

The "General Rules for the Organization of the People's Courts" was approved by the 41st Administrative Meeting of the GAC and submitted to the Chairman of the Central People's Government. It was approved by Chairman Mao on July 19 and is hereby promulgated for implementation.

July 20, 1950

1. In order to guarantee the revolutionary order and the implementation of the land reform policies and decrees of the people's government, people's governments at or above the province level may order or approve the establishment of county (city) people's courts according to the needs of the situation. Its task is to use judicial procedures to punish bullies, bandits, secret agents, counter-revolutionaries, and criminals who violate land reform laws that endanger the interests of the people and the country, conspiracy riots, and disrupt public order, so as to consolidate the people's democratic dictatorship and successfully complete land reform. In addition, disputes over the division of classes in the land reform and other land reform cases are also handled by the people's courts. When the tasks of the people's court are no longer necessary, the people's government at or above the province shall revoke it by order.
2. People's courts shall be established on the basis of counties (cities). When necessary, a district can be used as a unit or two or more districts can be combined to establish chambers, and the county (city) people's court and its chambers may both implement circuit trials.
3. The county (city) people's court and its divisions are directly under the leadership of the county (city) people's government, and at the same time are one of the components of the county (city) people's court, which is the civil division of the county (city) people's court. , Special courts other than criminal courts, ordinary civil criminal cases are still handled by civil courts and criminal courts.
4. The county (city) people's court and its divisions have adjudication committees composed of one presiding judge, one deputy presiding judge, and several judges. The chief and deputy judges and half of the judges of the county (city) people's court are selected by the county (city) people's government, and the remaining half of the judges are elected by the county (city) people's representative assembly or people's organization. The chief and deputy judges of the chamber and half of the judges are selected by the county (city) people's government, and the remaining half of the judges are elected by the people's representative conference or people's organization (in rural areas, mainly farmers' representative conferences or farmers' associations) in the region where they are established. The chief and deputy judges and judges shall be submitted by the county (city) people's government to the directly higher people's government for review and addition.
5. After the county (city) people's court and its chambers accept the case, they should carefully investigate the evidence, study the case, and strictly prohibit torture. During the trial, the observers can speak with permission, but the order of the court must be maintained.
6. The county (city) people's court and its chambers shall ensure that the defendant has the right to defend and call for his defense. However, the defender requested by the defendant must be approved by the court before he can appear in court for his defense.
7. The county (city) people's court and its chambers have the power to arrest, detain and sentence the defendant to death, imprisonment, confiscation of property, labor, public repentance or acquittal.

The power to approve the death penalty, confiscation of property, and imprisonment of more than five years imposed by the county people's court and its chambers belongs to the provincial people's government (or the commissioner's office designated by the provincial people's Commissioner appointed by government special order) to execute it by order. The right to approve sentences of less than five years' imprisonment and acquittal belongs to the county people's government.

The power to approve the judgments of the Municipal People's Court and its chambers: For those who belong to the municipalities directly under the Central Government of a large administrative region, the power of approval of the provincial people's government as prescribed in the preceding paragraph shall be exercised by the people's government of the large administrative region (military and political committee), and the death penalty shall be exercised by the people's government of the large administrative region (The chairman of the Military and Political Committee shall execute it by order; if it belongs to a municipality under the jurisdiction of a province, the regulations of the county shall apply).

8. The judgment of the county (city) people's court and its divisions on the death penalty of bandit counter-revolutionaries shall be approved and executed in accordance with the provisions of Article 7 of these general rules, without appeal.

County (city) people's courts and their divisions in disputes concerning the division of classes in land reform shall be executed after the judgment in accordance with the procedures stipulated in Article 31 of the Land Reform Law.

If the defendant or plaintiff disagrees with other judgments of the county (city) people's court and its chambers, within ten days after the judgment, the county (city) people's government may instruct the county (city) people's court to review the judgment; If you still disagree, you may file an appeal.

9. If the personnel of the county (city) people's court and its chambers violate the law or dereliction of duty, the people may submit evidence to report it. After verification, the county (city) people's government or the people's government directly under it will be severely punished in accordance with the law.

10. The presiding judges, deputy judges, and judges of the county (city) people's courts and their divisions shall recusal when they encounter a case that is of interest to them.

11. Other staff of the county (city) people's court and its chambers shall be called by the staff of the county (city) people's government, people's court and people's organization.

12. The expenses of county (city) people's courts and their chambers shall be separately prescribed by the State Council.

13. In order to adapt to the specific local conditions, all major administrative regions or provinces may formulate people's court regulations in accordance with these general rules, promulgate them for implementation, and report to the Central People's Government Administration for the record. Those who have formulated the People's Court Regulations before the promulgation of this General Principle, if there is any conflict with this General Principle, they must be amended in accordance with this General Principle.

14. This general rule shall be promulgated and implemented after being approved by the political affairs meeting of the Central People's Government Administration Council and submitted to the Chairman of the Central People's Government for approval.