

Regulations of the Government Administration Council on Establishing People's Courts During the "Three-Anti" Campaign

Issuing Body: Government Administration Council of the Central People's Government

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1. Establishment of People's Courts for Handling Cases During the "Three-Anti" Campaign

To ensure the strict, cautious, and timely handling of cases of corruption, exemptions from punishment, and other cases requiring judicial processes within the "Three-Anti" Campaign, People's Courts may be established within administrative regions and units above the district level, as well as battalion-level military units. These courts will operate under the supervision of local People's Courts and military judicial bodies. Depending on necessity, such courts may be set up either independently by one unit or jointly by several units, with approval from the corresponding level of People's Government or military leadership.

2. Formation of Judicial Committees

Each People's Court must have a Judicial Committee, comprised of one chief judge, one or two deputy judges, and several judges, as well as additional support staff as needed. Generally, the chief judge or deputies should be high-ranking officials of the hosting unit, and judges should include active participants from the "Three-Anti" Campaign as well as members of various democratic parties and non-affiliated democratic individuals within the agency. Names of court members must be approved by the respective People's Government or military leadership and officially announced to the public.

3. Judicial Authority

People's Courts are granted the power to summon, arrest, detain, release, impose disciplinary measures, sentence to labor reform, issue fixed-term imprisonment, life imprisonment, the death penalty, and enforce confiscation of stolen goods, property, deprivation of political rights, probation, exemption from punishment, and acquittal.

4. Approval for Criminal Sentences

In general, criminal sentences must be approved by a superior level; the lowest level with such authority is the Office of the Commissioner (or the Provincial People's Government in the absence of a Commissioner's Office) and military units at the division level. Exemption from punishment for cases involving life imprisonment or embezzlement exceeding one billion yuan requires a two-tiered approval process, with the Provincial People's Government, second-level military districts, and corps being the lowest approving authorities. All death sentences require approval from the Government Administration Council, the regional People's Government, or the People's Revolutionary Military Committee and military district commands.

5. Appeals Process

If either the defendant or plaintiff objects to the verdict, they may appeal to the appropriate People's Court or military judicial body within three days of receiving the written judgment.

6. Execution of Sentences

- Disciplinary measures are generally executed by the unit but may also be transferred to an appointed government or military agency.
- Labor reform sentences must be carried out by a government or designated military body.
- Sentences of fixed-term imprisonment, life imprisonment, or death are handed over to local People's Courts or military judicial bodies for execution.
- Probationary sentences involving fixed-term imprisonment or labor reform follow the above stipulations, while life imprisonment and death penalties with probation are to be carried out with forced labor in local People's Courts or military detention centers.

7. Transfer of Complex Cases

In particularly complex or severe cases where a People's Court is unable to reach a conclusion, the case may be transferred to a People's Court or military judicial body for trial, upon approval by the corresponding level of People's Government or military leadership.

8. Oversight of Judicial Work

To reinforce leadership over judicial work, all levels of People's Courts, as well as procuratorial, inspection, judiciary, and public security departments, may form specialized committees to conduct inspections of People's Courts within their jurisdictions. The political departments of military units will conduct similar inspections.

9. Dissolution of People's Courts

Upon conclusion of the "Three-Anti" Campaign and completion of judicial tasks, People's Courts shall be disbanded by the respective People's Government or military leadership through official orders.

10. Effective Date

These regulations take effect upon the date of publication.