全国人民代表大会常务委员会关于修改《中华人民共和国全国人民代表大会和地方各级人民代表大会选举法》的决定　附：第四次修正本
 Decision of the Standing Committee of the National People&apos;s Congress on Amending the Electoral Law of the National People&apos;s Congress and Local People&apos;s Congresses of the People&apos;s Republic of China

(Adopted at the 12th Meeting of the Standing Committee of the Tenth National People's Congress on October 27, 2004)

　　Order of the President of the People's Republic of China　　No．29　　The Decision of the Standing Committee of the National people's Congress on Amending the Electoral Law of the National People's Congress and Local People's Congresses of the People's Republic of China, adopted at the 12th Meeting of the Standing Committee of the Tenth National People's Congress of the People's Republic of China on October 27, 2004, is hereby promulgated shall go into effect as of the date of its promulgation.　　Hu Jintao　　President of the People's Republic of China　　October 27, 2004　　At its 12th Meeting, the Standing Committee of the Tenth National People's Congress decides to make the following amendments to the Electoral Law of the National People's Congress and Local People's Congress of the People's Republic of China:　　1. Subparagraph (1) of the first paragraph of Article 9 is revised to read, "(1) The base number of deputies to the people's congress of a province, an autonomous region or a municipality directly under the Central Government is 350. For a province or an autonomous region, one more deputy may be added every one hundred fifty thousand people, and for a municipality directly under the Central Government, one more deputy may be added for every twenty-five thousand people, however, the total number of its deputies shall not exceed 1, 000."　　2. The first paragraph of Article 31 is revised to read, " Candidates for deputies to the people's congresses to be directly elected by the voters shall be nominated by the voters in the various electoral districts and by the various political parties and people's organizations. The election committee shall, 15 days prior to the date of election, collect and publish the list of nominees and submit it to over groups in the respective electoral districts for discussion and consultation to determine the list of full candidates. If the number of nominated candidates exceeds the maximum percentage for competitive election as specified in Article 30, the election committee shall submit the list of full candidates to voter groups for discussion and consultation, and the list of candidates shall be determined according to the opinions of the majority of voters; of a relative consensus cannot be reached on full candidates for deputies, a preliminary election shall be conducted and the list of full candidates shall be determined by the order of the number of votes shall the nominees have obtained in the preliminary election. The list of full candidates shall be made public five days prior to the date of election."　　3. Article 33 is revised to read, "The election committee or the presidium of the people's congress shall brief voters or deputies on the candidates for deputies. Political parties, people's organizations, voters and deputies that have nominated candidates for deputies may brief voters on those candidates at group meetings of voters or deputies. The election committee may arrange for the candidates to meet with voters and to answer their questions. However, such briefings must stop on the day of election."　　4. The first paragraph of Article 44 if revised to read, "With respect to deputies to the people's congress at the county level, a group of fifty or more voters in the electoral district, and with respect to deputies to the people's congress at the township level, a group of thirty or more voters in the electoral district, may submit a demand in writing to the standing committee of the people's congress at the county level for the recall of a deputy level elected."　　5. Article 52 is revised to read, "In order to ensure that the voters and deputies freely exercise their right to vote and stand for election, administrative penalties for public security shall, in accordance with law, be imposed on a person who commits one of the following acts by disrupting an election or violating the provisions on public security administration; if a crime is constituted, criminal responsibility shall be investigated in accordance with law:　　"(1)bribing a voter or deputy with money or other things of value to interfere with him in the free exercise of his right to vote and stand for election;　　"(2)using violence, threat, deception or other illegal means to interfere with a voter or deputy in the free exercise of his right to vote and stand for election; 　　"(3)forging electoral documents, falsifying vote tallies or committing other illegal acts; and　　"(4)suppressing or retaliating against anyone who incriminates or informs against the person committing illegal acts in an election or who demands the recall of a deputy.　　"Any State functionary who commits one of the acts specified in the preceding paragraph shall be given administrative sanctions in accordance with law.　　"Where anyone is elected by committing any act provided in the preceding paragraph, the election result in favor of him shall be null and void."　　This Decision shall go into effect as of the date of its promulgation.　　The Electoral Law of the National People's Congress and Local People's Congresses of the People's Republic of China shall be promulgated anew after it is revised according to this Decision.　　　　Electoral Law of the National People's Congress and Local People's Congresses of the People's Republic of China　　(Adopted at the Second Session of the Fifth National People's Congress on July 1, 1979, promulgated by Order No.2 of the Chairman of the Standing Committee of the National People's Congress on July 4, 1979 and effective as of January 1, 1980; amended for the first time in accordance with the Resolution on the Revision of Certain Provisions in the Electoral Law of the National People's Congress and Local People's Congresses of the People's Republic of China, adopted at the Fifth Session of the Fifth National People's Congress on December 10, 1982; amended for the second time in accordance with the Decision on the Revision of the Electoral Law of the National People's Congress and Local People's Congresses of the People's Republic of China, adopted at the 18th Meeting of the Standing Committee of the Sixth National People's Congress on December 2, 1986; amended for the third time in accordance with the Decision Regarding Revision of the Electoral Law of the National People's Congress and Local People's Congresses of the People's Republic of China, adopted at the 12th Meeting of the Standing Committee of the Eighth National People's Congress on February 28, 1995; amended for the fourth time in accordance with the Decision on Amending the Electoral Law of the National People's Congress and Local People's Congresses of the People's Republic of China adopted at the 12th Meeting of the Standing Committee of the Tenth National People's Congress on October 27, 2004)　　Contents　　Chapter I General Provisions　　Chapter II Number of Deputies to the Local People's Congresses at Various Levels　　Chapter III Number of Deputies to the National People's Congress　　Chapter IV Elections Among Minority Nationalities　　Chapter V Zoning of Electoral Districts　　Chapter VI Registration of Voters　　Chapter VII Nomination of Candidates for Deputies　　Chapter VIII Election Procedure　　Chapter IX Supervision, Recall and By-Elections Held to Fill Vacancies　　Chapter X Sanctions Against Disruption of Elections　　Chapter XI Supplementary Provisions　　　　Chapter I　　General Provisions　　Article 1 The Electoral Law of the National People's Congress and Local People's Congresses is formulated in accordance with the Constitution of the People's Republic of China.　　Article 2 Deputies to the National People's Congress and to the people's congresses of provinces, autonomous regions, municipalities directly under the Central Government, cities divided into districts, and autonomous prefectures shall be elected by the people's congresses at the next lower level.　　Deputies to the people's congresses of cities not divided into districts, municipal districts, counties, autonomous counties, townships, nationality townships, and towns shall be elected directly by their constituencies.　　Article 3 All citizens of the People's Republic of China who have reached the age of 18 shall have the right to vote and stand for election, regardless of ethnic status, race, sex, occupation, family background, religious belief, education, property status or length of residence.　　Persons who have been deprived of political rights according to law shall not have the right to vote and stand for election.　　Article 4 Each voter shall have the right to vote only once in an election.　　Article 5 Elections shall be conducted separately in the People's Liberation Army, and the procedures for such elections shall be formulated separately.　　Article 6 Among deputies to the National People's Congress and local people's congresses at various levels, there shall be an appropriate number of women deputies, and the proportion thereof shall be raised gradually.　　The National People's Congress and the local people's congresses of the areas with a relatively large number of returned overseas Chinese shall have an appropriate number of deputies who are returned overseas Chinese.　　Citizens of the People's Republic of China who reside abroad but who are in China during the election of deputies to people's congresses at or below the county level may take part in such elections conducted in their ancestral home town or place of domicile before they went abroad. 　　Article 7 The Standing Committee of the National People's Congress shall conduct the election of deputies to the National People's Congress. The standing committees of the people's congresses of provinces, autonomous regions, municipalities directly under the Central Government, cities divided into districts, and autonomous prefectures shall conduct the elections of deputies to the people's congresses at the corresponding levels. 　　In cities divided into districts, municipal districts, counties, autonomous counties, townships, nationality townships, and towns, election committees shall be established to conduct the election of deputies to the people's congresses at the corresponding levels. The election committees of cities not divided into districts, municipal districts, counties and autonomous counties shall be under the leadership of the standing committees of the people's congresses at the corresponding levels. The election committees of townships, nationality townships, and towns shall be under the leadership of the standing committees of the people's congresses of cities not divided into districts, municipal districts, counties and autonomous counties.　　The standing committees of the people's congresses of provinces, autonomous regions, municipalities directly under the Central Government, cities divided into districts, and autonomous prefectures shall direct the work of electing deputies to the people's congresses at or below the county level in their administrative areas.　　Article 8 Election funds for the National People's Congress and the local people's congresses at various levels shall be disbursed by the State Treasury.　　Chapter II　　Number of Deputies to the Local People's Congresses at Various Levels　　Article 9 The number of deputies to the local people's congresses at various levels shall be determined in accordance with the following provisions:　　(1) The base number of deputies to the people's congress of a province, an autonomous region, or a municipality directly under the Central Government is 350. For a province or an autonomous region, one more deputy may be added for every one hundred fifty thousand people, and for a municipality directly under the Central Government, one more deputy may be added for every twenty-five thousand people, however, the total number of its deputies shall not exceed 1,000.　　(2) The base number of deputies to the people's congresses of a city divided into districts or an autonomous prefecture is 240. One more deputy may be determined for every twenty-five thousand people; however, if the population of the city or autonomous prefecture exceeds ten million, the total number of its deputies shall not exceed 650;　　(3) The base number of deputies to the people's congresses of a county, an autonomous county, a city not divided into districts or a municipal district is 120. One more deputy may be added for every five thousand people; however, if the population there exceeds one million six hundred fifty thousand, the total number of deputies shall not exceed 450; if the population is less than fifty thousand people, the total number of deputies may be less than 120;　　(4) The base number of deputies to the people's congress of a township, a nationality township or a town is 40. One more deputy may be added for every one thousand five hundred people; however, if the population of a township or a nationality township exceeds ninety thousand, the total number of its deputies shall not exceed 100; if the population of a town exceeds one hundred thirty thousand, its total number of its deputies shall not exceed 130; if the population of a township, a nationality township or a town is less than two thousand, the total number of its deputies may be less than 40.　　The base number of deputies to a local people's congress plus the number of deputies added according to the size of the local population as stipulated in the preceding paragraph shall be the total number of deputies to the local people's congress.　　The number of deputies to the people's congresses of an autonomous region or a province where many minority nationalities live in concentrated community may, upon decision of the Standing Committee of the National People's Congress, be added by five percent. The number of deputies to the people's congress of a county, an autonomous county, a township or a nationality township where many minority nationalities live in concentrated communities or people live in scattered groups may, upon decision of the standing committee of the people's congress of a province, an autonomous region, or a municipality directly under the Central Government, be added by five percent of the total.　　Article 10 The specific number of deputies to the people's congress of a province, an autonomous region, or a municipality directly under the Central Government shall be determined by the Standing Committee of the National People's Congress according to this Law. The specific number of deputies to the people's congress of a city divided into districts, an autonomous prefecture, or a county shall be determined by the standing committee of the people's congress of a province, an autonomous region, or a municipality directly under the Central Government according to this Law and reported to the Standing Committee of the National People's Congress for the record. The specific number of deputies to the people's congress at the township level shall be determined by the Standing Committee of the people's congress at the county level according to this Law and reported to the standing committee of the people's congress at the next higher level for the record.　　Article 11 Once the total number of deputies to a local people's congress at any level is determined, it shall no longer be changed. If the size of the population is changed considerably due to the change of the division in the administrative regions or the construction of major projects or other reasons, the total number of deputies to the people's congress at the corresponding level shall be re-determined according to this Law.　　Article 12 The number of deputies to the people's congresses of autonomous prefectures, counties and autonomous counties shall be allocated by the standing committees of the people's congresses at the corresponding levels, in accordance with the principle that the number of people represented by each rural deputy is four times the number of people represented by each town deputy. Townships, nationality townships, and towns with exceptionally small populations shall have at least one deputy in the people's congresses of their respective counties and autonomous counties.　　In the administrative areas of counties or autonomous counties which have towns with exceptionally large populations, or have enterprises and institutions not under the leadership of the people's governments at or below the county level whose workers and staff account for a relatively large portion of the county's total population, the ratio between the number of people represented by a rural deputy and the number of people represented by a town deputy or a deputy of an enterprise or institution may, upon a decision made by the standing committee of the people's congress of the province, autonomous region, or municipality directly under the Central Government, be smaller than four to one, even to the extent of one to one.　　Article 13 In municipalities directly under the Central Government, cities and municipal districts, the number of people represented by a rural deputy shall be greater than the number of people represented by an urban deputy.　　Article 14 The number of deputies to the people's congresses of provinces or autonomous regions shall be allocated by the standing committees of the people's congresses at the corresponding levels, in accordance with the principle that the number of people represented by each rural deputy is four times the number of people represented by each urban deputy.　　Chapter III　　Number of Deputies to the National People's Congress　　Article 15 Deputies to the National People's Congress shall be elected by the people's congresses of the provinces, autonomous regions, and municipalities directly under the Central Government and by the People's Liberation Army.　　The number of deputies to the National People's Congress shall not exceed 3,000. The allocation of the number of deputies shall be decided by the Standing Committee of the National People's Congress in accordance with existing conditions.　　The number of deputies to the National People's Congress to be elected by the Hong Kong Special Administrative Region and the Macao Special Administrative Region and the methods for their elections shall be prescribed separately by the National People's Congress.　　Article 16 The number of deputies to the National People's Congress to be elected by the provinces, autonomous regions, and municipalities directly under the Central Government shall be allocated by the Standing Committee of the National People's Congress in accordance with the principle that the number of people represented by each rural deputy is four times the number of people represented by each urban deputy.　　 Article 17 The number of deputies to the National People's Congress to be elected by minority nationalities shall be allocated by the Standing Committee of the National People's Congress, in the light of the population and distribution of each minority nationality, to the people's congresses of the various provinces, autonomous regions, and municipalities directly under the Central Government, which shall elect them accordingly. Nationalities with exceptionally small populations shall each have at least one deputy.　　Chapter IV　　Elections Among Minority Nationalities　　Article 18 In areas where minority nationalities live in concentrated communities, each minority nationality shall have its deputy or deputies sit in the local people's congress.　　Where the total population of a minority nationality in such an area exceeds 30 percent of the total local population, the number of people represented by each deputy of that minority nationality shall be equal to the number of people represented by each of the other deputies to the local people's congress.　　Where the total population of a minority nationality in such an area is less than 15 percent of the total local population, the number of people represented by each deputy of that minority nationality may be appropriately smaller, but shall not be less than half the number of people represented by each of the other deputies to the local people's congress. In autonomous counties where the population of the minority nationality practising regional autonomy is exceptionally small, the number of people represented by each deputy of this minority nationality may, upon a decision made by the standing committee of the people's congress of the province or autonomous region, be less than half the number of people represented by each of the other deputies. Other nationalities with exceptionally small populations living in concentrated communities shall each have at least one deputy.　　Where the total population of a minority nationality in such an area accounts for not less than 15 percent and not more than 30 percent of the total local population, the number of people represented by each deputy of that minority nationality may be appropriately smaller than the number of people represented by each of the other deputies to the local people's congress, but the allocated number of deputies to be elected by that minority nationality shall not exceed 30 percent of the total number of deputies.　　Article 19 In autonomous regions, autonomous prefectures and autonomous counties, and in townships, nationality townships, and towns where a certain minority nationality lives in a concentrated community, the provisions of Article 18 of this Law shall be applicable to the election to the local people's congresses of deputies of other minority nationalities and the Han nationality also living in concentrated communities in such areas.　　Article 20 With respect to minority nationalities living in scattered groups, the number of people represented by each of their deputies to the local people's congresses may be less than the number of people represented by each of the other deputies to such congresses.　　In autonomous regions, autonomous prefectures and autonomous counties, and in townships, nationality townships, and towns where a certain minority nationality lives in a concentrated community, the provisions of the preceding paragraph shall be applicable to the election to the local people's congresses of deputies of other minority nationalities and the Han nationality living in scattered groups in such areas.　　Article 21 In cities not divided into districts, municipal districts, counties, townships, nationality townships, and towns where various minority nationalities live in concentrated communities, the minority nationality electorates may vote separately or jointly in the election of deputies to the local people's congress, depending on the relations between the nationalities, and their residential situation in such areas.　　In autonomous counties and in townships, nationality townships, and towns where a certain minority nationality lives in a concentrated community, the provisions of the preceding paragraph shall be applicable to the election to the respective people's congresses of deputies of other minority nationalities and the Han nationality living in such areas. 　　Article 22 The electoral documents, roll of voters, voter registration cards, list of candidates for deputies, deputies' election certificates and election committee seals made or published by autonomous regions, autonomous prefectures and autonomous counties shall be in the written languages of the nationalities commonly used in the locality.　　Article 23 Other matters concerning elections among minority nationalities shall be handled with reference to the provisions of the relevant articles of this Law.　　Chapter V　　Zoning of Electoral Districts　　Article 24 The number of deputies to the people's congresses in cities not divided into districts, municipal districts, counties, autonomous counties, townships, nationality townships, and towns shall be allocated to the electoral districts, and elections shall be held in the electoral districts. The zoning of electoral districts may be decided according to the voters' residence or on the basis of production units, institutions and work units.　　The zoning of electoral districts shall be decided on the basis of one to three deputies to be elected from each electoral district.　　Article 25 The number of people represented by each deputy from an urban electoral district shall be generally the same. The number of people represented by each deputy from a rural electoral district shall be generally the same.　　 　　Chapter VI　　Registration of Voters　　Article 26 The registration of voters shall be conducted on the basis of electoral districts, and the voters' qualifications confirmed through registration shall have long-term validity. Prior to each election, voters who have reached the age of 18 since the last registration of voters or who have had their political rights restored after a period of deprivation of political rights has expired, shall be registered. Voters who have moved out of the electoral districts where they originally registered shall be included in the roll of voters in the electoral districts to which they have newly moved; those who are deceased or have been deprived of political rights according to law shall be removed from the roll.　　Citizens who suffer from mental illness and are incapable of exercising their electoral rights shall, upon determination by the election committee, not be included in the roll of voters.　　Article 27 The roll of voters shall be made public 20 days prior to the date of election. and voter registration cards shall be issued. Where voters take part in elections and cast their votes on the strength of their voter registration cards, they shall be issued voter registration cards.　　Article 28 Anyone who has an objection to the roll of voters may appeal to the election committee. The election committee shall make a decision on the appeal within three days. If the appellant is not satisfied with the decision, he may bring a suit in the people's court at least five days prior to the date of election, and the people's court shall make a judgment before the date of election. The judgment of the people's court shall be final.　　Chapter VII　　Nomination of Candidates for Deputies　　Article 29 Candidates for deputies to the national and local people's congresses shall be nominated on the basis of electoral districts or electoral units.　　Political parties and people's organizations may either jointly or separately recommend candidates for deputies. A joint group of at least ten voters or deputies may also recommend candidates. Those who submit recommendations shall inform the election committee or the presidium of the congress of their candidates' backgrounds.　　Article 30 The number of candidates for deputies to the national and local people's congresses shall be greater than the number of deputies to be elected.　　The number of candidates for deputies to be directly elected by the voters shall be from one third to 100 percent greater than the number of deputies to be elected; the number of candidates for deputies to be elected by various local people's congresses to the people's congresses at the next higher level shall be 20 to 50 percent greater than the number of deputies to be elected.　　Article 31 Candidates for deputies to the people's congresses to be directly elected by the voters shall be nominated by the voters in the various electoral districts and by the various political parties and people's organizations. The election committee shall, 15 days prior to the date of election, collect and publish the list of nominees and submit it to voter groups in the respective electoral districts for discussion and consultation to determine the list of full candidates. If the number of nominated candidates exceeds the maximum percentage for competitive election as specified in Article 30, the election committee shall submit the list of candidates to voter groups for discussion and consultation, and the list of full candidates shall be determined according to the opinions of the majority of voters; if a relative consensus cannot be reached on full candidates for deputies, a preliminary election shall be conducted and the list of full candidates shall be determined by the order of the number of 　　votes that the nominees have obtained in the preliminary election. The list of full candidates shall be made public five days prior to the date of election.　　When a local people's congress at or above the county level is to elect deputies to a people's congress at the next higher level, the time for nominating and deliberating candidates for such deputies shall not be less than two days. The presidium of the people's congress at the said level shall print and distribute the list of the candidates nominated according to law to all the deputies for deliberation and discussion. If the number of the nominees conforms to the proportion for competitive election as provided in Article 30 of this Law, balloting competitive election shall be held directly. If the number of the nominees exceeds the maximum proportion for competitive election as provided by Article 30 of this Law, preliminary election shall be held. By the order of the number of votes that the nominees have obtained in the preliminary election, a formal list of candidates shall be determined in agreement with the specific proportion for competitive election as it contained in the measures of election 　　adopted by the people's congress at that level in accordance with this Law, and then balloting shall be held. 　　Article 32 When a local people's congress at or above the county level is to elect deputies to the people's congress at the next higher level, the nominees for deputies shall not be limited to the current deputies to the lower people's congress.　　Article 33 The election committee or the presidium of the people's congress shall brief voters or deputies on the candidates for deputies. Political parties, people's organizations, voters and deputies that have nominated candidates for deputies may brief voters on those candidates at group meetings of voters or deputies. The election committee may arrange for the candidates to meet with voters and to answer their questions. However, such briefings must stop on the day of election.　　Chapter VIII　　Election Procedure　　Article 34 Where voters directly elect deputies to a people's congress, they shall, as prescribed by the election committee, be issued ballots on the strength of their identification cards or voter registration cards. In each electoral district, polling stations shall be set up, mobile polling boxes provided or election meetings held for the election. Balloting shall be presided over by the election committee.　　Article 35 Where a local people's congress at or above the county level is to elect deputies to the people's congress at the next higher level, the election shall be presided over by the presidium of the lower people's congress.　　Article 36 The election of deputies to the national and local people's congresses shall be by secret ballot.　　If a voter is illiterate or handicapped and is therefore unable to write his ballot, he may entrust another person to write it for him.　　Article 37 A voter may vote for or against a candidate for deputy and may vote instead for any other voter or abstain. 　　Article 38 A voter who is absent from his electoral district during the time of an election may, with the approval of the election committee and by written authorization, entrust another voter with a proxy vote. A voter shall not stand proxy for more than three persons.　　Article 39 When balloting has been concluded, scrutineers and vote-counters elected by the voters or deputies, and members of the election committee or members of the presidium of the people's congress shall check the number of people who voted against the number of votes cast and make a record of it; the record shall be signed by the scrutineers.　　Article 40 An election shall be null and void if the number of votes cast is greater than the number of people who voted, and it shall be valid if the number of votes cast is less than the number of people who voted.　　A ballot shall be null and void if more candidates are voted for than the number of deputies to be elected, and it shall be valid if fewer candidates are voted for than the number of deputies to be elected.　　Article 41 In a direct election of deputies to the people's congresses, the election shall be valid, if more than half of all the voters in an electoral district cast their votes. Candidates for deputies shall be elected only if they have obtained more than half of the votes cast by the voters that take part in the election.　　When a local people's congress at or above the county level is to elect deputies to a people's congress at the next higher level, candidates for deputies shall be elected only if they have obtained more than half of the votes of all the deputies.　　Where the number of candidates who have obtained more than half of the votes exceeds the number of deputies to be elected, the ones who have obtained more votes shall be elected. Where the number of votes for some candidates is tied, making it impossible to determine the ones to be elected, another balloting shall be conducted for these candidates to resolve the tie, and the ones who have obtained more votes shall be elected.　　If the number of elected deputies who have obtained more than half of the votes is less than the number of deputies to be elected, another election shall be held to make up the difference. When another election is held, the name list of candidates shall, by order of the number of votes they have obtained in the first balloting, be determined in accordance with the proportion for competitive election as provided in Article 30 of this Law. If only one deputy is to be elected, the number of candidates shall be two.　　When another election is held to elect deputies to the people's congress at the county or township level in accordance with the provisions in the preceding paragraph, the candidates who have obtained more votes than the others shall be elected; however, the number of the votes they have obtained shall not be less than one-third of the votes cast. When another election is held by the local people's congress at or above the county level to elect deputies to the people's congress at the next higher level, the candidates shall be elected only when they have obtained a majority vote of all the deputies.　　Article 42 The election committee or the presidium of the people's congress shall determine, in accordance with this Law, whether or not the result of an election is valid and shall announce it accordingly.　　Chapter IX　　Supervision, Recall and By-Elections Held to Fill Vacancies　　 　　Article 43 All deputies to the national and local people's congresses shall be subject to the supervision of the voters and the electoral units which elect them. Both the voters and electoral units shall have the right to recall the deputies they elect.　　Article 44 With respect to deputies to the people's congress at the county level, a group of fifty or more voters in the electoral district, and with respect to deputies to the people's congress at the township level, a group of thirty or more voters in the electoral district, may submit a demand in writing to the standing committee of the people's congress at the county level for the recall of a deputy they elected.　　In a demand for the recall of a deputy, the reasons for the recall shall be clearly stated. The deputy proposed to be recalled shall have the right to defend himself at the voters' meetings or may present a written statement in his own defence.　　The standing committee of the people's congress at the county level shall print and distribute the demand for the recall of a deputy and the written defence of the deputy proposed to be recalled to the voters in the electoral district from which he was elected.　　When the demand for the recall of a deputy is put to vote, the standing committee of the people's congress at the county level shall dispatch a relevant leading member to preside over it.　　Article 45 When a local people's congress at or above the county level is in session, the presidium or a group of at least one-tenth of the deputies may submit a proposal for the recall of a deputy to the people's congress at the next higher level who was elected by the people's congress at or above the county level. When the people's congress is not in session, the council of chairmen of the standing committee of the local people's congress at or above the county level or a group of at least one-fifth of the component members of the standing committee may submit a proposal for the recall of a deputy to the people's congress at the next higher level who was elected by the people's congress at or above the county level. In the proposal for the recall of a deputy, the reasons for the recall shall be clearly stated.　　When a local people's congress at or above the county level is in session, the deputy proposed to be recalled shall have the right to defend himself or to submit a written defence at the meeting of the presidium or at the plenary meeting of the congress; the presidium shall have the written defence printed and distributed to the deputies. After the proposal for the recall of the deputy is deliberated by the deputies at the meeting, it shall be submitted by the presidium to the plenary for voting.　　 When the standing committee of a local people's congress at or above the county level meets, the deputy proposed to be recalled shall have the right to defend himself or submit a written defence at the council of chairmen or the plenary meeting of the standing committee; the council of chairmen shall have the written defence printed and distributed to the members of the standing committee. After the proposal for the recall of the deputy is deliberated by the members of the standing committee, it shall be submitted by the council of chairmen to the plenary meeting for voting.　　Article 46 The proposal for the recall of a deputy shall be voted by secret ballot.　　Article 47 The recall of a deputy to the people's congress at the county or township level shall be adopted by a majority vote of all the voters in the electoral district from which the deputy was elected. 　　 The recall of a deputy elected by the local people's congress at or above the county level shall be adopted by a majority vote of all the deputies to the people's congress; when the people's congress is not in session, the recall of the deputy shall be adopted by a majority vote of all the component members of the standing committee. The resolution on the recall shall be reported to the standing committee of the people's congress at the next higher level for the record.　　Article 48 When a deputy serving on the standing committee of a people's congress at or above the county level or on a special committee of the National People's Congress, or of the people's congress of a province, autonomous region, municipality directly under the Central Government, of a city divided into districts or of an autonomous prefecture is recalled, he is dismissed accordingly from membership on the standing committee or special committee, which shall be announced by the presidium or the standing committee.　　When a deputy serving as chairman or vice-chairman of the people's congress of a township, a nationality township or a town is recalled, he is dismissed accordingly from chairmanship or vice-chairmanship, which shall be announced by the presidium.　　Article 49 Deputies to the National People's Congress and deputies to the people's congresses of provinces, autonomous regions, municipalities directly under the Central Government, cities divided into districts, and autonomous prefectures may submit their resignations to the standing committee of the people's congress that elected them. A deputy to the people's congress at the county level may submit his written resignation to the standing committee of the people's congress at that level; a deputy to the people's congress at the township level may submit his written resignation to the people's congress at that level.　　Article 50 When the request of a deputy for resignation is granted, his membership on the standing committee of the peoples' congress at or above the county level or on the special committee of the National People's Congress, or the people's congress of a province, autonomous region, municipality directly under the Central Government, a city divided into districts or an autonomous prefecture shall be terminated accordingly, which shall be announced by the standing committee.　　When the request of a deputy for resignation is granted, his chairmanship or vice-chairmanship of the people's congress of a township, a nationality township or a town shall be terminated accordingly, which shall be announced by the presidium.　　Article 51 If a deputy's post becomes vacant for some reason during his term of office, the electoral district or electoral unit which elected him shall hold a by-election to fill the vacancy.　　If a deputy to a local people's congress at any level is transferred or moves out of his administrative area during his term of office, he is automatically disqualified as deputy and a by-election shall be held to fill the vacancy.　　When the local people's congresses at or above the county level are not in session, their standing committees may conduct by-elections to fill vacancies left by deputies to the people's congresses at the next higher level.　　When by-elections are conducted to fill the vacant posts of deputies, the number of candidates may be greater than the number of deputies to be elected; or it may equal to the number of deputies to be elected. The procedures and methods of conducting by-elections shall be stipulated by the standing committees of the people's congresses of provinces, autonomous regions, and municipalities directly under the Central Government.　　　　Chapter X　　Sanctions Against Disruption of Elections　　Article 52 In order to ensure that the voters and deputies freely exercise their right to vote and stand for election, administrative penalties for public security shall, in accordance with law, be imposed on a person who commits one of the following acts by disrupting an election or violating the provisions on public security administration; if a crime is constituted, criminal responsibility shall be investigated in accordance with law: 　　(1) bribing a voter or deputy with money or other things of value to interfere with him in the free exercise of his right to vote and stand for election;　　(2) using violence, threat, deception or other illegal means to interfere with a voter or deputy in the free exercise of his right to vote and stand for election;　　(3) forging electoral documents, falsifying vote tallies or committing other illegal acts; and　　(4) suppressing or retaliating against anyone who incriminates or informs against the person committing illegal acts in an election or who demands the recall of a deputy.　　Any State functionary who commits one of the acts specified in the preceding paragraph shall be given administrative sanctions in accordance with law.　　Where anyone is elected by committing any act provided in the preceding paragraph, the election result in favor of him shall be null and void.　　Chapter XI　　Supplementary Provisions　　Article 53 The standing committees of the people's congresses of the provinces, autonomous regions, and municipalities directly under the Central Government may formulate rules for the implementation of elections in accordance with this Law and submit them to the Standing Committee of the National People's Congress for the record.