

Decision of the GAC on the unified measures for concluding treaties, agreements, protocols, contracts, etc. with foreign countries.

Enacting authority: State Council of the Central People's Government

September 14, 1951

(Adopted at the 102nd Executive Meeting of the GAC on September 14, 1951 and approved at the 17th Meeting of the Central People's Government Committee on August 7, 1952)

1. All treaties and agreements concluded between the People's Republic of China and foreign countries shall be handled uniformly through the Ministry of Foreign Affairs in accordance with this Decision.

2. The Ministry of Foreign Affairs shall be responsible for the conclusion or accession of international conventions and the conclusion of political, economic, cultural and other treaties and agreements with foreign countries. However, if there are matters involving the jurisdiction of other agencies, the Ministry of Foreign Affairs shall consult with the competent agencies to handle them.

The conclusion of purely business or technical agreements, protocols, contracts, etc. should be handled by the competent authorities in conjunction with the Ministry of Foreign Affairs.

3. For any treaty or agreement under Article 2, Paragraph 1 of this Decision, the Ministry of Foreign Affairs shall request the Premier of the Executive Yuan to appoint a representative or delegation and issue full powers. For any particularly important treaty or agreement under Article 2, Paragraph 1 of this Decision, the Ministry of Foreign Affairs shall request the Executive Yuan to forward the request to the Chairman of the Central People's Government to appoint a representative or delegation and issue full powers. For any agreement, protocol, contract, etc. under Article 2, Paragraph 2 of this Decision, the Premier of the Executive Yuan may appoint a representative or delegation and issue full powers.

4. The Ministry of Foreign Affairs shall report to the Premier of the Executive Yuan at any time for instructions on the negotiation of any treaty or agreement under Article 2, Paragraph 1 of this Decision. During the negotiation of any agreement, protocol, contract, etc. under Article 2, Paragraph 2 of this Decision, the competent authority shall notify the Ministry of Foreign Affairs of the negotiation status at any time and report to the Premier of the Executive Yuan or the director of the relevant commission for instructions together with the Ministry of Foreign Affairs.

The text of treaties, agreements, protocols, contracts, etc. agreed upon in accordance with the provisions of the preceding paragraph shall be examined by the Ministry of Foreign Affairs and approved by the Premier of the State Council or forwarded to the Chairman of the Central People's Government for approval, and then notified by the Ministry of Foreign Affairs for signature.

5. After signing, the Ministry of Foreign Affairs or the Ministry of Foreign Affairs together with the competent authority shall promptly report the contract conclusion process together with this contract to the Executive Yuan.

6. All treaties and agreements signed under the first paragraph of Article 2 of this Decision, which specify in their text that they must be ratified and that instruments of ratification must be exchanged, shall be submitted to the Central People's Government Council for approval after being submitted to the Executive Council of the State Council for approval, and if necessary, full certificates of exchange of ratification shall be issued. In case of urgency, after being passed by the Executive Council of the State Council, they may be submitted to the Chairman of the Central People's

Government for approval first, and then submitted to the Central People's Government Council for ratification. All treaties and agreements under the first paragraph of Article 2 of this Decision, which specify in their text that they must be ratified but do not specify that instruments of ratification must be exchanged, shall be approved by the Executive Council of the State Council and then submitted to the Central People's Government Council for record. Those whose texts do not specify that they must be approved shall be approved by the Premier of the State Council.

All agreements, protocols, contracts, etc. falling under the second paragraph of Article 2 of this Decision shall be approved by the Prime Minister.

7. For treaties, agreements, protocols, contracts, etc. that have been ratified, the Ministry of Foreign Affairs or the Ministry of Foreign Affairs together with the competent authorities shall go through the procedures of exchange of approval, notification of approval, etc.

8. The originals of ratified or approved treaties, agreements, protocols, contracts, etc. shall be kept by the Ministry of Foreign Affairs, and their copies shall be kept by the competent authorities.

9. The publication, compilation, and interpretation of treaties, agreements, protocols, contracts, etc. are all sponsored by the Ministry of Foreign Affairs.

10. This decision shall be submitted to the Central People's Government Council for approval and implementation after being adopted by the Executive Council of the GAC.