

Counterterrorism Law of the People's Republic of China (2018 Amendment)

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(Promulgated by Order No. 36 of the President of the People's Republic of China on December 27, 2015, and amended according to the Decision of the Standing Committee of the National People's Congress to Amend Six Laws Including the Frontier Health and Quarantine Law of the People's Republic of China, by Order No. 6 of the President of the People's Republic of China on April 27, 2018)

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Chapter I General Provisions

Article 1 For purposes of preventing and punishing terrorist activities, improving counterterrorism work, and safeguarding national security, public security and the security of people's lives and property, this Law is developed in accordance with [the Constitution](#).

Article 2 The state shall combat all forms of terrorism, legally ban terrorist organizations, and in accordance with the law, investigate the legal liability of anyone who organizes, plans, prepares for, or conducts any terrorist activity, advocates terrorism, instigates any terrorist activity, organizes, leads or participates in any terrorist organization, or provides assistance to any terrorist activity. The state shall not make concession to any terrorist organization or individual, or offer asylum or give refugee status to any terrorist.

Article 3 For the purpose of this Law, "terrorism" means any proposition or activity that, by means

of violence, sabotage or threat, generates social panic, undermines public security, infringes upon personal and property rights, or menaces state authorities and international organizations, with the aim to realize political, ideological and other purposes.

For the purpose of this Law, “terrorist activities” means the following conduct of the terrorist nature:

- (1) Organizing, planning, preparing for, or conducting the activities which cause or attempt to cause casualties, grave property loss, damage to public facilities, disruption of social order and other serious social harm.
- (2) Advocating terrorism, instigating terrorist activities, or illegally holding articles advocating terrorism, or forcing other persons to wear costume or symbols advocating terrorism in public places.
- (3) Organizing, leading or participating in terrorist organizations.
- (4) Providing information, funds, materials, labor services, technologies, places and other support, assistance and convenience to terrorist organizations, terrorists, the implementation of terrorist activities or training on terrorist activities.
- (5) Other terrorist activities.

For the purpose of this Law, “terrorist organizations” means criminal organizations formed by three or more persons for the purpose of conducting terrorist activities.

For the purpose of this Law, “terrorists” means the individuals who conduct terrorist activities and members of terrorist organizations.

For the purpose of this Law, “terrorist incidents” means terrorist activities that are occurring or have occurred, which cause or may cause serious social harm.

Article 4 The state shall include counterterrorism in the national security strategy, comprehensively implement policies, address both the symptoms and root causes, strengthen the construction of counterterrorism capability, and use political, economic, legal, cultural, educational, diplomatic, military, and other means to conduct counterterrorism work.

The state shall combat all forms of extremism, such as the incitement to hatred and discrimination and agitation for violence by distorting religious doctrine or other methods, so as to eliminate the ideological basis of terrorism.

Article 5 Counterterrorism work shall be conducted under the principles of combining specialized tasks with reliance on the masses, giving priority to prevention, integrating punishment and prevention, anticipating the enemy and maintaining activeness.

Article 6 Counterterrorism work shall be conducted in accordance with the law by respecting and safeguarding human rights and protecting the lawful rights and interests of citizens and organizations.

In counterterrorism work, citizens' freedom in religious belief and ethnic customs shall be respected, and any discriminatory deeds based on regions, ethnic groups, religions and other causes shall be prohibited.

Article 7 The state shall establish a counterterrorism leading body to uniformly lead and command the national counterterrorism work.

Local people's governments at or above the level of a districted city shall establish counterterrorism leading bodies, people's governments at the county level shall establish counterterrorism leading bodies as required, and be responsible for counterterrorism work in their respective regions under the leadership and command of counterterrorism leading bodies at higher levels.

Article 8 Public security authorities, national security authorities, people's procuratorates, people's courts, judicial administrative authorities, and other relevant state authorities shall, according to their division of work, implement the work responsibility system, and effectively conduct counterterrorism work in accordance with the law.

The Chinese People's Liberation Army, the Chinese people's armed police force and militia organizations shall prevent and punish terrorist activities in accordance with this Law and other relevant laws, administrative regulations, military regulations and orders of the State Council and the Central Military Commission, and according to the arrangements of counterterrorism leading bodies.

The relevant departments shall establish the joint cooperation mechanism, and rely on and mobilize villagers' committees, neighborhood committees, enterprises and public institutions, and social organizations to jointly conduct counterterrorism work.

Article 9 All entities and individuals have the obligation to assist and cooperate with the relevant departments in counterterrorism work, and shall report any suspected terrorist activity, or suspect of terrorist activities discovered to the public security authority or the relevant department in a timely manner.

Article 10 The entities and individuals that have made prominent contributions to the reporting of terrorist activities or assistance to the prevention of terrorist activities, and entities and individuals that have made other prominent contributions in counterterrorism work shall be commended and re

warded according to the relevant provisions of the state.

Article 11 The People's Republic of China shall exercise criminal jurisdiction over terrorist crimes committed against the nation, citizens or institutions of the People's Republic of China outside the territory of the People's Republic of China, or terrorist crimes constituted under international treaties that the People's Republic of China has concluded or acceded to, and investigate criminal liabilities in accordance with the law.

Chapter II Determination of Terrorist Organizations and Individuals

Article 12 The national counterterrorism leading body shall, in accordance with the provision of Article 3 of this Law, determine terrorist organizations and individuals, and the announcement thereon shall be made by the working body of the national counterterrorism leading body.

Article 13 The public security department, national security department and foreign affairs department of the State Council and provincial counterterrorism leading bodies shall file applications with the national counterterrorism leading body for the determination of terrorist organizations and individuals if required.

Article 14 Financial institutions and specific non-financial institutions shall immediately freeze the funds or other assets of terrorist organizations and individuals announced by the working body of the national counterterrorism leading body, and according to the relevant provisions, report to the public security department, national security department and anti-money laundering administrative department of the State Council in a timely manner.

Article 15 A determined terrorist organization or individual that has any objection to the determination may file an application for review with the working body of the national counterterrorism leading body. The national counterterrorism leading body shall conduct review in a timely manner, and make a decision to maintain or revoke the determination. The review decision shall be final. Where the national counterterrorism leading body makes a decision to revoke the determination, the working body of the national counterterrorism leading body shall make an announcement; and the funds and assets that have been frozen shall be unfrozen.

Article 16 In accordance with the provisions of the [Criminal Procedure Law](#), the competent people's courts at or above the intermediate level may legally determine terrorist organizations and individuals in the course of trying criminal cases. If the working body of the national counterterrorism leading body needs to make an announcement after a judgment comes into force, the relevant provisions of this Chapter shall apply.

Chapter III Security Protection

Article 17 People's governments at all levels and the relevant departments shall organize counterterrorism publicity and education, and enhance the counterterrorism awareness of citizens. Education and human resource administrative departments, schools and the relevant vocational training institutions shall include the knowledge about the prevention of and response to terrorist activities in the education, teaching and training content. Press, broadcasting, television, culture, religion, Internet and other relevant entities shall conduct pertinent counterterrorism publicity and education in the society. Villagers' committees and neighborhood committees shall assist people's governments and the relevant departments in strengthening counterterrorism publicity and education.

Article 18 Telecommunications business operators and Internet service providers shall provide technical interface, decryption and other technical support and assistance for the prevention and investigation of terrorist activities conducted by public security authorities and national security authorities in accordance with the law.

Article 19 Telecommunications business operators and Internet service providers shall, in accordance with the provisions of laws and administrative regulations, put into practice network security and information content supervision rules, and technical measures for security protection, so as to avoid the dissemination of information with any terrorist or extremist content. If they discover any information with terrorist or extremist content, they shall cease the transmission immediately, preserve relevant records, delete relevant information, and report to public security authorities or the relevant departments. Network communications, telecommunications, public security, national security and other competent departments shall, according to the division of their powers and duties, order in a timely manner the relevant entities to cease the transmission of and delete the relevant information with any terrorist or extremist content, or close the relevant websites and terminate the provision of the relev

ant services. Relevant entities shall immediately enforce such orders and preserve the relevant records, and assist in investigation. Competent telecommunications departments shall take technical measures to block the dissemination of information with any terrorist or extremist content available on the international Internet.

Article 20 Entities providing cargo transport by railway, highway, waterway or air, postal entities, express delivery entities, and other logistics operation entities shall implement security check rules, check clients' identities, and conduct security check or visual check of the transported and delivered articles as required. The articles prohibited from transport and delivery, articles with serious potential safety hazards or articles for which clients refuse to accept security check shall not be transported or delivered.

“Logistics operation entities” as mentioned in the preceding paragraph shall implement rules on the registration of information on identities of clients who transport and deliver articles and information on articles.

Article 21 Telecommunications, Internet, finance, accommodation, long-distance passenger transport, motor vehicle lease and other business operators and service providers shall check clients' identities. They shall not provide services to any client whose identity is not clear or who refuses to accept identity check.

Article 22 Production and import entities shall, according to the relevant provisions, produce electronic track labels on guns and other weapons, ammunition, controlled instruments, hazardous chemicals, civil explosives and nuclear and radioactive articles, and add security check track labels to civil explosives.

Transport entities shall, according to the relevant provisions, monitor the transport vehicles of hazardous chemicals, civil explosives and nuclear and radioactive articles in operation through the positioning system.

The relevant entities shall conduct strict supervision and administration of infectious pathogens and other substances according to the relevant provisions, and strictly prevent the spread or flow into illegal channels of infectious pathogens and other substances.

The relevant department of the State Council or provincial people's governments may, as required, decide to regulate the production, import and export, transport, sale, use and scrapping of controlled instruments, hazardous chemicals and civil explosives in specific regions at specific time, and may prohibit trading of the aforesaid articles with cash and physical goods, or otherwise restrict trade

ng activities.

Article 23 Where any gun or any other weapon, ammunition, hazardous chemicals, civil explosives, nuclear and radioactive articles, or infectious pathogens or any other articles are stolen or robbed, lost or otherwise disappeared, the entity where the case occurs shall immediately take necessary control measures, and immediately report to the public security authority, and at the same time, report to the relevant department as required. The public security authority shall conduct investigation in a timely manner after receiving the report. The relevant department shall assist in the work of the public security authority.

No entity or individual shall illegally manufacture, produce, store, transport, import or export, sell, provide, purchase, use, possess, scrap or destroy any articles as set forth in the preceding paragraph. If discovered by a public security authority, the articles shall be detained; if discovered by any other competent department, the articles shall be detained and the public security authority shall be immediately notified, and if discovered by any other entity or individual, a report shall be immediately made to the public security authority.

Article 24 The anti-money laundering department of the State Council and the relevant departments and bodies of the State Council shall, in accordance with the law, conduct supervision and administration of the performance of the obligation to combat terrorist financing by financial institutions and specific non-financial institutions.

Where the anti-money laundering department of the State Council finds any suspected terrorist financing, it may conduct investigation in accordance with the law, and take temporary freeze measure.

Article 25 Where the audit, public finance, tax or any other department discovers in the course of supervision and inspection of the relevant entities according to the provisions of laws and administrative regulations that the capital inflow or outflow is suspected of terrorist financing, it shall notify the public security authority in a timely manner.

Article 26 Where a customs office finds any suspected terrorist financing in the course of supervision of cash and bearer negotiable instruments carried by the personnel entering or leaving China, it shall immediately notify the anti-money laundering administrative department of the State Council and the competent public security authority.

Article 27 Urban and rural plans made or implemented upon organization by local people's governments at all levels shall satisfy the requirements for counterterrorism work.

Local people's governments at all levels shall, as required, organize and urge the relevant construction entities to equip themselves with and install public security video information systems and other technical and material defense equipment and facilities for guarding against terrorist attacks on main roads, transport junctions and major parts of urban public areas.

Article 28 Public security authorities and the relevant departments shall, in a timely manner, stop anyone that advocates extremism, endangers public security, disturbs the public order, infringes upon personal and property rights, or disrupts social management by using extremism, and investigate legal liability in accordance with the law.

Where a public security authority finds any extremist activity, it shall order the immediate cessation of the activity, forcibly take the relevant personnel out of the scene and register their identity information, confiscate the relevant articles and materials, and seal up the places for illegal activities. Any entity or individual that finds any articles, materials or information that advocates extremism shall immediately report to the public security authority.

Article 29 Where anyone is instigated, coerced or induced to participate in any terrorist or extremist activity, or participates in any terrorist or extremist activity, if the circumstances are not serious enough to constitute a crime, the public security authority shall organize the relevant departments, villagers' committee, neighborhood committee, the entity where he or she works, the school where he or she studies, his or her family members and guardian to assist and educate him or her. Prisons, jails and community correction agencies shall strengthen the management, education, correction and other work on terrorist convicts and extremist convicts serving sentences. Prisons and jails may, based on the requirements for education, reform and maintaining the supervision and administration order, take into custody terrorist convicts and extremist convicts together with ordinary criminal convicts, or take them into custody separately.

Article 30 Where a terrorist convict or extremist convict is sentenced to imprisonment or is given a severer penalty, the prison or jail shall, before the convict is released after serving his or her sentence, assess his or her social danger according to the crime nature, circumstances, and degree of social danger, the convict's performance during the period of serving sentence, and the impact on the community where the convict resides after his or her release, among others. Social danger shall be assessed after soliciting the opinions of the relevant grassroots organizations and the original ca

se handling authority. If the convict has social danger upon assessment, the prison or jail shall offer a settlement and education proposal to the intermediate people's court at the place where the convict serves his or her sentence, and send a copy of the proposal to the people's procuratorate at the same level.

Where the convict does have social danger, before the convict is released after serving his or her sentence, the intermediate people's court at the place where the convict serves his or her sentence shall decide to order the convict to receive settlement and education after the convict is released after serving his or her sentence. It shall send a copy of the decision to the people's procuratorate at the same level. The person on whom the settlement and education decision is made may file a reconsideration application against the decision with the people's court at the next higher level.

Settlement and education shall be organized by the provincial people's government. The settlement and education institution shall assess the settled and educated personnel each year, and if anyone does have repentance and no longer endangers the society, the said institution shall, in a timely manner, offer the opinion of removing settlement and education, and send the opinion to the intermediate people's court that makes the settlement and education decision for decision-making. The settled and educated person shall have the right to apply for removing settlement and education.

The people's procuratorate shall conduct supervision over settlement and education decision-making and the implementation of the decision.

Article 31 The public security authority shall, together with the relevant departments, determine the entities, places, activities, and facilities, among others, that are likely to suffer terrorist attacks and that may suffer serious casualties, property loss or social impact from terrorist attacks as the key targets for potential terrorist attacks, and report to the counterterrorism leading body at the same level for recordation.

Article 32 The entities managing key targets shall perform the following functions:

- (1) Making advance plans and determining the measures for preventing, responding to and handling terrorist activities, and providing periodical training and conducting periodical rehearsals.
- (2) Establishing special counterterrorism fund guarantee rules, equipping with and updating the equipment and facilities for prevention and handling of terrorist activities.
- (3) Designating the relevant institution or responsible persons, and specifying post functions.
- (4) Conducting risk assessment, monitoring security threat on real time, and improving internal safety management.
- (5) Reporting the implementation of prevention measures to the public security authority and the r

relevant departments on a periodical basis.

The entities managing key targets shall, according to the urban and rural plan, the relevant standards and actual demand, conduct, for key targets, synchronous planning, construction and operation of technical and material defense equipment and facilities that comply with Article 27 of this Law. The entities managing key targets shall establish management rules for the monitoring, information preservation and use, operation and maintenance of the public security video information system, and ensure the normal operation of the relevant systems. Collected video image information shall be preserved for not less than 90 days.

With respect to other entities, places, activities and facilities involving public security other than key targets, competent departments and management entities shall, according to the provisions of laws and administrative regulations, establish and improve safety management rules, and carry out safety responsibilities.

Article 33 The entities managing key targets shall conduct security background review of personnel on important posts. The personnel who are inappropriate shall be transferred to other posts, and the relevant circumstances shall be notified to public security authorities.

Article 34 Entities undertaking large-scale activities as well as entities managing key targets shall, according to the relevant provisions, conduct security check of people, articles and means of transport entering the places for holding large-scale activities, airports, train stations, docks, urban rail transit stations, long-distance bus stations, ports and other key targets. If any prohibited article or controlled article is found, such article shall be detained and a report shall be immediately made to the public security authority; and if any suspect of illegal or criminal activity is discovered, a report shall be made to the public security authority immediately.

Article 35 The entities operating aircrafts, trains, vessels, urban rail vehicles, public electric cars and other public means of transport shall provide as required security personnel and corresponding equipment and facilities, and strengthen security check and security work.

Article 36 Public security authorities and the relevant departments shall obtain the basic information and important dynamic information of key targets, and direct and oversee the performance of all powers and duties of preventing terrorist attack by the entities managing key targets.

Public security authorities and the Chinese people's armed police force shall guard, patrol and inspect key targets according to the relevant provisions.

Article 37 Flight control, civil aviation, public security and other competent departments shall, according to the division of their powers and duties, strengthen the administration of air space, aircrafts and flight activities, and strictly prohibit terrorist activities against aircrafts or conducted by taking advantage of flight activities.

Article 38 People's governments at all levels and military authorities shall create obstruction dividers, video image capture equipment and alarms for illegal border crossing at key national (frontier) border passages and ports.

Public security authorities and the Chinese People's Liberation Army shall strictly organize patrols of national (frontier) borders, and check the personnel, means of transport and articles arriving at or leaving areas near national (frontier) borders, and entering or exiting national (frontier) border management zones, national (frontier) border crossings and passages, and vessels in coastal and border areas.

Article 39 Entry-exit certificate issuers and entry-exit frontier inspection authorities shall have the right to decide to prohibit terrorists and suspects of terrorist activities from entering or exiting the territory, disapprove the issuance of entry and exit certificates or announce their entry and exit certificates invalidated.

Article 40 Where a customs office or entry-exit frontier inspection authority finds any suspect of terrorist activities or articles suspected of involving in any terrorist activity, it shall detain the suspect or articles in accordance with the law and immediately transfer the suspect or articles to the public security authority or national security authority.

Article 41 The foreign affairs, public security, national security, development and reform, industry and information technology, commerce, tourism and other competent departments of the State Council shall establish safety risk assessment rules on overseas investment cooperation, and tourism, among others, strengthen security protection of Chinese citizens abroad and institutions, facilities and property abroad, and prevent and respond to terrorist attack.

Article 42 Institutions abroad shall establish and improve security protection rules and response and handling plans, and strengthen the security protection of the relevant personnel, facilities and pr

operty.

Chapter IV Intelligence Information

Article 43 The national counterterrorism leading body shall establish a national counterterrorism intelligence center, implement trans-department and trans-regional intelligence information work mechanisms, and make overall planning on counterterrorism intelligence information.

The relevant departments shall strengthen the collection of counterterrorism intelligence information, and as required, uniformly submit the collected clues, personnel, and action-type intelligence information to the national counterterrorism intelligence center in a timely manner.

Local counterterrorism leading bodies shall establish trans-departmental intelligence information work mechanisms, organize the implementation of counterterrorism intelligence information work, report important intelligence information to counterterrorism leading bodies at higher levels in a timely manner, and notify urgent intelligence information involving other places to the relevant places in a timely manner.

Article 44 Public security authorities, national security authorities and the relevant departments shall rely on the people, improve the grassroots fundamental work, establish forces for grassroots intelligence information work, and enhance the capability of counterterrorism intelligence information work.

Article 45 Public security authorities, national security authorities and military authorities may, within the scope of their powers and duties, take technical investigation measures as required for counterterrorism intelligence information work after undergoing strict approval formalities according to the relevant provisions of the state.

The materials obtained in accordance with the provisions of the preceding paragraph may only be used for counterterrorism response and handling and the investigation, prosecution and trial of terrorist crimes and extremist crimes, and shall not be used for other purposes.

Article 46 The relevant departments shall, according to the requirements of the national counterterrorism intelligence center, provide the information obtained in security protection as provided for in Chapter III of this Law in a timely manner.

Article 47 The national counterterrorism intelligence center, local counterterrorism leading bodies,

public security authorities and other relevant departments shall screen, research, judge, examine and monitor the relevant intelligence information, and if any of them is of the opinion that any terrorist incident may occur and the corresponding security protection, response and handling measures need to be taken, it shall notify the relevant departments and entities in a timely manner, and may give early warnings as the case may be. The relevant departments and entities shall effectively conduct security protection, response and handling according to the notification.

Article 48 Counterterrorism leading bodies, the relevant departments and entities, and individuals shall keep confidential the state secrets, trade secrets and personal privacy obtained in the course of performing counterterrorism work functions and obligations.

Whoever divulges any state secret, trade secret or personal privacy in violation of the relevant provisions shall be subject to legal liability in accordance with the law.

Chapter V Investigation

Article 49 Where a public security authority receives a report of any suspected terrorist activity or discovers any suspected terrorist activity and investigation and verification are required, it shall conduct investigation rapidly.

Article 50 A public security authority that investigates any suspected terrorist activity may, in accordance with relevant legal provisions, interrogate, inspect, and summon the suspect, may extract or collect a headshot, fingerprints, iris scan or other biometric identification information, and blood, urine, cast-off cells or other biologic samples, and preserve his or her signature.

The public security authority investigating any suspected terrorist activity may notify the persons knowing the relevant circumstances to receive inquiry at the public security authority or any other site.

Article 51 A public security authority investigating any suspected terrorist activity shall have the right to collect and obtain the relevant information and materials from the relevant entities and personnel. The relevant entities and personnel shall faithfully provide the information and materials.

Article 52 A public security authority investigating any suspected terrorist activity may, with the approval of the person in charge of the public security authority at or above the county level, inquire

about the deposits, remittance, bonds, stocks, fund shares and other property of suspects, and may take seizure, detention and freeze measures. The time period for seizure, detention and freeze shall not exceed two months, and if the circumstances are complicated, the period may be extended by one month with the approval of the person in charge of the public security authority at the next higher level.

Article 53 A public security authority investigating any suspected terrorist activity may, with the approval of the person in charge of the public security authority at or above the county level, order the suspect of terrorist activities to observe one or more of the following restrictive measures based on the degree of danger.

(1) The suspect shall not leave the city or county where he or she resides or the designated domicile without the approval of the public security authority.

(2) The suspect shall not participate in large-scale mass activities or engage in specific activities.

(3) The suspect shall not take public means of transport or enter specific places without the approval of the public security authority.

(4) The suspect shall not meet or communicate by letter with specific persons.

(5) The suspect shall report the information on activities to the public security authority on a periodical basis.

(6) The suspect shall hand over the passport and other entry and exit certificates, identity certificate, and driving certificate to the public security authority for preservation.

The public security authority may take electronic monitoring, inspection from time to time and other means to oversee the suspect's compliance with restrictive measures.

The time period for taking restrictive measures prescribed in the preceding two paragraphs shall not exceed three months. If it is unnecessary to continue taking restrictive measures, the measures shall be removed in a timely manner.

Article 54 Where the public security authority finds upon investigation any criminal fact or criminal suspect, it shall place the case on file for investigation in accordance with the provisions of [the Criminal Procedure Law](#). If the public security authority fails to place the case on file for investigation before the expiry of the relevant time period prescribed in this Chapter, it shall remove the relevant measures.

Chapter VI Response and Handling

Article 55 The state shall establish and improve a terrorist incident response and handling plan system.

The national counterterrorism leading body shall formulate multilevel and categorized national response and handling plans based on the rules and features of terrorist incidents and possible social danger, expressly provide for the organization and command system for response to and handling of terrorist incidents, security protection against terrorist incidents, response and handling procedures, and post-event social order recovery, among others.

The relevant departments and local counterterrorism leading bodies shall make the corresponding emergency response and handling plans.

Article 56 To respond to and handle terrorist incidents, counterterrorism leading bodies at all levels shall form commanding institutions participated by the relevant departments, which shall implement the commander responsibility system. The person in charge of the counterterrorism leading body may serve as the commander, or the person in charge of the public security authority or the person in charge of any other member entity of the counterterrorism leading body may be designated as the commander.

The national counterterrorism leading body shall take command of the response to and handling of terrorist incidents that occur across provinces, autonomous regions and/or municipalities directly under the Central Government, or especially serious terrorist incidents. Provincial counterterrorism leading bodies shall take command of the response to and handling of terrorist incidents that occur across multiple administrative regions within their respective provinces, autonomous regions, or municipalities directly under the Central Government, or serious terrorist incidents.

Article 57 After a terrorist incident occurs, the counterterrorism leading body at the place where the incident occurs shall immediately initiate the terrorist incident response and handling plan and determine a commander. The relevant departments, the Chinese People's Liberation Army, the Chinese people's armed police force, and militias organizations shall, according to the uniform leadership and commanding of the counterterrorism leading body and the commander, cooperate in conducting on-site response and handling work such as combat, control, rescue and aid.

The counterterrorism leading body at a higher level may direct the response and handling work, and when necessary, transfer the relevant counterterrorism forces for support.

Where a state of emergency is required, the Standing Committee of the National People's Congress or the State Council shall make a decision in accordance with the power and procedures prescribed in [the Constitution](#) and other relevant laws.

Article 58 After a terrorist incident or suspected terrorist incident is discovered, the public security authority shall handle it immediately, and report to the counterterrorism leading body; and if the Chinese People's Liberation Army or the Chinese people's armed police force discovers any ongoing terrorist activity, it shall immediately control the situation and transfer the case to the public security authority in a timely manner.

Where the counterterrorism leading body has not determined a commander, the highest ranking person of the public security authority handling on the scene shall serve as the on-site commander. If the public security authority fails to appear on the scene, the highest ranking person of the Chinese People's Liberation Army or the Chinese people's armed police force handling on the scene shall serve as the on-site commander. No matter whether the on-site response and handling personnel come from the same entity or system, they shall all follow the on-site commander's leadership.

After a commander is determined, the on-site commander shall ask for his or her instructions, and report the work or the relevant circumstances to him or her.

Article 59 Where any institution, personnel or important facilities of the People's Republic of China abroad suffer or may suffer a terrorist attack, the foreign affairs, public security, national security, commerce, finance, state-owned asset supervision and administration, tourism, transport and other competent departments of the State Council shall initiate the response and handling plan in a timely manner. The foreign affairs department of the State Council shall coordinate with the relevant countries to take the corresponding measures.

After any institution, personnel, or important facilities of the People's Republic of China abroad suffer a serious terrorist attack, through consultation with and with the consent of the relevant country, the national counterterrorism leading body may organize foreign affairs, public security, national security and other departments to appoint staff members to respond to and handle the situation abroad.

Article 60 In the response to and handling of a terrorist incident, the personal safety of those that are directly harmed or threatened by terrorist activities shall be protected in priority.

Article 61 After a terrorist incident occurs, the counterterrorism leading body responsible for response and handling may decide that the relevant departments and entities shall take one or more of the following response and handling measures:

- (1) Organizing the rescue and treatment of injured persons, dispersal, evacuation and appropriate settlement of threatened persons and taking other rescue measures.
- (2) Blocking the scene and surrounding roads, checking the identity certificates of on-site personnel, and setting temporary warning lines near the relevant places.
- (3) Conducting air, sea (water) area control within specific regions, and inspecting the means of transport within specific regions.
- (4) Conducting Internet, radio and communication control within specific regions.
- (5) Conducting entry and exit control in specific regions or targeting specific persons.
- (6) Prohibiting or restricting the use of the relevant equipment and facilities, closing or restricting the use of relevant places, suspending activities with a relatively large number of participants or production and business operation activities that may increase the harm.
- (7) Making emergency repairs on public facilities such as those for transport, telecommunications, Internet, broadcasting and television, water supply, drainage, power supply, gas supply, and heat supply.
- (8) Organizing volunteers to participate in counterterrorism rescue work, and requesting the personnel with expertise to provide services.
- (9) Taking other necessary response and handling measures.

The adoption of response and handling measures as mentioned in items (3) to (5) of the preceding paragraph shall be subject to the decision-making or approval of the counterterrorism leading body at or above the provincial level; and the adoption of the response and handling measures as set forth in item (6) of the preceding paragraph shall be subject to the decision-making of the counterterrorism leading body at or above the level of a districted city. The applicable time and space for the implementation of response and handling measures shall be specified, and be announced to the public.

Article 62 People's police, people's armed police and other response and handling personnel that are lawfully equipped with and carry weapons may use their weapons against persons who are committing or intend to commit violence at the scene with guns, knives, and other weapons or by other dangerous methods, if warnings prove ineffective. In an emergency or if any more serious harm may be caused after a warning is given, weapons may be used directly.

Article 63 The information on the occurrence, development and response to and handling of a terrorist incident shall be uniformly released by the provincial counterterrorism leading body at the place where the terrorist incident occurs; and terrorist incidents that occur across provinces, autonom

ous regions and/or municipalities directly under the Central Government shall be uniformly released by the designated provincial counterterrorism leading body.

No entity or individual shall fabricate or spread any false information on terrorist incidents, report or spread any details of terrorist activities that may trigger imitation, or issue any cruel or inhuman scene in a terrorist incident. In the course of response to and handling of a terrorist incident, except the news media that have obtained approval from the counterterrorism leading body responsible for releasing information, no entity or individual shall report or disseminate the identity information on the on-site response and handling personnel and hostage and the response and handling information.

Article 64 After the completion of the response to and handling of a terrorist incident, people's governments at all levels shall organize the relevant departments to help affected entities and individuals restore their life and production as soon as possible, and stabilize social order and public sentiment in affected regions.

Article 65 Local people's governments shall give appropriate relief to victims of terrorist incidents and their close relatives in a timely manner, and provide basic living necessities to victims and their close relatives who have lost their basic life requirements. Health, medical insurance and other competent departments shall provide psychological, medical, and other assistance to victims of terrorist incidents and their close relatives.

Article 66 Public security authorities shall place cases of terrorist incidents on file for investigation in a timely manner, ascertain the reason for, and process and result of the incidents, and in accordance with the law, investigate the criminal liabilities of terrorist organizations and individuals.

Article 67 Counterterrorism leading bodies shall conduct a comprehensive analysis, summary and appraisal of the occurrence of, response to and handling of terrorist incidents, put forth measures to improve prevention, response, and handling, and report to counterterrorism leading bodies at the next higher level.

Chapter VII International Cooperation

Article 68 The People's Republic of China shall develop counterterrorism cooperation with other nations, regions, and international organizations according to international treaties which it has concluded.

uded or acceded to, or under the principle of equality and reciprocity.

Article 69 The relevant departments of the State Council shall, as authorized by the State Council, represent the Chinese government in counterterrorism policy dialogue, intelligence information exchange, law enforcement cooperation, and cooperation in international funds oversight with foreign governments and the relevant international organizations.

Provided that the Chinese law is not violated, local people's governments at or above the county level and their competent departments in border regions may exchange counterterrorism intelligence information, and cooperate in law enforcement and international funds oversight with neighboring countries or regions with the approval of the State Council or the relevant central departments.

Article 70 Judicial assistance, extradition, and transfer of sentenced offenders in criminal cases relating to terrorist activities shall be governed by the relevant provisions of laws.

Article 71 Upon reaching an agreement with the relevant countries and reporting to the State Council for approval, the public security department and the national security department of the State Council may assign people to carry out counterterrorism tasks abroad.

With the approval of the Central Military Commission, the Chinese People's Liberation Army and the Chinese people's armed police force may assign people to carry out counterterrorism tasks abroad.

Article 72 Materials acquired through international cooperation in counterterrorism may be used as evidence in administrative penalties and criminal proceedings, except that the Chinese party promises not to use them as evidence.

Chapter VIII Safeguard Measures

Article 73 The State Council and local people's governments at or above the county level shall, according to the division of powers of office, include counterterrorism work funds in the fiscal budget at the same level.

The state shall provide necessary financial support to key counterterrorism regions, and provide fund guarantee for the purpose of responding to and handling large-scale terrorist incidents.

Article 74 Public security authorities, national security authorities and the relevant departments, a

s well as the Chinese People's Liberation Army and the Chinese people's armed police force shall, according to the powers and duties prescribed by laws, establish specialized counterterrorism forces, provide more professional training, and equip themselves with necessary specialized counterterrorism equipment and facilities.

People's governments at the county and township level shall, as required, provide guidance for the relevant entities, villagers' committees and neighborhood committees to establish counterterrorism forces and volunteer teams, and assist and cooperate with the relevant departments in conducting counterterrorism work.

Article 75 The personnel injured or killed as a result of performing counterterrorism work functions or assisting or cooperating with the relevant departments in conducting counterterrorism work shall be given corresponding treatment in accordance with the relevant provisions of the state.

Article 76 Where the personal safety of a person or any of his or her close relatives is endangered for the reason of reporting or stopping any terrorist activity, testifying in a criminal case on terrorist activities or conducting counterterrorism work, upon the application of the person or his or her close relative, the public security authority and the relevant departments shall adopt one or more of the following protective measures:

- (1) Not disclosing the personal information such as the true name, address and employer.
- (2) Prohibiting any specified person from approaching the protected person.
- (3) Taking special protective measures for a person or residence.
- (4) Modifying the name of the protected person, and arranging a new domicile and workplace.
- (5) Other necessary protective measures.

The public security authority and the relevant departments shall, according to the provisions of the preceding paragraph, not disclose the true name or address of the protected entity, prohibit specific persons from approaching the protected entity, take special protective measures for the office and business premises of the protected entity, and take other necessary protective measures.

Article 77 The state encourages and supports counterterrorism scientific research and technical innovation, and shall develop and popularize the use of advanced counterterrorism technologies and equipment.

Article 78 Public security authorities, national security authorities, the Chinese People's Liberation Army, and the Chinese people's armed police force may, according to the relevant provisions of the

e state, expropriate the property of entities and individuals due to the urgent demand for performing counterterrorism functions. They shall return the property or restore them to the original state in a timely manner after the completion of tasks, and pay corresponding expenses as required; and shall make compensation if any loss is caused.

Where the lawful rights and interests of any related entity or individual is damaged in counterterrorism work, compensation or remedy shall be made in accordance with the law. The relevant entities and individuals shall have the right to claim compensation and remedy in accordance with the law.

Chapter IX Legal Liability

Article 79 Whoever organizes, plans, prepares for, or conducts any terrorist activity, advocates terrorism, instigates any terrorist activity, illegally holds articles advocating terrorism, forces any other person to wear costume or symbols advocating terrorism in a public place, organizes, leads or participates in any terrorist organization, or provides assistance to any terrorist organization, terrorist, the implementation of any terrorist activity or training on any terrorist activity shall be subject to criminal liability in accordance with the law.

Article 80 Where anyone participates in any of the following activities, and the circumstances are not serious enough to constitute a crime, he or she shall be detained by the public security authority for not less than ten days but not more than 15 days, and may be concurrently fined not more than 10,000 yuan.

- (1) Advocating terrorism or extremism, or instigating any terrorist or extremist activity.
- (2) Producing, spreading or illegally holding any articles advocating terrorism or extremism.
- (3) Forcing any other person to wear costume or symbols advocating terrorism or extremism in a public place.
- (4) Providing information, funds, materials, labor services, technologies, places and other support, assistance and convenience for advocating terrorism or extremism or the implementation of any terrorist or extremist activity.

Article 81 Where anyone commits any of the following conduct by using extremism, and the circumstances are not serious enough to constitute a crime, he or she shall be detained by the public security authority for not less than five days but not more than 15 days, and may be concurrently fined not more than 10,000 yuan.

- (1) Forcing any other person to join any religious activity, or forcing any other person to make dona

tions or provide labor services to any place of religious worship or to clergies.

- (2) Ousting persons of other ethnic groups or faiths from their domiciles by threat, harassment or other means.
- (3) Interfering with others' relationships or living with persons of different ethnic groups or faiths by threat, harassment or other means.
- (4) Interfering in the habits and ways of life of other persons, or in production or business operation by threat, harassment or other means.
- (5) Obstructing the lawful performance of functions by any staff member of a state authority.
- (6) Distorting or defaming any state policy, law, administrative regulation, or inciting or instigating others to resist lawful administration by the people's government.
- (7) Instigating or forcing people to damage, or intentionally damage residents' identification cards, household certificates and other legal documents of the state, and RMB.
- (8) Instigating or forcing any other person to replace marriage or divorce registration with any religious rites.
- (9) Instigating or forcing any minors not to receive compulsory education.
- (10) Otherwise disrupting the implementation of the legal system of the state by using extremism.

Article 82 Where anyone harbors or shields any person although knowing that the latter commits a terrorist or extremist offense, and the circumstances are not serious enough to constitute a crime, or if anyone refuses to provide the relevant evidence when the judicial authority investigates the relevant information and collects the relevant evidence from him or her, the public security authority shall detain the violator for not less than ten days but not more than 15 days, and may impose a fine of not more than 10,000 yuan on the violator.

Article 83 Where a financial institution or a specific non-financial institution fails to immediately freeze the funds or other assets of any terrorist organization or terrorist in the announcement made by the working body of the national counterterrorism leading body, the public security authority shall impose a fine of not less than 200,000 yuan but not more than 500,000 yuan on the institution, and impose a fine of not more than 100,000 yuan on its directly responsible directors, senior executives and other directly liable persons; and if the circumstances are serious, impose a fine of not less than 500,000 yuan on the institution, and impose a fine of not less than 100,000 yuan but not more than 500,000 yuan on its directly responsible directors, senior executives and other directly liable persons, and may detain them for not less than five days but not more than 15 days.

Article 84 Where a telecommunications business operator or an Internet service provider falls under any of the following circumstances, the competent department shall impose a fine of not less than 200,000 yuan but not more than 500,000 yuan on the violator, and impose a fine of not more than 100,000 yuan on its directly responsible persons in charge and other directly liable persons; and if the circumstances are serious, impose a fine of not less than 500,000 yuan on the violator, and impose a fine of not less than 100,000 yuan but not more than 500,000 yuan on its directly responsible persons in charge and other directly liable persons, and the public security authority may detain its directly responsible persons in charge and other directly liable persons for not less than five days but not more than 15 days.

(1) It fails to provide technical interface, decryption and other technical support and assistance for the prevention and investigation of terrorist activities conducted by any public security authority or national security authority as required.

(2) It fails to cease the transmission and deletion of information with any terrorist or extremist content, preserve the relevant records, shut the relevant website or terminate the provision of the relevant services according to the requirements of the competent department.

(3) It fails to implement network security, information content supervision rules or technical measures for security prevention, which causes the dissemination of information with any terrorist or extremist content, and the circumstances are serious.

Article 85 Where any entity providing cargo transport by railway, highway, waterway or air, postal entity, express delivery entity, or any other logistics operation entity falls under any of the following circumstances, the competent department shall impose a fine of not less than 100,000 yuan but not more than 500,000 yuan on the entity, and impose a fine of not more than 100,000 yuan on its directly responsible persons in charge and other directly liable persons.

(1) It fails to implement security check rules, or check clients' identities, or fails to conduct security check or visual check of the articles transported and delivered as required.

(2) It transports or delivers any articles prohibited from transport and delivery, articles with serious potential safety hazards, or articles on which clients refuse to accept security check.

(3) It fails to implement rules on the registration of information on identities of clients who transport and deliver articles and information on articles.

Article 86 Where a business operator or service provider in telecommunications, Internet or finance fails to check clients' identities as required, or provides services to any client whose identity is not clear or who refuses to accept identity check, the competent authority shall order the violator to

make correction; if the violator refuses to make correction, it shall impose a fine of not less than 200,000 yuan but not more than 500,000 yuan on the violator, and impose a fine of not more than 100,000 yuan on its directly responsible persons in charge and other directly liable persons; and if the circumstances are serious, impose a fine of not less than 500,000 yuan on the violator, and impose a fine of not less than 100,000 yuan but not more than 500,000 yuan on its directly responsible persons in charge and other directly liable persons.

Where a business operator or service provider in accommodation, long-distance passenger transport, or motor vehicle lease, among others, falls under any circumstance prescribed in the preceding paragraph, the competent department shall impose a fine of not less than 100,000 yuan but not more than 500,000 yuan on the violator, and impose a fine of not more than 100,000 yuan on its directly responsible persons in charge and other directly liable persons.

Article 87 Where anyone falls under any of the following circumstances in violation of the provisions of this Law, the competent department shall give the violator a warning and order it to make correction; and if it refuses to make correction, impose a fine of not more than 100,000 yuan on the violator, and impose a fine of not more than 10,000 yuan on its directly responsible persons in charge and other directly liable persons.

(1) It fails to produce electronic track labels on guns or any other weapon, ammunition, controlled instruments, hazardous chemicals, civil explosives, or nuclear and radioactive articles, or add security check track labels to civil explosives as required.

(2) It fails to monitor the transport vehicles of hazardous chemicals, civil explosives, or nuclear and radioactive articles in operation through the positioning system as required.

(3) It fails to conduct strict supervision and administration of infectious pathogens or any other substance as required, and the circumstances are serious.

(4) It violates the measure of controlling or restricting the trading of controlled instruments, hazardous chemicals or civil explosives as decided by the relevant department of the State Council or the provincial people's government.

Article 88 Where an entity managing or operating a key target for potential terrorist attack falls under any of the following circumstances in violation of the provisions of this Law, the public security authority shall give the entity a warning and order it to make correction; and if it refuses to make correction, impose a fine of not more than 100,000 yuan on the entity, and impose a fine of not more than 10,000 yuan on its directly responsible persons in charge and other directly liable persons.

(1) It fails to make advance plans and formulate measures for preventing, responding to and handling

ng terrorist activities.

(2) It fails to establish rules for guaranteeing special counterterrorism work fund, or equip itself with the equipment and facilities for prevention and handling.

(3) It fails to assign the working body or responsible personnel.

(4) It fails to conduct security background review of personnel on key posts, or fails to transfer the personnel who are inappropriate to other posts.

(5) It fails to provide security personnel and related equipment and facilities to public means of transport as required.

(6) It fails to establish management rules for the monitoring, information preservation and use, operation and maintenance of the public security video information system.

Where any entity undertaking large-scale activities or any entity managing a key target fails to conduct security check of people, articles and means of transport entering any place for holding large-scale activities, airport, train station, dock, urban rail transit station, long-distance bus station, port or any other key target, the public security authority shall order the entity to make correction; and if it refuses to make correction, impose a fine of not more than 100,000 yuan on the entity, and impose a fine of not more than 10,000 yuan on its directly responsible persons in charge and other directly liable persons.

Article 89 Where any suspect of terrorist activities fails to comply with the restrictive measures which the public security authority orders him or her to comply with, the public security authority shall give the suspect a warning and order the suspect to make correction; and if the suspect refuses to make correction, it shall detain the suspect for not less than five days but not more than 15 days.

Article 90 Where news media or any other entity fabricates or spreads any false information on terrorist incidents, reports or spreads any details of terrorist activities that may trigger imitation, issues any cruel or inhuman scene in a terrorist incident, or reports or spreads, without approval, the identity information on on-site response and handling personnel and hostage and the response and handling information, the public security authority shall impose a fine of not more than 200,000 yuan on it, and detain its directly responsible persons in charge and other directly liable persons for not less than five days but not more than 15 days, and may concurrently impose a fine of not more than 50,000 yuan on them.

Where any individual commits any conduct as prescribed in the preceding paragraph, the public security authority shall detain the individual for not less than five days but not more than 15 days, an

d may concurrently impose a fine of not more than 10,000 yuan on the individual.

Article 91 Where anyone refuses to cooperate in counterterrorism security protection, intelligence information, investigation, and response and handling conducted by the relevant department, the competent department shall impose a fine of not more than 2,000 yuan on the violator; and if any serious consequence is caused, detain the violator for not less than five days but not more than 15 days, and may concurrently impose a fine of not more than 10,000 yuan on the violator.

Where an entity commits any conduct as prescribed in the preceding paragraph, the competent department shall impose a fine of not more than 50,000 yuan on the entity; and if any serious consequence is caused, impose a fine of not more than 100,000 yuan on the entity; and punish its directly responsible persons in charge and other directly liable persons in accordance with the provisions of the preceding paragraph.

Article 92 Where anyone obstructs the relevant department's counterterrorism work, the public security authority shall detain the violator for not less than five days but not more than 15 days, and may concurrently impose a fine of not more than 50,000 yuan on the person.

Where an entity commits any conduct as prescribed in the preceding paragraph, the public security authority shall impose a fine of not more than 200,000 yuan on the entity, and punish its directly responsible persons in charge and other directly liable persons in accordance with the provisions of the preceding paragraph.

Whoever obstructs the lawful performance of functions by the people's police, the Chinese People's Liberation Army, or the people's armed police force shall be given a heavier penalty.

Article 93 Where any entity violates the provisions of this Law and the circumstances are serious, the competent department shall order the entity to cease the relevant business operation or the provision of relevant services, or order it to cease production and business operation; and if any serious consequence is caused, revoke the relevant certificate or license or revoke registration.

Article 94 Where any staff member of the counterterrorism leading body or the relevant department abuses power, neglects duty, practices favoritism or makes falsification in counterterrorism work, or discloses any state secret, trade secret or personal privacy in violation of the relevant provisions, which constitutes a crime, he or she shall be subject to criminal liability in accordance with the law; and if no crime is constituted, he or she shall be given a disciplinary action in accordance with the law.

Where the counterterrorism leading body, the relevant department or any of its staff members abuses power, neglects duty, practices favoritism or makes falsification, or has any other violation of law or regulation in counterterrorism work, all entities and individuals shall have the right to make an accusation and report to the relevant department. The relevant department shall, after receiving the accusation or report, handle in a timely manner and give a reply to the person that makes the report or accusation.

Article 95 Where it is found upon examination that the articles and funds, among others, seized, detained, frozen, or confiscated in accordance with this Law are irrelevant to terrorism, the relevant measures shall be removed in a timely manner and the articles and funds shall be returned.

Article 96 The relevant entity or individual may legally apply for administrative reconsideration or file an administrative lawsuit against the decision on administrative penalty or administrative compulsory measure made in accordance with this Law.

Chapter X Supplementary Provisions

Article 97 This Law shall come into force on January 1, 2016. [The Decision of the Standing Committee of the National People's Congress on Issues concerning Strengthening Counterterrorism Work](#), as adopted at the 23rd Session of the Standing Committee of the Eleventh National People's Congress of the People's Republic of China on October 29, 2011, shall be repealed concurrently.

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