Legislation

THE CRIMINAL LAW OF THE PEOPLE’S REPUBLIC OF CHINA*

Adopted on 1 July 1979 at the second session
of the Fifth National People’s Congress

PART I. GENERAL PROVISIONS

Chapter I. Guiding Ideology, Task, and Scope of Application

Chapter II. Offenses

Section One. Offenses and Penal Responsibility
Section Two. Preparation to Commit an Offense, Attempted Offense, and Incomplete Offense
Section Three. Joint Offense

Chapter III. Punishments

Section One. Types of Punishments
Section Two. Surveillance
Section Three. Detention
Section Four. Fixed-term Imprisonment and Life Imprisonment
Section Five. Death Penalty
Section Six. Fines
Section Seven. Deprivation of Political Rights
Section Eight. Confiscation of Property

Chapter IV. The Concrete Application of Punishments

Section One. The Meting Out of Punishment
Section Two. Repeat Offenders
Section Three. Voluntary Surrender
Section Four. Combined Punishment for Several Offenses
Section Five. Suspension of Punishment
Section Six. Commutation
Section Seven. Parole
Section Eight. Prescription

Chapter V. Other Provisions


© Sijthoff & Noordhoff, Alphen aan den Rijn, The Netherlands
7 Rev. Soc. Law 1981 No. 2, pp. 199-222
0165-0300/81/02/0199-24$00.20/0
PART II. SPECIFIC PROVISIONS

Chapter I. Counterrevolution

Chapter II. Acts Against Public Security

Chapter III. Acts Against the Socialist Economic Order

Chapter IV. Acts Against the Personal and Democratic Rights of Citizens

Chapter V. Encroachment on Property

Chapter VI. Acts Against the Social Order

Chapter VII. Acts Against Marriage and the Family

Chapter VIII. Derelection of Official Duty
PART I. GENERAL PROVISIONS

Chapter I. Guiding Ideology, Task, and Scope of Application

Article 1. The criminal law of the People's Republic of China takes Marxism-Leninism-Mao Zedong thought as its guide and the Constitution as its basis, and adheres to the policy of combining punishment with leniency. It is drawn up in the light of the actual situation and concrete experience gained by the people of all nationalities in our country in exercising the people's democratic dictatorship, that is, proletarian dictatorship led by the proletariat and based on the alliance of workers and peasants, and in carrying out revolution and socialist construction.

Article 2. The task of the criminal law of the People's Republic of China is to use punishment to combat all counterrevolutionary crimes and acts of criminal offenses, defend the dictatorship of the proletariat, and protect socialist property of the whole people, property collectively owned by the workers, and legitimate private property of citizens. This law is used to protect the personal rights, democratic rights, and other rights of citizens, to maintain public order and order in production, work, teaching, scientific-research, and the life of the people, and to insure the smooth progress of the socialist revolution and socialist construction.

Article 3. The present law shall be applicable to all offenses committed by any person within the Chinese territory, unless it is otherwise specified by law.

The present law shall be also applicable to offenses committed by any person aboard Chinese ships or airplanes.

When any part of an offense or its outcome takes place within Chinese territory, it shall be considered an offense committed within Chinese territory.

Article 4. The present law shall be applicable to the following offenses committed by Chinese citizens abroad:
1) Counterrevolutionary offenses;
2) Counterfeiting of national currency (Article 122) or valuable securities (Article 123);
3) Embezzlement (Article 155), taking bribes (Article 185), or betrayal of state secrets (Article 186); and
4) Posing as a state functionary to swindle and bluff (Article 166) or forging documents, credentials, or seals (Article 167).

Article 5. A Chinese citizen who has committed an offense abroad not specified in the preceding article shall be liable under the present law if the minimum penalty for such an offense is not less than three years imprisonment according to Chinese law, unless the act is not punishable by law in the foreign state where the offense was committed.

Article 6. A foreigner who has committed an offense against China or against a Chinese outside the country can also be held liable under the present law if the minimum penalty for the offense is not less than three years imprisonment according to Chinese law, unless the act is not punishable by law in the foreign state where the offense was committed.

Article 7. An offense committed outside the country which involves criminal liability under the present law is chargeable even if it has been tried in a foreign state. However, punishment may be remitted or mitigated if the offender has already been punished in a foreign country.
Article 8. Criminal liability for foreigners who enjoy diplomatic privileges and immunity shall be resolved through diplomatic channels.

Article 9. The present law will become effective on 1 January 1980. Acts committed after the founding of the People's Republic of China and before the present law comes into effect, which were not considered as offenses under the law, decrees, and policies then in force, shall be dealt with according to the law, decrees, and policies then in force. Those which were considered offenses under the law, decrees, and policies then in force and which are punishable according to Section Eight of Chapter IV under the General Provisions of the present law, shall be prosecuted according to the law, decrees, and policies then in force. However, the present law shall apply if an act is not considered an offense, or if a lighter sentence is imposed under the present law.

Chapter II. Offenses

Section One. Offenses and Penal Responsibility

Article 10. Any action which endangers state sovereignty and territorial integrity, jeopardizes the dictatorship of the proletariat, sabotages socialist revolution and socialist construction, disrupts public order, encroaches upon the property of the whole people, the collective property of workers or legitimate private property of citizens, infringes upon the personal rights, democratic rights, and other rights of citizens, or any other action which endangers society and is punishable according to law is an offense. However, if the act is obviously a minor one and if its harm is negligible, it shall not be considered an offense.

Article 11. A person who does an act knowing that it will result in harm to society and still wishes or lets the consequence happen is guilty of an intentional offense.

An intentional offense is punishable.

Article 12. A person who should have forseen that his action will endanger society but has failed to do so due to negligence, or has forseen the danger but lightly believed it could be avoided is guilty of negligence if harm has resulted.

Negligence is punishable only when the law so prescribes.

Article 13. An action which objectively results in harm due to irresistible or unforeseeable factors rather than due to one's intention or negligence is not deemed an offense.

Article 14. Offenders above 16 years of age are punishable by law.

Offenders between 14 and 16 years of age are liable only when they have committed homicide, mayhem, robbery, arson, repeated theft, or other grave offenses which disrupt public order.

Offenders between 14 and 18 years of age shall receive a lighter or mitigated penalty.

Offending minors under 16 years of age who are not punished shall be placed in the charge of their parents or guardians for disciplining. If necessary, they may be taken into custody by the government for reeducation.

Article 15. Mental patients cannot be held criminally accountable for the harm their actions have caused during the time when they cannot understand or control their actions. However, their family members or guardians shall be instructed to keep close watch over them and give them treatment.
Patients of intermittent insanity shall be held criminally accountable for offenses they commit during lucidity.

An offense committed while the offender is in a state of drunkenness is punishable.

**Article 16.** A deaf-mute or blind person who commits an offense may receive a lighter or mitigated penalty or be exempted from penalty.

**Article 17.** Rightful defense taken to protect the public interest, the defendant’s or other people’s personal and other interests from being infringed upon by illegal action is not punishable.

When a person exceeds the limits of necessity in taking rightful defense and causes unnecessary harm, he shall be held legally responsible for his act. However, the penalty may be mitigated or exempted according to the situation.

**Article 18.** A person who has no alternative but to seek emergency measures to protect the public interest, his own, or other people’s personal and other interests from an existing threat is not punishable.

When a person exceeds the limit of necessity in seeking emergency measures and causes unnecessary harm, he shall be held legally responsible for his acts. However, the penalty may be mitigated or exempted according to the situation.

The provision in the first paragraph on protecting oneself from threats is not applicable to a person who is charged with special responsibility in his duty and work.

*Section Two. Preparation to Commit an Offense, Attempted Offense, and Incomplete Offense*

**Article 19.** The preparation to commit an offense is an act of preparing the instruments or conditions for committing an offense.

Punishment for a would-be offender may be lighter than that for an accomplished offender and may be mitigated or exempted.

**Article 20.** An attempted offense means one that the offender has already begun to commit, but has not carried out due to external factors independent of his will.

Punishment for an attempted offender may be lighter than that for an accomplished offender and may be mitigated.

**Article 21.** An incomplete offense involves the offender’s voluntary act of aborting a crime or his voluntary and effective act of preventing the conclusion of an offense.

Punishment may be exempted or mitigated for such an offender.

*Section Three. Joint Offense*

**Article 22.** A joint offense means one committed intentionally and jointly by two or more persons.

A negligent act committed by two or more persons is not deemed a joint offense. If criminal responsibility is involved, the offenders shall be punished separately according to the offense each has committed.

**Article 23.** A person who organizes and leads a criminal clique to commit crimes or plays a principal role in a joint offense is a principal offender.

A principal offender shall be given a heavy penalty unless it is otherwise prescribed in the specific provisions of the present law.

**Article 24.** A person who plays a secondary or auxiliary role in a joint offense is an accessory offender.
Punishment for an accessory offender shall be lighter than that for a principal offender and may be mitigated or exempted.

Article 25. Punishment for a person who is forced or cajoled into committing an offense shall be mitigated or exempted as circumstances dictate, in accordance with the degree of punishment imposed upon an accessory offender.

Article 26. A person who instigates others to commit offenses shall be punished according to the role he plays in the joint offense. A person who instigates a person under 18 years of age to commit an offense shall receive a heavy penalty.

If the instigated person has not actually committed the offense, the instigator may be given a lighter or mitigated penalty.

Chapter III. Punishments

Section One. Type of Punishments

Article 27. Punishments are divided into major and supplementary categories.

Article 28. Major punishments are as follows:
1) Surveillance;
2) Detention;
3) Fixed-term imprisonment;
4) Life imprisonment; and
5) Death penalty.

Article 29. Supplementary punishments are as follows:
1) Fines;
2) Deprivation of political rights; and
3) Confiscation of property.

In certain cases, supplementary punishment may be independently imposed.

Article 30. Deportation may be imposed as an exclusive or supplementary penalty on a foreigner who has committed an offense.

Article 31. Apart from penal sanctions according to law, an offender guilty of an offense resulting in financial losses to a victim shall also be sentenced to make reparations according to the circumstances of the case.

Article 32. A person who commits a minor offense that requires no punishment may be exempted from penal sanctions. However, the offender may be reprimanded or ordered to file a written pledge to mend his ways, to apologize and pay compensation, or may be given a discretionary administrative sanction by the appropriate government department.

Section Two. Surveillance

Article 33. The period of surveillance shall be not less than three months and not more than two years.

Surveillance must be ordered by a people's court and implemented by the public security organs.

Article 34. During the period of enforcement, offenders sentenced to surveillance must observe the following rules:
1) Observe laws and decrees, submit to supervision by the masses, and ac-
tively take part in collective labor, production, and work;
2) Regularly report their activities to the organ in charge of their surveillance; and
3) Report changes of address and travel to the organ in charge of their surveillance.

Offenders sentenced to surveillance shall receive equal pay for equal work.

**Article 35.** When the surveillance period is over, the organ in charge shall immediately announce the lifting of surveillance to the offender and to the masses concerned.

**Article 36.** The period of surveillance is calculated from the date of execution of the sentence. Each day in custody prior to the execution of the sentence is considered as two days on the term of sentence.

**Section Three. Detention**

**Article 37.** The period of detention shall be not less than fifteen days and not more than six months.

**Article 38.** Sentences for offenders sentenced to detention shall be carried out by nearby public security organs.

During the period of enforcement, the offenders sentenced to detention may go home one to two days every month. Those who take part in labor during detention may be given pay for their work as is considered fit.

**Article 39.** The period of detention is effective from the date of execution of the sentence. Each day in custody prior to the execution of the sentence is considered as one day on the term of sentence.

**Section Four. Fixed-Term Imprisonment and Life Imprisonment**

**Article 40.** The period of fixed-term imprisonment shall be not less than six months and not more than fifteen years.

**Article 41.** Sentences for offenders sentenced to fixed-term imprisonment are carried out in prisons or other correction-through-labor centers; those able to work must undergo correction through labor.

**Article 42.** The period of fixed-imprisonment shall be calculated from the date of execution of the sentence. Each day in custody prior to the execution of the sentence shall be considered as one day of imprisonment.

**Section Five. Death Penalty**

**Article 43.** The death penalty shall be imposed only for the most heinous offenses. In the case of an offender who should be given the death penalty, if immediate execution of the death penalty is not mandatory, a two-year reprieve may be pronounced simultaneously with the death sentence. In such a case, correction through labor shall be carried out to see if the offender shows evidence of repentance.

All death sentences shall be submitted to the Supreme People's Court for approval, except those handed down by the Supreme People's Court itself. The death penalty with a year reprieve may be pronounced or approved by the Supreme People's Court.
Article 44. The death penalty is not applicable to people under the age of 18 at the time of the commission of the crime or to women pregnant at the time of trial. A person between 16 and 18 years of age who has committed a particularly serious offense may be sentenced to death with a two-year reprieve.

Article 45. Execution of the death penalty shall be carried out by a firing squad.

Article 46. If an offender shows evidence of repentance during the period of reprieve, his punishment will be commuted to life imprisonment at the end of the two-year period. If he shows definite signs of repentance and performs meritorious services, his sentence will be commuted to a fixed-term imprisonment of from fifteen to twenty years at the end of the two-year period. If he seriously resists correction and evidence of this is verified, the death penalty shall be carried out with the ruling or approval of the Supreme People's Court.

Article 47. The period of reprieve of the death penalty is calculated from the date when the sentence has become final. The period of commutation of the death penalty to a fixed-term imprisonment is calculated from the date of the ruling.

Section Six. Fines

Article 48. The amount of a fine shall be determined according to the circumstances of the offense.

Article 49. A fine imposed must be paid in full or in installments within a period specified in the sentence. If a fine is not paid after the period is over, payment will be levied compulsorily. In case of difficulties caused by force majeure, the amount may be reduced or remitted after taking the circumstances into consideration.

Section Seven. Deprivation of Political Rights

Article 50. Deprivation of political rights means the deprivation of the following rights:
1) The right to vote in an election and to stand for election;
2) The rights provided for in Article 45 of the Constitution;
3) The right to hold a position in state organs; and
4) The right to hold a leading position in any enterprise, business unit, or people's organization.

Article 51. Unless otherwise provided for in Article 53 of the present law, the period of deprivation of political rights shall be not less than one year and not more than five years.

If a person sentenced to surveillance is additionally deprived of political rights, the period of his deprivation of political rights shall be equal to the period of surveillance and the two shall be carried out concurrently.

Article 52. Counterrevolutionaries shall be additionally deprived of political rights. If necessary, offenders who seriously disrupt social order may also be additionally deprived of their political rights.

Article 53. Offenders sentenced to death or to life imprisonment shall also be deprived of their political rights for life.

When a death penalty is commuted after the period of reprieve to a fixed-term imprisonment, or when life imprisonment is commuted to a fixed-term imprison-
ment, the period of additional deprivation of political rights shall be changed to not less than three and not more than ten years.

**Article 54.** The sentence of additional deprivation of political rights shall be calculated from the date the term of imprisonment or detention is served or from the date of parole. Deprivation of political rights, of course, applies to the period during which the principal sentence is being served.

*Section Eight. Confiscation of Property*

**Article 55.** Confiscation of property means the confiscation of part or all of the property of an offender.

When ordering confiscation of property, the property belonging to the family members of the offender or that to which they are entitled must not be confiscated.

**Article 56.** The legitimate debts of the offender incurred before confiscation have to be repaid out of the confiscated property and must be settled through the application of creditors and on the ruling of a people’s court.

*Chapter IV. The Concrete Application of Punishments*

*Section One. The Meting Out of Punishment*

**Article 57.** Punishment for the offender shall be determined by the facts, the nature and circumstances of the offense and the degree of its harm to society, and according to the relevant provisions of the present law.

**Article 58.** When an offender is in circumstances calling for imposition of a light or heavy sentence as prescribed by the present law, the penalty shall be imposed within the limits set by law.

**Article 59.** When an offender is in circumstances calling for reduction of punishment, the penalty shall be imposed below that prescribed for the offense.

If an offender’s case does not fall under the circumstances stipulated by the present law for reducing penalties and the lightest legal sentence is still too heavy, based on the concrete condition of the case, then a punishment below the minimum penalty set by law may be imposed with the approval of the judicial committee of a people’s court.

**Article 60.** The offender shall restore or make reparation for all property illegally obtained. Contraband and property belonging to the offender and used in the offense shall be confiscated.

*Section Two. Repeat Offenders*

**Article 61.** If an offender sentenced to imprisonment or to graver punishment commits an offense punishable by imprisonment or by a graver punishment within three years of serving the sentence for the former offense or receiving his pardon, he is a repeat offender and must be heavily punished. However, this does not apply to an offense committed because of negligence.

For an offender on parole, the above period shall be calculated from the date when his parole probationary period expires.

**Article 62.** Counterrevolutionaries who have served their sentences or been
granted pardons shall be dealt with as repeat offenders any time they commit other counterrevolutionary offenses.

Section Three. Voluntary Surrender

Article 63. Offenders who voluntarily surrender shall be dealt with leniently. Those guilty of light offenses shall be given reduced punishment or be exempted from punishment. Those guilty of more serious offenses may also be given reduced punishment or be exempted from punishment if they have shown evidence of meritorious service.

Section Four. Combined Punishment for Several Offenses

Article 64. With the exception of the death penalty and life imprisonment, the combined sentence for an offender who has committed several offenses before the sentence is pronounced shall be governed by the circumstances of the cases but shall be shorter than the total length of the terms for all his offenses and longer than the longest period allowable for any of the offenses he has committed. However, surveillance shall not be for more than three years at the maximum, detention shall not exceed one year at the maximum, and fixed-term imprisonment shall not exceed twenty years at the maximum.

However, if an additional punishment is pronounced for any of the offenses, it must still be carried out.

Article 65. If an offender is discovered to have committed other unpunished offenses after sentence is pronounced but before punishment has been completed, a sentence on the newly-discovered offense shall be handed down, and a decision made on the actual term the offender is to serve for both offenses according to Article 64 of the present law, taking into account the term he has already served.

Article 66. If a convicted offender commits another offense after sentence has been pronounced but before punishment has been completed, a sentence on the new offense shall be handed down, and a decision made according to Article 64 of the present law on the punishment the offender is to receive based on the punishment imposed for the new offense and the portion of unserved sentence for the former offense.

Section Five. Suspension of Punishment

Article 67. Suspension of punishment may be declared for offenders sentenced to detention or to imprisonment of less than three years. The circumstances of the offense and the repentance displayed must be taken into consideration. Offenders must be deemed suitable for probation and definitely unlikely to imperil society again.

If an offender who has been given suspended punishment has been sentenced to supplementary punishment, such punishment must still be carried out.

Article 68. The suspension period for detention shall be not less than the original sentence but must be more than one month and cannot exceed one year.

The suspension period for fixed-term imprisonment shall be not less than the original sentence but must be more than one year and cannot exceed five years.

The suspension period is calculated from the time the sentence has become final.
**Article 69.** Suspension of punishment cannot be applied to counterrevolutionaries and repeat offenders.

**Article 70.** Offenders granted suspended punishment shall be sent to a local unit or grassroots organization by a public security organ for supervision. If he commits no new offense during the suspension period, his sentence will be cancelled. If he commits a new offense, the suspension will be cancelled and punishment shall be imposed for both offenses in accordance with the provisions of Article 64 of the present law.

**Section Six. Commutation**

**Article 71.** If an offender serving a sentence of surveillance, detention, fixed-term imprisonment, or life imprisonment shows evidence of repentance or displays meritorious services, his sentence may be commuted. However, the actual prison term served after one or several commutations cannot be less than half the original sentence for cases of surveillance, detention, or fixed-term imprisonment. In the case of life imprisonment, it cannot be less than ten years.

**Article 72.** If a life imprisonment term is commuted to a fixed-term one, it shall be calculated from the date of the pronouncement of commutation.

**Section Seven. Parole**

**Article 73.** An offender sentenced to fixed-term imprisonment after serving more than half his sentence or one sentenced to life-imprisonment after serving more than ten years may be granted a parole if he definitely shows evidence of repentance and no longer imperils society. In the case of unique circumstances, the above requirements may be waived with regard to the minimum length of term the offender must have served.

**Article 74.** The probational period of parole for fixed-term imprisonment shall be the unserved term of the sentence. The probational parole period for life imprisonment shall be ten years. The probational parole period shall be calculated from the date of parole.

**Article 75.** The offender under parole must submit to the supervision of a public security organ during the probational parole period. If he does not commit any new offense, he will be considered as having fully served his original sentence. If he commits a new offense, his parole will be cancelled and the punishment to be imposed shall be determined in accordance with the provisions of Article 64 of the present law and by taking into account the balance of sentence for the original offense and the sentence for the new offense.

**Section Eight. Prescription**

**Article 76.** The period of limitation for prosecution of offenses is as follows:

1) For offenses having a maximum penalty prescribed by law of less than five years, the period of limitation is five years;
2) For offenses having a maximum penalty prescribed by law of more than five years but less than ten years, the period of limitation is ten years;
3) For offenses having a maximum penalty prescribed by law of more than ten years, the period of limitation is fifteen years; and
4) For offenses having a maximum penalty prescribed by law of life imprison-
ment or the death penalty, the period of limitation is twenty years. If it is deemed necessary to prosecute after twenty years, approval must be obtained from the Supreme People's Procuracy.

Article 77. Offenders who escape detection or trial after the adoption of compulsory measures by a people's court, a people's procuracy, or a public security organ are not covered by the period of limitation.

Article 78. The period of limitation for prosecution is calculated from the date of the offense. For an offense that is continuous or continuing, the calculation is based on the date of termination of the offense.

If another offense is committed during the period of limitation for prosecution, the period of limitation for prosecution of the former offense is calculated from the date the latter offense was committed.

Chapter V. Other Provisions

Article 79. Those who commit offenses not explicitly defined in the specific provisions of the present law may be convicted and sentenced according to the most approximate article in the present law. However, approval must be obtained from the Supreme People's Court.

Article 80. The provisions of the present law may not be entirely suitable for areas of autonomous nationalities. Organs of state power of autonomous regions and provinces may formulate and make appropriate and supplementary changes based on the political, economic, and cultural characteristics of the local nationalities and the basic principles defined by the present law and submit them for approval to the National People's Congress Standing Committee.

Article 81. Public property as stated in the present law refers to the following property:

1) Property owned by the whole people; and
2) Property owned collectively by the working people.

Private property managed and used by the state, people's communes, cooperatives, joint venture enterprises, and people's organizations, or in transportation, is considered public property.

Article 82. Legitimate private property of citizens as stated in the present law refers to the following:

1) The legitimate income, savings, houses, and other means of livelihood of the citizens; and
2) Private plots of land, livestock, and trees belonging to the individual and his family as material of production according to law.

Article 83. State functionaries as stated in the present law refers to personnel of all state organs, enterprises, and business units, and to others engaged in public affairs according to law.

Article 84. Judicial worker as stated in the present law refers to personnel engaged in the work of investigation and interrogation, prosecution, trial, surveillance, and custody of offenders.

Article 85. Serious injuries as stated in the present law refers to the following:

1) Injuries resulting in the loss of limb or in disfigurement;
2) Injuries resulting in the loss of hearing or sight, or the function of any other organ; and
3) Injuries that can cause grave harm to the physical health of the people.
Article 86. Major culprit as stated in the present law means an offender who plays the role of organizing, planning, or directing a criminal group or criminal assembly.

Article 87. When the present law states that certain cases cannot be dealt with unless there is a complaint, it means a complaint lodged by the victim. If the victim is unable to lodge a complaint because of coercion or intimidation, then the people’s procuracy or any close relative of the victim may also lodge a complaint on his behalf.

Article 88. The expressions “more than”, “less than”, and “within” as used in the present law are inclusive of the number they qualify.

Article 89. The general provisions of the present law are applicable to other laws and decrees containing penal provisions unless specifically excluded by such laws and decrees.

PART TWO. SPECIFIC PROVISIONS

Chapter I. Counterrevolution

Article 90. All acts for the purpose of overthrowing the political power of the dictatorship of the proletariat and the socialist system or imperiling the People’s Republic of China are counterrevolutionary offenses.

Article 91. Offenders colluding with foreign countries and conspiring to jeopardize the sovereignty, territorial integrity, and security of the motherland shall be sentenced to life imprisonment or to imprisonment of not less than ten years.

Article 92. Those plotting to overthrow the government and split the country shall be sentenced to life imprisonment or to imprisonment of not less than ten years.

Article 93. Those instigating, seducing, or bribing any state functionary or any member of the armed forces, the people’s police, or the militia to defect, turn traitor, or rebel shall be sentenced to life imprisonment or to imprisonment of not less than ten years.

Article 94. Those defecting and turning traitor shall be sentenced to imprisonment of not less than three and not more than ten years. Those guilty of serious cases of defecting and turning traitor or who lead their men to defect to the enemy and turn traitor shall be sentenced to imprisonment of not less ten years or to life imprisonment.

Those who lead armed forces, people’s police, or people’s militia to defect to the enemy and turn traitor shall be sentenced to imprisonment of not less than ten years or to life imprisonment.

Article 95. Major culprits of armed rebellious assemblies or of other serious offenses shall be sentenced to life imprisonment or to imprisonment of not less than ten years. Those taking an active part shall be sentenced to imprisonment of not less than three and not more than ten years.

Article 96. Major culprits inciting a mob to storm prisons and release prisoners or organizing jailbreaks, or other serious offenders shall be sentenced to imprisonment of not less than ten years or to life imprisonment. Those taking an active part shall be sentenced to imprisonment of not less than three and not more than ten years.
Article 97. Those committing any of the following acts of espionage or supporting the enemy shall be sentenced to imprisonment of not less than ten years or to life imprisonment; in less serious cases, they shall be sentenced to imprisonment of not less than three and not more than ten years:

1) Stealing or spying for, or supplying information to the enemy;
2) Supplying arms or other military materials to the enemy; and
3) Joining a secret service or espionage organization or carrying out orders from the enemy.

Article 98. Those organizing or leading a counterrevolutionary group shall be sentenced to imprisonment of not less than five years. Others taking an active part shall be sentenced to imprisonment of not more than five years, to detention, surveillance, or to deprivation of political rights.

Article 99. Those organizing and utilizing feudal superstitious beliefs, secret societies, or sects to carry out counterrevolutionary activities shall be sentenced to imprisonment of not less than five years. In less serious cases, they shall be sentenced to imprisonment of not more than five years, to detention, surveillance, or to deprivation of political rights.

Article 100. Any of the following destructive acts for counterrevolutionary purposes shall be punishable by life imprisonment or by imprisonment of not less than ten years; in less serious cases, offenders shall be sentenced to imprisonment of not less than three and not more than ten years:

1) Destruction or damage to any military installation, production facility, telecommunications and transportation installation, building project and safety installation, or other public building and property through explosion, arson, deliberate inundation, or by other methods;
2) Seizing by force of any state document, military material, factory or mining enterprise, bank, department store, warehouse, or other public building or property;
3) Highjacking of any ship, aircraft, train, streetcar, motorcar;
4) Directing the enemy to a bombing or shelling target; and
5) Making, robbing, or stealing any gun or ammunition.

Article 101. The use of poison, bacteria, and other methods to kill and injure people for counterrevolutionary purposes shall be punishable by life imprisonment or by imprisonment of not less than ten years. Less serious cases shall be punished by fixed-term imprisonment of not less than three and not more than ten years.

Article 102. Any of the following acts carried out for counterrevolutionary purposes shall be punishable by imprisonment of not more than five years, by detention, surveillance, or by deprivation of political rights; major culprits and other offenders whose culpability is serious shall be sentenced to imprisonment of not less than five years:

1) Inciting the masses to disobey and disrupt the enforcement of laws and decrees of the state; and
2) Using counterrevolutionary slogans, leaflets, or other means to spread propaganda inciting the overthrow of the political power of the dictatorship of the proletariat and the socialist system.

Article 103. With the exception of Articles 98, 99, and 102, criminals committing counterrevolutionary offenses listed in this chapter that are of a particularly heinous nature causing grave harm to the people and the state can be punished by the death penalty.

Article 104. Confiscation of property may be concurrently imposed on offenders found guilty of the offenses listed in this chapter.
Chapter II. Offenses Against Public Security

Article 105. Any act of arson, dam sabotage, or using of explosives or other dangerous methods to destroy a factory, mine, oilfield, port, river, water source, warehouse, dwelling house, forest, farm, barn, farm livestock, important pipeline, public building, or other public or private property endangering public security but not yet resulting in serious consequences shall be punishable by imprisonment of not less than three and not more than ten years.

Article 106. Any act of arson, dam sabotage, or using of explosives or poison, or other dangerous methods resulting in serious injury or death or causing great loss to public or private property shall be punishable by imprisonment of not less than ten years, by life imprisonment, or by the death penalty.

Commission of an offense listed in the preceding paragraph through negligence shall be punishable by imprisonment of not more than seven years or by detention.

Article 107. Any act of sabotage to a train, motorcar, tram, streetcar, ship, or airplane causing overturning or destruction but not yet resulting in a serious mishap shall be punishable by imprisonment of not less three and not more than ten years.

Article 108. Any act of sabotage to railroad track, a bridge, tunnel, highway, airfield, navigation passage, lighthouse or marker, or any sabotage activity sufficient to cause the overturning or destruction of any train, motorcar, streetcar, aircraft, or ship but not yet resulting in a serious accident shall be punishable by imprisonment of not less than three and not more than ten years.

Article 109. Any act of sabotage to electric power, gas, or other inflammable and explosive installations endangering public security but not yet resulting in a serious accident shall be punishable by imprisonment of not less than three and not more than ten years.

Article 110. Any act of sabotage to means of transportation, transportation installations, electric power and gas installations, or flammable and explosive installations resulting in a serious accident shall be punishable by imprisonment of not less than ten years, by life imprisonment, or by the death penalty.

Commission of an offense listed in the preceding paragraph through negligence shall be punishable by imprisonment of not more than seven years or by detention.

Article 111. Any act of sabotage to a broadcast station, telegram, telephone, or other telecommunications installation endangering public security shall be punishable by imprisonment of not more than seven years. Serious cases shall be punishable by imprisonment of not less than seven years.

Commission of an offense listed in the preceding paragraph through negligence shall be punishable by imprisonment of not more than seven years or by detention.

Article 112. The illegal making, trading, and transporting of arms and ammunition or the theft or seizing by force of arms and ammunition from state organs, police, or military personnel shall be punishable by imprisonment of not more than seven years. In a serious case, the offense shall be punishable by imprisonment of not less than seven years or by life imprisonment.

Article 113. Communications and transportation personnel who violate rules and regulations thereby causing serious accidents that result in serious injury or death or serious losses to public or private property shall be sentenced to imprisonment of not more than three years. In extremely grave cases, the offend-
ers shall be sentenced to imprisonment of not less than three and not more than seven years.

Noncommunications and nontransportation personnel who commit the above offenses shall be punished according to the above provision.

Article 114. Personnel in factories, mines, forestry centers, construction or other enterprises, and business units who disobey orders and break rules or who arbitrarily order workers to engage in hazardous work against rules, thereby causing serious injury or death or other grave consequences, shall be sentenced to imprisonment of not more than three years or to detention. In extremely grave cases, they shall be sentenced to imprisonment of not less than three and not more than seven years.

Article 115. Those who violate regulations on the control of explosives, flammables, radioactive materials, poisons, and corrosive goods causing serious accidents during their production, storage, transportation, or use, and resulting in grave consequences shall be sentenced to imprisonment of not more than three years or to detention. In a particularly serious case, the offender shall be sentenced to imprisonment of not less than three and not more than seven years.

Chapter III. Offenses Against the Socialist Economic Order

Article 116. Apart from confiscation of the smuggled goods and the imposition of a fine according to customs laws, serious cases of smuggling and violations of customs laws shall be punishable by imprisonment or not more than three years or by detention; confiscation of property may be concurrently imposed.

Article 117. Anyone who violates financial, foreign exchange, gold and silver or commerce and industry control laws, or who practices speculation and manipulation shall in a serious case be sentenced to imprisonment of not more than three years or to detention; fines or the confiscation of property may be concurrently or exclusively imposed.

Article 118. Those who make a regular business of smuggling, speculating, and profiteering, who engage in smuggling, speculating, and profiteering in a big way, or who are ringleaders in smuggling, speculating, and profiteering groups shall be sentenced to imprisonment of not less than three and not more than ten years; confiscation of property may be concurrently imposed.

Article 119. State functionaries who take advantage of their position to engage in smuggling, speculating, and profiteering shall be severely punished.

Article 120. Serious cases of forging and reselling of planned supply coupons for profit shall be punishable by imprisonment of not more than three years or by detention; fines or the confiscation of property may be concurrently or exclusively imposed.

Ringleaders in the above offense and those whose cases are particularly serious shall be sentenced to imprisonment of not less than three and not more than seven years; confiscation of property may be concurrently imposed.

Article 121. Anyone who violates tax laws, evades taxes, or refuses to pay taxes to a serious extent shall be forced to pay overdue taxes and a fine according to tax law; the persons directly responsible shall be sentenced to imprisonment of not more than three years or to detention.

Article 122. Anyone who forges state currency or who transports and sells counterfeit currency shall be sentenced to imprisonment of not less than three
and not more than seven years. The offender may concurrently be sentenced to pay fines or may have his property confiscated.

Ringleaders who commit the above offense and those whose cases are particularly serious shall be sentenced to imprisonment of not less than seven years or to life imprisonment; confiscation of property may be concurrently imposed.

**Article 123.** Anyone who forges checks, stocks, or other valuable securities shall be sentenced to imprisonment of not more than seven years and can concurrently be sentenced to pay fines.

**Article 124.** Anyone who forges train tickets, postage stamps, duty stamps, or commodity tickets for profit shall be sentenced to imprisonment of not more than two years, to detention, or to pay fines. In a serious case, he shall be sentenced to imprisonment of not less than two and not more than seven years; a fine may be concurrently imposed.

**Article 125.** Anyone who wrecks machinery or equipment, injures draft animals, or disrupts collective production by other methods out of spite, revenge, or other personal motives shall be sentenced to imprisonment of not more than two years or to detention. In a serious case, a sentence of imprisonment of not less than two and not more than seven years shall be imposed.

**Article 126.** Personnel directly responsible for serious cases of misappropriation of state funds and materials earmarked for the relief of disasters, emergency work, flood prevention, or for disabled servicemen and family members of revolutionary martyrs and servicemen, causing serious harm to the interests of the state and the people shall be sentenced to imprisonment of not more than three years or to detention. In particularly serious cases, they shall be sentenced to imprisonment of not less than three and not more than seven years.

**Article 127.** In the case of violations of trademark control laws and of commercial enterprises imitating the registered trademarks of other enterprises, the personnel directly responsible shall be sentenced to imprisonment of not more than three years, to detention, or to pay fines.

**Article 128.** Those guilty of seriously violating the forest protection laws or of illegally cutting and denuding forests or other trees shall be sentenced to imprisonment of not more than three years or to detention, and can concurrently or exclusively be sentenced to pay fines.

**Article 129.** Those guilty of seriously violating the aquatic product and resources protection laws or of using forbidden tools and methods to catch aquatic products in restricted areas during the off-limit season shall be sentenced to imprisonment of not more than two years, to detention, or to pay fines.

**Article 130.** Those guilty of seriously violating the hunting laws, using forbidden tools or methods to hunt, hunting in restricted areas or during the off-limit season, or of destroying rare species or other wild resources shall be sentenced to imprisonment or not more than two years, to detention, or to pay fines.

---

**Chapter IV. Acts Against the Personal and Democratic Rights of Citizens**

**Article 131.** The law protects a citizen's personal and democratic rights and other rights against unlawful infringement by any person or organization. Those who are directly responsible for serious cases of unlawful infringement shall be subject to criminal sanction.

**Article 132.** Anyone who commits intentional homicide shall be sentenced to
death, life imprisonment, or to imprisonment for not less than ten years. In a minor case, the offender shall be sentenced to imprisonment for not less than three and not more than ten years.

**Article 133.** Anyone who is guilty of manslaughter through negligence shall be sentenced to imprisonment for not more than five years. In an extremely grave case, the offender shall be sentenced to imprisonment for not less than five years. Where the present law provides otherwise, such provisions shall be followed.

**Article 134.** Anyone who intentionally inflicts injury upon another person shall be sentenced to detention or to imprisonment for not more than three years.

Whoever commits the aforesaid offense and causes severe injury to another person shall be sentenced to imprisonment for not less than three and not more than seven years; if death results, the offender shall be sentenced to life imprisonment or to imprisonment for not less than seven years. Where the present law provides otherwise, such provisions shall be followed.

**Article 135.** Anyone who through negligence causes severe injury to another person shall be sentenced to detention or to imprisonment for not more than two years. In an extremely grave case, the offender shall be sentenced to imprisonment for not less than two and not more than seven years. Where the present law provides otherwise, such provisions shall be followed.

**Article 136.** It is strictly forbidden to extort confession by torture. A state functionary who extorts confession by torture shall be sentenced to imprisonment for not more than three years or to detention. If corporal punishment is used with the result that the victim is disabled, the offender shall be charged with inflicting injury and shall be severely punished.

**Article 137.** It is strictly forbidden to gather a crowd for “beating, smashing, and looting”. Whoever gathers a crowd for “beating, smashing and looting” shall be charged with injury or murder if the victim is disabled or killed. In case public or private property is damaged or stolen, the major culprit shall be charged with robbery and ordered to return what he has unlawfully taken or to pay compensation for it.

Whoever commits the aforesaid offense may be exclusively deprived of political rights.

**Article 138.** It is strictly forbidden to bring false charges against the cadres or masses by any means whatsoever. Whoever brings false charge against another person (including a convict in prison) shall be punished according to the nature and seriousness, of the case, the possible consequence for the victim, and the criteria for meting out sentence as prescribed by the present law. A state functionary who is guilty of bringing a false charge against another person shall be severely punished.

The aforesaid is not applicable to accusations made by mistake or unfounded prosecution, or to cases where wrongful intention is wanting.

**Article 139.** Anyone who commits rape by force, threats, or by other means shall be sentenced to imprisonment of not less than three and not more than ten years.

Anyone who seduces a female minor under 14 years of age shall be charged with rape and severely punished.

In a particularly serious case or where the victim is seriously wounded or killed, a person who commits either one of the aforesaid offenses shall be sentenced to death, life imprisonment, or to imprisonment for not less than ten years.
Two or more persons who commit rape and violate the same victim in turn shall be severely punished.

**Article 140.** Anyone who forces a female to engage in prostitution shall be sentenced to imprisonment for not less than three and not more than ten years.

**Article 141.** Anyone who engages in abduction for purposes of trafficking in human beings shall be sentenced to imprisonment for not more than five years. In a grave case, the offender shall be sentenced to imprisonment for not less than five years.

**Article 142.** Anyone who violates the stipulations laid down in the electoral law, sabotages elections by force, threats, deception, or bribery, or who obstructs the free exercise of a citizen's right of election or to stand for election shall be sentenced to imprisonment for not more than three years or to detention.

**Article 143.** It is strictly forbidden to unlawfully incarcerate a person or to unlawfully deprive him of personal freedom by other means. Anyone who violates this shall be sentenced to imprisonment for not more than three years, to detention, or to deprivation of political rights. If beatings or insults are involved, the offender shall be severely punished.

Whoever commits the aforesaid offense and causes severe injury to another person shall be sentenced to imprisonment for not less than three and not more than ten years; if he causes death to another person, he shall be sentenced to imprisonment for not more than three years or to detention.

**Article 144.** Anyone who unlawfully puts another person under surveillance or who conducts an unlawful search of his person or living quarters or unlawfully enters another person's living quarters shall be sentenced to imprisonment for not more than three years or to detention.

**Article 145.** In a serious case, anyone who publicly insults another person by force or other means, including the use of "big-character posters" or "small-character posters", or who fabricates facts to libel him shall be sentenced to imprisonment for not more than three years, to detention, or to deprivation of political rights.

Unless public order and state interests are seriously jeopardized, the aforesaid offense will not be dealt with unless a complaint has been filed.

**Article 146.** A state functionary who abuses his power, indulges in jobbery, or vindictively makes false charges against people who have filed lawsuits, appealed, or made criticism shall be sentenced to imprisonment for not more than two years. In a serious case, the offender shall be sentenced to imprisonment for not less than two and not more than seven years.

**Article 147.** A state functionary who unlawfully deprives others of their legitimate freedom of religious belief or who violates the customs and habits of minority nationalities to a serious extent shall be sentenced to imprisonment for not more than two years or to detention.

**Article 148.** Any witness, expert witness, recorder, or interpreter who intentionally gives false testimony or makes a false report, appraisal, recording, or interpretation on major links of a case in the course of investigation and trial to frame another person or to conceal evidence shall be sentenced to imprisonment for not more than two years or to detention. In a serious case, the offender shall be sentenced to imprisonment for not less than two and not more than seven years.

**Article 149.** Anyone who conceals, destroys, or unlawfully opens other
people's letters or seriously infringes upon a citizen's freedom and right of correspondence shall, in a serious case, be sentenced to imprisonment for not more than one year or to detention.

Chapter V. Encroachment on Property

Article 150. Anyone who steals public or private property by force, threats, or by other means shall be sentenced to imprisonment for not less than three and not more than ten years.

In a serious case or where serious injury or death has resulted, anyone who commits the aforesaid offense shall be sentenced to imprisonment for not less ten years, to life imprisonment, or to death. Confiscation of property may be concurrently imposed.

Article 151. Anyone who takes away a relatively large amount of public or private property by stealing, swindling, or seizing by force shall be sentenced to imprisonment for not more than five years, to detention, or to surveillance.

Article 152. A habitual thief or swindler or anyone who takes away a huge amount of public or private property by stealing, swindling, or plundering shall be sentenced to imprisonment for not less than five and not more than ten years. In a particularly serious case, the offender shall be sentenced to imprisonment for not less than ten years or to life imprisonment; confiscation of property may be concurrently imposed.

Article 153. Anyone who is guilty of larceny, swindling, or plundering and who resorts to violence or threatens to use violence on the very spot to hide the booty, resist arrest, or destroy evidence shall be charged with robbery and punished according to Article 150 of the present law.

Article 154. Anyone who extorts public or private property shall be sentenced to imprisonment for not more than three years or to detention. In a serious case, the offender shall be sentenced to imprisonment for not less than three and not more than seven years.

Article 155. A state functionary who takes advantage of his position and power to embezzle public property shall be sentenced to imprisonment for not more than five years or to detention. In a serious case where the amount involved is huge, the offender shall be sentenced to imprisonment for not less five years. In a particularly serious case, the offender shall be sentenced to life imprisonment or death.

Anyone who is guilty of the aforesaid offense shall concurrently have his property confiscated or be ordered to return what he has unlawfully taken or to pay compensation for it.

Personnel entrusted by state organs, enterprises, business units, or mass organizations to perform public duties who commit an offense stipulated in the first paragraph above shall be punished according to the first two paragraphs.

Article 156. In a serious case, anyone who intentionally destroys public or private property shall be sentenced to imprisonment for not more than three years, to detention, or to pay fines.
Chapter VI. Acts Against the Social Order

Article 157. Anyone who obstructs a state functionary from performing his duties according to law by means of force or threats or who refuses to carry out court decisions or rulings which have already become legally effective shall be sentenced to imprisonment for not more than three years, to detention, to pay a fine, or to deprivation of political rights.

Article 158. It is forbidden to disrupt order by any means whatsoever. If public order is seriously disrupted to the extent that there is no way to carry out work, production, business, teaching, or research, and the state and society sustain serious losses, the major culprits shall be sentenced to imprisonment for not more than five years, to detention, surveillance, or to deprivation of political rights.

Article 159. In a serious case, the major culprits responsible for assembling a crowd to disturb order in public places such as stations, wharfs, civil airports, stores, parks, cinemas, theatres, exhibition halls and sports grounds, assembling a crowd to block traffic order or putting up resistance or obstructing public security personnel from performing their duties shall be sentenced to imprisonment for not more than five years, to detention, surveillance, or to deprivation of political rights.

Article 160. In a vile case, anyone who incites group fighting, creates disturbances, subjects women to indignities, or carries out other gangster activities to disrupt public order shall be sentenced to imprisonment for not more than seven years, to detention, or to surveillance.

The ringleader of a gangster group shall be sentenced to imprisonment for not less than seven years, to detention, or to surveillance.

Article 161. An escaped criminal who had been arrested or put into prison shall not only be given punishment for his original crime or made to serve the balance of the original sentence, but shall be sentenced to detention or to imprisonment for not more than five years.

Anyone who commits the aforesaid offense by force or threats shall be sentenced to imprisonment for not less than two and not more than seven years.

Article 162. Anyone who gives shelter or false testimony to harbor counter-revolutionaries shall be sentenced to imprisonment for not more than three years, to detention, or to surveillance. In a serious case, the offender shall be sentenced to imprisonment for not less than three and not more than ten years.

Anyone who gives shelter or false testimony to harbor other criminals shall be sentenced to imprisonment for not more than two years, to detention, or to surveillance. In a serious case, the offender shall be sentenced to imprisonment for not less than two and not more than seven years.

People who plot together before committing either one of the aforesaid offenses shall be charged as joint offenders.

Article 163. Anyone who secretly keeps firearms or ammunition and who refuses to hand them over in violation of firearms and ammunition control regulations shall be sentenced to imprisonment for not more than two years or to detention.

Article 164. Anyone who manufactures or sells bogus drugs that harm the people's health for the purpose of seeking profits shall be sentenced to imprisonment for not more than two years, to detention, or to surveillance; a fine may be imposed concurrently or exclusively. If there are serious consequences, the of-
fender shall be sentenced to imprisonment for not less two and not more than seven years; a fine may be imposed concurrently.

Article 165. Those who practice witchcraft for the purpose of spreading rumors or swindling people out of money and property shall be sentenced to imprisonment for not more than two years, to detention, or to surveillance. In a serious case, the offender shall be sentenced to imprisonment for not less than two and not more than seven years.

Article 166. Anyone who passes himself off as a state functionary to bluff and deceive shall be sentenced to imprisonment for not more than three years, to detention, surveillance, or to deprivation of political rights. In a serious case, the offender shall be sentenced to imprisonment for not less than three and not more than ten years.

Article 167. Anyone who forges, alters, steals, seizes by force, or destroys the documents, credentials, or seals of state organs, enterprises, business units, or mass organizations shall be sentenced to imprisonment for not more than three years, to detention, surveillance, or to deprivation of political rights. In a serious case, the offender shall be sentenced to imprisonment for not less than three and not more than ten years.

Article 168. Anyone who organizes group gambling or who takes gambling as a profession for the purpose of seeking profits shall be sentenced to imprisonment for not more than three years, to detention, or to surveillance; a fine may be imposed concurrently.

Article 169. Anyone who lures or houses a female and makes her engage in prostitution for the purpose of seeking profits shall be sentenced to imprisonment for not more than five years, to detention, or to surveillance. In a serious case, the offender shall be sentenced to imprisonment for not less than five years; a fine may be imposed or property confiscated concurrently.

Article 170. Anyone who manufactures or sells obscene publications or pictures for the purpose of seeking profits shall be sentenced to imprisonment for not more than three years, to detention, or to surveillance; a fine may be imposed concurrently.

Article 171. Anyone who manufactures, sells, or ships opium, heroin, morphine, or other narcotic drugs shall be sentenced to imprisonment for not more than five years or to detention; a fine may be imposed concurrently.

Anyone who manufactures, sells, or ships the narcotic drugs mentioned in the above paragraph regularly or in large quantities shall be sentenced to imprisonment for not less than five years; a fine may be imposed concurrently or exclusively.

Article 172. Anyone who hides or sells stolen goods on somebody's behalf with the knowledge that they are obtained by criminal means shall be sentenced to imprisonment for not more than three years, to detention, or to surveillance; a fine may be imposed concurrently or exclusively.

Article 173. Anyone who steals and exports precious cultural relics in violation of relics protection laws shall be sentenced to imprisonment for not less than three and not more than ten years; a fine may be imposed concurrently. In a serious case, the offender may be sentenced to life imprisonment or to imprisonment for not less than ten years; confiscation of property may be imposed concurrently.

Article 174. Anyone who intentionally damages valuable cultural relics or places of historic interest and scenic beauty protected by the state shall be
Article 175. Anyone who intentionally destroys boundary tablets, boundary markers, or permanent survey marks along the state boundary shall be sentenced to imprisonment for not more than seven years or to detention. Anyone who commits the above offense for the purpose of treason shall be charged as a counterrevolutionary.

Article 176. In a serious case, anyone who illegally crosses the national boundary (frontier) in violation of border control laws shall be sentenced to imprisonment for not more than one year, to detention, or to surveillance.

Article 177. Anyone who illegally organizes or transports another person across the national boundary (frontier) for the purpose of seeking profits shall be sentenced to imprisonment for not more than five years, to detention, or to surveillance; a fine may be imposed concurrently.

Article 178. Anyone who, in violation of state boundary sanitation and anti-epidemic regulations, causes the spread of epidemic diseases under quarantine or commits an act which seriously threatens to cause the spread of epidemic diseases under quarantine shall be sentenced to imprisonment for not more than three years or to detention; a fine may be imposed concurrently or exclusively.

Chapter VII. Acts Against Marriage and the Family

Article 179. Anyone who interferes with another person’s freedom of marriage by force shall be sentenced to imprisonment for not more than two years or to detention. Anyone who commits the aforesaid offense and who causes death to the victim shall be sentenced to imprisonment for not less than two and not more than seven years.

The offense in the first paragraph above will not be dealt with unless a complaint has been filed.

Article 180. Anyone who commits bigamy or knowingly marries another person who has a spouse shall be sentenced to imprisonment for not more than two years or to detention.

Article 181. Anyone who cohabits with or knowingly marries the spouse of a serviceman on active duty shall be sentenced to imprisonment for not more than three years.

Article 182. In a vile case, anyone who maltreats another member of his family shall be sentenced to imprisonment for not more than two years, to detention, or to surveillance.

Any who commits the aforesaid offense and causes severe injury or death to the victim shall be sentenced to imprisonment for not less than two and not more than seven years.

The offense in the first paragraph above will not be dealt with unless a complaint has been filed.

Article 183. In a vile case, anyone who is duty bound to provide for the old, the young, the sick, or for other persons who do not have the ability to live independently and yet refuses to discharge his duty shall be sentenced to imprisonment for not more than five years, to detention, or to surveillance.

Article 184. Anyone who abducts male or female minors under the age of 14 and takes them away from their family or guardian shall be sentenced to imprisonment for not more than five years or to detention.
Chapter VIII. Dereliction of Official Duty

Article 185. Any state functionary who exploits his office and takes bribes shall be sentenced to imprisonment for not more than five years or to detention. Money or goods received as bribes shall be confiscated and public funds or property that have been misappropriated, recovered.

Anyone who commits the aforesaid offense which results in serious losses to the state or the people shall be sentenced to imprisonment for not less than five years.

Anyone who offers a bribe to a state functionary or acts as a go-between in bribery cases shall be sentenced to imprisonment for not more than three years or to detention.

Article 186. In a serious case, any state functionary who divulges important state secrets in violation of state security regulations shall be sentenced to imprisonment for not more than seven years, to detention, or to deprivation of political rights.

If the offender is not a state functionary, he shall be punished according to the seriousness of the case in line with the above paragraph.

Article 187. Any state functionary who causes heavy losses to public property, the state, or to the people due to dereliction of duty shall be sentenced to imprisonment for not more than five years or to detention.

Article 188. Any judicial worker who practices favoritism or irregularities, knowingly prosecutes an innocent person, deliberately shields a guilty person and saves him from prosecution, or who deliberately stands truth on its head and makes judicial decisions in violation of the law shall be sentenced to imprisonment for not more than five years, to detention, or to deprivation of political rights. In a particularly serious case, the offender shall be sentenced to imprisonment for not less than five years.

Article 189. In a serious case, any judicial worker who maltreats or gives corporal punishment to a person under surveillance or in custody in violation of relevant laws shall be sentenced to imprisonment for not more than three years or to detention. In a particularly serious case, the offender shall be sentenced to imprisonment for not less than three and not more than ten years.

Article 190. Any judicial worker who releases a convict without permission shall be sentenced to imprisonment or to detention; in a serious case, he shall be sentenced to imprisonment for not less than five and not more than ten years.

Article 191. Any postal or telecommunications worker who opens, hides, or destroys letters, postal dispatches, or telegrams without permission shall be sentenced to imprisonment for not more than two years or to detention.

Anyone who commits the aforesaid offense for the purpose of stealing shall be charged with embezzlement and heavily punished in accordance with Article 155.

Article 192. In a minor case, a state functionary who commits an offense listed in this chapter may be given a discretionary administrative sanction by the appropriate government department.