

Regulations for Punishing Corruption in the People's Republic of China

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Article 1

This regulation is formulated according to Article 18 of the Common Program of the Chinese People's Political Consultative Conference, which stipulates the severe punishment of corruption.

Article 2

Corruption is defined as any act by personnel of state organs, enterprises, schools, and their affiliated institutions that involves embezzling, stealing, defrauding, or misappropriating state property, extorting property from others, accepting bribes, or other illegal activities that seek personal gain under the guise of public interest.

Article 3

Persons committing acts of corruption shall be punished based on the severity of the offense as follows:

1. For embezzlement exceeding RMB 100 million, a sentence of over ten years imprisonment or life imprisonment is prescribed. In particularly severe cases, the death penalty may be applied.
2. For embezzlement between RMB 50 million and RMB 100 million, a sentence of five to ten years imprisonment is prescribed.
3. For embezzlement between RMB 10 million and RMB 50 million, a sentence of one to five years imprisonment, one to four years of labor, or one to two years of control is prescribed.
4. For embezzlement below RMB 10 million, a sentence of less than one year imprisonment, labor, or control is prescribed; administrative penalties such as dismissal, demotion, or warnings may also be applied.

Collective embezzlement is punished according to individual gains and circumstances. Embezzled property must be recovered, and in particularly severe cases, partial or full confiscation of property is permitted.

Article 4

Corruption with any of the following aggravating circumstances shall result in harsher punishment:

1. Severe harm to the state, social enterprises, or public safety.
2. Selling or leaking state economic information.
3. Perverting justice for bribes.
4. Extortion.
5. Organizing collective corruption.

6. Repeated offenses.
7. Refusal to confess or obstructing others from confessing.
8. Destroying public property to cover up crimes.
9. Framing others to conceal corruption.
10. Incomplete confession, leading to further serious revelations after sentencing.
11. Other particularly egregious acts.

Corruption combined with other crimes will result in combined punishment.

Article 5

Leniency or reduced punishment, probation, or administrative penalties may be applied if:

1. The person confesses before being discovered.
2. The person thoroughly confesses, sincerely repents, and voluntarily returns the embezzled property after discovery.
3. The person makes meritorious reports of other corruption offenses.
4. The person is young or usually honest, but committed an occasional act of corruption and shows genuine remorse.

Article 6

Those who bribe or introduce bribes to state employees shall be punished based on the severity of their actions, referencing Article 3. In particularly severe cases, partial or full confiscation of property is permitted. Those who thoroughly confess and report the bribe recipient may be fined instead of facing criminal charges.

Those bribing to evade taxes will face penalties in addition to fines for the tax evasion, in accordance with this regulation.

Those who coerce or entice others to accept bribes will face harsher punishment.

Those giving property to state employees under coercion, without obtaining illegal benefits, are not considered guilty of bribery, and coerced property must be returned.

Article 7

Acts of giving small kickbacks to state employees in fair transactions due to the influence of past societal customs, if committed before this regulation was promulgated, are not considered bribery.

However, after the promulgation of this regulation, any giving or accepting of small kickbacks in transactions with state employees will be punished as bribery or acceptance of bribes.

Article 8

Non-state employees who embezzle, steal, defraud, or misappropriate state property will be subjected to property recovery and fines or compensation for damages based on the severity and amount involved. In particularly severe cases, criminal penalties or full or partial confiscation of property will apply. Those who thoroughly confess and show minor offenses may be exempt from punishment.

Article 9

Those who buy or steal state economic information for personal gain will be punished based on the severity and amount involved, referencing Articles 3, 4, 5, and 8.

Article 10

If recovery of embezzled property or other illegal gains is impossible, the judicial or handling authority may collaborate with the relevant administrative body to take appropriate actions.

Article 11

Corrupt offenders may be deprived of part or all of their political rights, depending on the severity of their crimes.

Article 12

Non-state employees colluding with state employees in corruption will be punished according to Articles 3, 4, 5, 10, and 11.

Article 13

Leaders of state organs, enterprises, schools, and affiliated institutions who knowingly cover up or fail to report subordinates' corruption will face criminal or administrative penalties based on the severity of their actions.

Article 14

Any individual has the right to report corruption offenses to the competent administrative departments, people's supervisory bodies, public security organs, procuratorial organs, people's courts, or other appropriate authorities or leaders.

Anyone retaliating against a whistleblower will face criminal or administrative penalties based on the severity of the retaliation.

Article 15

Employees of social organizations committing corruption are subject to this regulation.

Article 16

Active revolutionary military personnel committing corruption are subject to this regulation.

Article 17

After the promulgation of this regulation, repeat offenders or those committing new offenses will face harsher punishment.

Article 18

This regulation is promulgated by the Central People's Government Committee.