrative, supervisory, judicial, or procuratorial organ."

Article 50 "supervises the tasks of the people's government, the people's court, and the people's procuratorate at the corresponding level" in Article 104 of the Constitution shall be amended to read as: "supervises the tasks of the people's government, the supervisory committee, the people's court, and the people's procuratorate at the corresponding level". This article shall be correspondingly amended to read as: "The standing committee of a local people's congress at or above the county level discusses and makes decisions regarding major issues of various kinds within its jurisdiction; supervises the tasks of the people's government, the supervisory committee, the people's court, and the people's procuratorate at the corresponding level; rescinds improper decisions or orders made by the people's government at the corresponding level; rescinds improper resolutions made by the people's congress at the next lower level; decides on the appointment or removal of state officials within its jurisdiction as prescribed by law; and, when the people's congress at the same level is not in session, recalls or elects individual deputies to the people's congress at the next higher level."

Article 51 Paragraph 1 of Article 107 of the Constitution: "Within the range of their authority as prescribed by law, local people's governments at or above the county level carry out administrative tasks related to the economy, education, science, culture, public health, physical culture, urban and rural development, finance, civic affairs, law enforcement, minority affairs, administration of justice, supervision, and family planning in their respective jurisdictions, as well as issue decisions and orders and carry out the appointment, training, appraisal, commendation, sanction, and removal of administrative officials." shall be amended to read as: "Within the range of their authority as prescribed by law, local people's governments at or above the county level carry out administrative tasks related to the economy, education, science, culture, public health, physical culture, urban and rural development, finance, civic affairs, law enforcement, minority affairs, administration of justice, and family planning in their respective jurisdictions, as well as issue decisions and orders and carry out the appointment, training, appraisal, commendation, sanction, and removal of administrative officials."

Article 52 One section shall be added to Chapter III of the Constitution "The Organization of the State" as Section 7 which reads as "The Supervisory Committees"; and five articles shall be added as Article 123 to Article 127 which read as:

Section 7 The Supervisory Committees

Article 123 The supervisory committees at all levels of the People's Republic of China are supervisory organs of the state.

Article 124 The People's Republic of China establishes a State Committee of Supervisory and local supervisory committees at all levels.

A supervisory committee is composed as follows:

The minister,

Several vice ministers,

Several members.

The term of office of the minister of a supervisory committee is the same as those of the deputies to the people's congress at the same level. The Minister of the State Committee of Supervisory shall serve no more than two consecutive terms.

The organization and functions and powers of a supervisory committee are dictated by law.

Article 125 The State Committee of Supervisory of the People's Republic of China is the highest supervisory organ.

The State Committee of Supervisory directs the work of local supervisory committees at all levels. Higher level supervisory committees direct the work of lower level supervisory committees.

Article 126 The State Committee of Supervisory is responsible to the National People's Congress and the Standing Committee of the National People's Congress. Local supervisory committees at all levels are responsible to the state authorities which formed them as well as to higher level supervisory committees.

Article 127 Supervisory committees exercise judicial authority independently, in accordance with the law, and are not subject to interference from any administrative institution, public organization, or individual.

When handling cases of illegal or criminal acts by taking advantage of duty, supervisory organs shall cooperate with judicial, procuratorial, and law enforcement organs and keep tabs on each other.

Section 7 shall be amended to be Section 8 accordingly, and Article 123 to Article 138 shall be amended to be Article 128 to Article 143 accordingly.

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