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代表法 Law of the People&apos;s Republic of China on Deputies to the National People&apos;s Congress and to the Local People&apos;s Congresses at Various Levels

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The voters or the electoral units have the right to recall according to law the deputies they elected. The deputies to be recalled have the right to attend the meetings for recalling them to state their opinions or present a written statement of their opinions.　　Article 6 Deputies' work carried out according to the provisions of this Law, when the people's congresses at the corresponding levels are in session, and their activities conducted according to the provisions of this Law, when the people's congresses at the corresponding levels are not in session, shall all constitute the performance of their functions as deputies.　　The State and society shall provide guarantees for deputies in their performance of functions as deputies. 　　Chapter II　　Work of Deputies During a Session of the People's Congress　　at the Corresponding Level　　Article 7 Deputies shall attend sessions of the people's congress at the corresponding level and exercise the functions and powers as deputies according to law.　　Article 8 Deputies shall attend plenary meetings of a session, general meetings and group meetings of the delegation, deliberate on the bills or proposals and reports that have been placed on the agenda of a session.　　Deputies may attend , upon recommendation or invitation, and as nonvoting participants, meetings of the Presidium or meetings of the special committees and advance their opinions.　　Article 9 Deputies have the right, in accordance with procedures prescribed by law, to submit to the people's congress at the corresponding level bills and proposals within the scope of its functions and powers. Bills and proposals submitted shall consist of subjects, grounds and schemes.　　Deliberations on a bill or proposal already placed on the agenda of a session shall be terminated upon approval by the Presidium of a request made by the sponsor deputy for its withdrawal before it is put to vote at the session.　　Article 10 Deputies to the National People's Congress have the right, in accordance with the procedures prescribed by the Constitution, to submit to the National People's Congress bills on the amendment to the Constitution.　　Article 11 Deputies shall participate in the elections conducted by the people's congress at the corresponding level.　　Deputies to the National People's Congress have the right to advance opinions on candidates nominated by the Presidium for the component members of the Standing Committee of the National People's Congress, President and Vice-President of the People's Republic of China, Chairman of the Central Military Commission, President of the Supreme People's Court and Procurator-General of the Supreme People's Procuratorate and candidates for the various special committees of the National People's Congress.　　Deputies to the local people's congresses at or above the county level have the right, in accordance with the procedures prescribed by law, to nominate candidates for the component members of the standing committees of the people's congresses, leading members of the people's governments, presidents of the people's courts and procurators-general of the people's procuratorates at the corresponding levels, as well as candidates for the deputies to the people's congresses at the next higher levels, and have the right to advance opinions on the aforesaid candidates nominated according to law by the presidiums and deputies to the people's congresses at the corresponding levels.　　Deputies to the people's congresses of townships, nationality townships or towns have the right, in accordance with the procedures prescribed by law, to nominate candidates for the leading members of the people's governments at the corresponding levels, and have the right to advance opinions on the aforesaid candidates nominated according to law by the presidiums and deputies to the people's congresses at the corresponding levels.　　Deputies to the people's congresses at various levels have the right to advance opinions on the candidates for the presidiums of the people's congresses at the corresponding levels.　　With respect to a candidate that has been determined, deputies may vote for or against, or vote another person instead, or abstain from voting. 　　Article 12 Deputies to the National People's Congress shall participate in deciding on the choice of the component members of the State Council, and Vice-Chairmen and members of the Central Military Commission.　　Deputies to the National People's Congress and to the people's congresses of provinces, autonomous regions, municipalities directly under the Central Government, autonomous prefectures and cities divided into districts shall participate in the vote for determining the component members of various special committees of the people's congresses at the corresponding levels.　　Article 13 During deliberations on a bill or proposal, or a report, deputies may make inquiries to the relevant State organ at the corresponding level, and such organ shall send its leading cadre or a person in charge to answer the inquiries.　　Article 14 During a session of the National People's Congress, a delegation or a group of thirty or more deputies have the right to make a proposal in writing for addressing inquiries to the State Council, ministries and commissions under the State Council, the Supreme People's Court and the Supreme People's Procuratorate.　　Deputies to the people's congresses at or above the county level have the right, in accordance with the procedures prescribed by law, to make proposals for addressing inquiries to the people's governments and governmental departments, the people's courts and the people's procuratorates at the corresponding levels.　　Deputies to the people's congresses of townships, nationality townships or towns have the right, in accordance with the procedures prescribed by law, to make proposals for addressing inquiries to the people's governments at the corresponding levels.　　In a proposal for addressing inquiries, the person to be inquired and the subject and content to be inquired about shall be clearly stated.　　A proposal for addressing inquiries shall, according to a decision of the Presidium, be replied by the State organ inquiried. If half or more of the deputies who made the proposal for addressing inquiries are not satisfied with the reply, they may demand another reply from the organ in question. 　　Article 15 Deputies to the National People's Congress have the right, in accordance with the procedures prescribed by law, to make a proposal for the removal from office of a member of the Standing Committee of the National People's Congress, the President or Vice-President of the People's Republic of China, a component member of the State Council, a component member of the Central Military Commission, the President of the Supreme People's Court or the Procurator-General of the Supreme People's Procuratorate.　　Deputies to a local people's congress at or above the county level have the right, in accordance with the procedures prescribed by law, to make a proposal for the removal from office of a component member of the standing committee of the people's congress, a component member of the people's government, the president of the people's court or the procurator-general of the people's procuratorate at the corresponding level.　　Deputies to the people's congress of a township, nationality township or town have the right, in accordance with the procedures prescribed by law, to submit a proposal for the removal from office of a leading member of the people's government at the corresponding level.　　In a proposal for removal from office, the reasons for the removal shall be clearly stated.　　Article 16 Deputies to a people's congress at or above the county level have the right to put forward, according to law, a proposal for setting up a committee for the investigation of a specific question.　　Article 17 Deputies may, in a vote conducted by the people's congress at the corresponding level, cast an affirmative vote or a negative vote or abstain from voting.　　Article 18 Deputies have the right to put forward proposals, criticisms or opinions to the people's congress at the corresponding level concerning any sphere of work. The State organs or institutions concerned must make study and disposition thereof and be responsible for giving a reply.　　Chapter III　　Activities of Deputies When the People's Congress　　at the Corresponding Level Is Not in Session　　Article 19 The standing committee of a people's congress at or above the county level shall organize deputies to the people's congress at the corresponding level to carry out activities when the people's congress at the corresponding level is not in session.　　The standing committee of a local people's congress at or above the county level shall, upon the commission of the standing committee of the people's congress at the next higher level, organize the deputies to the people's congress at the next higher level who are elected by the people's congress at the corresponding level to carry out activities when the people's congress at the next higher level is not in session.　　Article 20 Deputies to the people's congresses at or above the county level may, with the assistance of the standing committees of the people's congresses at the corresponding levels or lower levels, form themselves into deputy groups in the light of the principle of facilitating the organization and conduct of their activities.　　Deputies to the people's congresses at or above the county level may take part in the group activities of deputies to the people's congresses at lower levels.　　Article 21 Deputies to the people's congresses at or above the county level may, in line with the unified arrangements made by the standing committees of the people's congresses at the corresponding levels, carry out inspections on the work of the State organs and relevant units at the corresponding levels or lower levels.　　Deputies may, during inspections conducted in accordance with the provisions of the preceding paragraph, suggest an interview with the responsible personnel of the relevant State organs at the corresponding or lower levels. The responsible personnel to be interviewed of the State organs concerned or the persons in charge entrusted by them shall listen to the proposals, criticisms or opinions of the deputies.　　Deputies may conduct on-the-spot inspections in their respective localities on the strength of their deputy cards. The standing committees of the local people's congresses at or above the county level shall, upon requests by deputies, make arrangements for deputies to the people's congresses at the corresponding or higher levels to conduct on-the-spot inspections in their respective localities on the strength of their deputy cards.　　Deputies may, during their inspections, put forward proposals, criticisms or opinions to the units inspected, but shall not deal with the problems directly.　　Article 22 Deputies have the right, in accordance with the procedures prescribed by law, to propose the convening of an interim session of the people's congress at the corresponding level.　　Article 23 Deputies to the people's congresses at or above the county level may attend, upon invitation, and as nonvoting participants, meetings of the standing committees of the people's congresses at the corresponding levels. Deputies to the National People's Congress and those to the people's congresses of provinces, autonomous regions, municipalities directly under the Central Government, autonomous prefectures or cities divided into districts may attend, upon invitation and as nonvoting participants, meetings of the special committees of the people's congresses at the corresponding levels.　　Article 24 Deputies to the National People's Congress and those to the people's congresses of provinces, autonomous regions, municipalities directly under the Central Government, autonomous prefectures or cities divided into districts may attend, as nonvoting participants, meetings of the people's congresses of the electoral units that elected them, and may also attend, upon invitation and as nonvoting participants, meetings of the standing committees of the people's congresses of the electoral units that elected them.　　Article 25 Deputies shall, through various ways, constantly listen to the opinions of the masses of the people, answer inquiries of voters of the electoral district or of the electoral unit that elected them about their work and activities as deputies and assist the people's government at the corresponding level in its work.　　Article 26 Deputies to the people's congresses at or above the county level shall, according to decisions of the people's congresses at the corresponding levels or of their standing committees, join the committees for the investigation of specific questions.　　Article 27 Deputies to a people's congress at or above the county level have the right to put forward proposals, criticisms or opinions concerning any sphere of work to the standing committee of the people's congress at the corresponding level. State organs or institutions concerned must make study and disposition thereof and be responsible for giving a reply.　　Article 28 Deputies to the people's congress of a township, nationality township or town shall have division of labour in their contacts with the voters, form themselves into deputy groups according to law, reflect the opinions and demands of the masses and assist the work of the people's government at the corresponding level.　　Chapter IV　　Guarantees for the Performance of Functions as Deputies　　Article 29 Deputies shall hold no legal liability for their speeches or votes at various meetings of the people's congresses.　　Article 30 No deputy to a people's congress at or above the county level may be arrested or placed on criminal trial without the consent of the Presidium of the people's congress at the corresponding level, or without the consent of its standing committee when the people's congress is not in session. If a deputy is caught in the act and detained, the organ executing the detention shall immediately report the matter to the Presidium or the standing committee of the people's congress at the corresponding level.　　If any other restriction of personal freedom prescribed by law is imposed on a deputy to a people's congress at or above the county level, it shall be subject to the approval of the Presidium or the standing committee of the people's congress at the corresponding level.　　If a deputy to the people's congress of a township, nationality township or town is arrested or placed on criminal trial, or subjected to any other restrictions of personal freedom prescribed by law, the executing organ shall immediately report the matter to the people's congress of the township, nationality township or town.　　Article 31 Where a deputy participates in activities as deputy arranged by the people's congress at the corresponding level or its standing committee when the people's congress is not in session, The unit to which the deputy belongs must ensure him the needed time.　　Article 32 The performance by a deputy of his or her functions as deputy in accordance with the provisions of Article 31 of this Law shall be regarded as normal attendance by his or her unit and the wage and other benefits of the unit shall be duly enjoyed by the deputy.　　Deputies with no fixed income of wages or salaries shall, for the performance of their functions as deputies, be appropriately subsidized by the governmental finance at the corresponding level in light of the specific circumstances.　　Article 33 Funds for deputy activities shall be included in the financial budget of the governments at the corresponding levels.　　Article 34 The standing committees of the people's congresses at or above the county level shall, through various ways, maintain contacts with deputies to the people's congresses at the corresponding levels.　　Article 35 The standing committees of the local people's congresses at or above the county level shall provide necessary conditions for deputies within their respective administrative areas to perform their functions as deputies.　　Article 36 The offices of the standing committees of the people's congresses at or above the county level shall provide services for deputies in their performance of functions as deputies.　　Article 37 For the convenience of deputies' performance of their functions as deputies, the people's congresses at various levels may make and issue deputy cards to deputies to the people's congresses at the corresponding levels.　　Article 38 When deputies of minority nationalities perform their functions as deputies, the departments concerned shall provide them with necessary help and give special considerations in such aspects as languages, both spoken and written, habits and customs.　　Article 39 All organizations and individuals must respect the rights of deputies and support them in their performance of functions as deputies.　　Whoever has the duty to assist deputies in their performance of functions as deputies but refuses to do so shall be admonished, criticized, even subjected to administrative sanctions by the unit concerned.　　Whoever obstructs deputies from performing their functions as deputies according to law shall be subjected to administrative sanctions by the unit to which he or she belongs or by the department at the higher level, or shall be punished in accordance with the provisions of Article 19 of the Regulations on Administrative Penalties for Public Security. Whoever obstructs, by means of violence or threat, deputies from performing their functions as deputies according to law shall be investigated for criminal responsibility in accordance with the provisions of Article 157 of the Criminal Law.　　Chapter V　　Suspension of Performance of Functions as a Deputy　　and Disqualification of a Deputy　　Article 40 Where a deputy is involved in either of the following circumstances, the performance of his or her functions as deputy shall be temporarily suspended:　　(1)being held in custody and subjected to investigation, prosecution and trial for criminal cases; or　　(2)being sentenced to public surveillance, criminal detention or fixed-term imprisonment without the supplementary punishment of deprivation of political rights and now serving the sentence.　　As soon as the circumstances specified in the preceding paragraph no longer exist during the term of the deputy in question, the performance of his or her functions as deputy shall be restored, except for the one who is disqualified as deputy.　　Article 41 A deputy involved in any of the following circumstances shall be disqualified as a deputy:　　(1) a deputy to a local people's congress at any level who has moved or is transferred away from the corresponding administrative area;　　(2) his or her resignation as a deputy being accepted;　　(3) being absent, without approval, from two sessions of the people's congress at the corresponding level; 　　(4) being recalled;　　(5) having forfeited the nationality of the People's Republic of China; and　　(6) being deprived of political rights in accordance with the law.　　Article 42 The disqualification of a deputy to a people's congress at or above the county level shall be reported by the credential committee to the standing committee of the people's congress at the corresponding level for its announcement.　　The disqualification of a deputy to the people's congress of a township, nationality township or town shall be reported by the credential committee to the people's congress at the corresponding level for its announcement.　　Chapter VI　　Supplementary Provisions　　Article 43 The people's congresses of provinces, autonomous regions and municipalities directly under the Central Government and their standing committees may, in accordance with this Law and in light of the actual conditions of their respective administrative areas, formulate measures for implementation.　　Article 44 This Law shall enter into force as of the date of promulgation.