

## The Interim Organizational Regulations of the Supreme People's Procuratorate of the Central People's Government

Adopted at the twelfth meeting of the Central People's Government Committee on September 3, 1951

### Article 1

These regulations are formulated in accordance with the provisions of Articles 5, 28 and 30 of the Organic Law of the Central People's Government of the People's Republic of China.

### Article 2

The Supreme People's Procuratorate of the Central People's Government is the nation's highest procuratorial agency, and it bears the highest procuratorial responsibility for strict compliance with the law by government agencies, public servants, and citizens throughout the country.

### Article 3

The Supreme People's Procuratorate is directly under the jurisdiction of the Central People's Government Committee, and directly exercises and leads the lower-level prosecutors' offices to exercise the following powers:

- (1) Inspect whether government agencies, public servants, and citizens of the whole country strictly abide by the common program of the Chinese People's Political Consultative Conference, the policies, guidelines, and laws and decrees of the people's government;
- (2) Conduct prosecutions and prosecute counter-revolutionary and other criminal cases;
- (3) Protest against illegal or improper judgments made by judicial organs at all levels;
- (4) Prosecuting illegal measures taken by prisons and prison labor reform institutions nationwide;
- (5) Dealing with cases of people's appeal for reconsideration against the lower-level prosecutors' office for non-prosecution sanctions;
- (6) Representing the national public welfare and participating in important civil cases and administrative litigation concerning the interests of the national society and the working people. The functions and powers of the preceding paragraphs 2 and 3 may be temporarily entrusted to the local public security organs in areas where the lower-level procuratorial offices have not yet established, but they must be guided by the higher-level procuratorial offices when performing procuratorial work.

### Article 4

The Supreme People's Procuratorate has one chief procurator, two to three deputy chief procurators, and 11 to 17 committee members, who are appointed by the Central People's Government Committee. The number of deputy chief procurators and committee members mentioned in the preceding paragraph may be increased or decreased by the chief procurator of the Supreme People's Procuratorate at the request of the Central People's Government Committee.

#### Article 5

The chief procurator of the Supreme People's Procuratorate presides over the affairs of the whole office, and the deputy chief procurator assists the chief prosecutor in performing his duties.

#### Article 6

The Supreme People's Procuratorate's committee is composed of the chief prosecutor, deputy chief prosecutors and members, with the chief prosecutor as the chairman. When the committee has different opinions, it is up to the chief prosecutor. The Supreme People's Procuratorate Committee discusses and decides on procuratorial policies and other important issues. The Supreme People's Procuratorate's committee meetings are held once a month and are convened by the chief prosecutor. The convening may be advanced or postponed if necessary.

#### Article 7

The Supreme People's Procuratorate has a secretary-general and a deputy secretary-general. They handle daily affairs under the leadership of the chief procurator and the deputy chief procurator, and supervise the work of the general office, various branches and offices.

#### Article 8

The Supreme People's Procuratorate has a general office, with one director, one or two deputy directors, several secretaries under it, and various sections to handle clerical, receiving and dispatching, archives, accounting, cashier, general affairs, etc., and when necessary, set up a secretary room.

#### Article 9

The Supreme People's Procuratorate has the first, second, and third divisions, which are responsible for the procuratorial work of the agency, and supervise the prosecutors' offices at all levels to conduct procuratorial operations; the division has one director, two deputy directors, and the prosecutors, There are several prosecutors, assistant prosecutors, secretaries, and clerks.

#### Article 10

The Supreme People's Procuratorate has a Personnel Division, which is in charge of personnel work and handles the cadres and establishment of the procuratorate at all levels. The division has one director, one deputy director, and various sections.

#### Article 11

The Supreme People's Procuratorate has a research office, with one director and one deputy director. There are groups under it, which are responsible for investigation, statistics, research, editing, data, and books.

#### Article 12

Departments, divisions, and offices shall have a section chief and a team leader in each section and group, and may have deputy positions when necessary.

#### Article 13

When the Supreme People's Procuratorate exercises its procuratorial power, anyone who believes that criminal sanctions should be imposed shall file a public prosecution with the Supreme People's Court. If it is deemed that an administrative sanction should be imposed, it shall be transferred to the People's Supervision Committee of the State Council for handling.

#### Article 14

In order to effectively complete its tasks, the Supreme People's Procuratorate may consult various agencies about laws, decrees, resolutions, orders, and other documents.

#### Article 15

The Supreme People's Procuratorate may set up branches in major administrative regions or other regions, and perform the duties of the Supreme People's Procuratorate within its jurisdiction.

#### Article 16

The general organization rules of the local people's procuratorate at all levels will be determined separately.

#### Article 17

These regulations shall come into force on the day of approval by the Central People's Government Committee.