

1951

Speeches/Documents

Title: The Provisional Regulations for the Preservation of State Secrets of the People's Republic of China

Author: Order of the Government Administrative Council (GAC) of the Central People's Government. These Provisional Regulations for the Preservation of State Secrets passed at the eighty-seventh meeting of this council have been ratified by the chairman and are hereby promulgated for enforcement. Signed Premier Chou En-Lai

Date: June 8, 1951

Source: Provisional regulations governing the protection of state secrets, in [Collection of Laws and Decrees of the Central People's Government], Vol. II, Peking, p. 19-22.

Description:

Article I. — These regulations are enacted for the purpose of strictly preserving state secrets of the People's Republic of China, of preventing spies, counter revolution elements in subversive elements inside and outside the country from prying into, stealing, and selling state secrets and of guarding against revelations and loss of state secrets by all personnel.

Article II. — State secrets shall mean the following :

1. All national defense and military plans in military construction measures.
2. Secrets concerning the organization, unit identification, actual strength, equipment, garrison posts, transfer and deployment of all kinds of armed units as well as concerning rear service munitions work.
3. Foreign relations secrets.
4. Public security secrets.
5. State financial plans, state budgetary estimates, budgets and financial statements as well as financial secrets.
6. State monetary plans, customs plans, as well as secrets concerning monetary trade and customs affairs.
7. Secrets concerning railways, communications, postal service and telecommunications.
8. State economic construction plans and secrets concerning economic construction work.
9. Secrets concerning survey of resources, geological survey, meteorological forecasts and geographical survey.
10. Secrets concerning scientific new inventions and discoveries, culture, education, hygiene and medicine.
11. Secrets concerning legislative, judicial, supervisory and control affairs.

12. Secrets concerning affairs of nationalities and overseas Chinese.
13. Secrets concerning internal organization and personal affairs.
14. Archives, secret codes, seals and all kinds of documents, telegrams, correspondence, reference materials, statistics, figures, charts, books, etc., relative to state secrets.
15. All organizations, warehouses and premises relative to state secrets.
16. All state affairs not yet decided upon or decided upon but not yet promulgated.
17. Other state affairs that are required to be kept secret

Article III. — Concrete items and general scope of state secrets shall be decided upon and promulgated by the state administrative council of the Central People's Government in the case of those relative to administration and by the People's Revolutionary Military Council of the Central People's Government in the case of those relative to national defense and military affairs. In case local preservation of secrets is specifically called for supplementary provisions may be made by local governments and reported to superior organs for file.

Article IV. — All grades of people's governments and armed units are required to set up security organizations to take charge of security work under organizational rules to be separately provided.

All democratic parties and groups, peoples, bodies, organs, schools, factories, enterprises, mines and warehouses may according to their respective needs establish a state secret preservation system and security organization.

Article V. — Personnel of all grades of people government, armed units, democratic parties and groups, peoples, bodies, organs, schools, factories, enterprises, mines and warehouses must strictly preserve state secrets. In accordance with specific conditions, all organizational units should from time to time conduct necessary propaganda and education among the masses concerning the preservation of state secrets. In regard to places where great secrecy should be maintained, the people may be organized by local governments to take security measures and security compacts may be signed and carried out through mutual supervision.

Article VI. — Working personnel in charge of and undertaking the preservation of state secrets must be really reliable ones fully and strictly examined and selected by the personnel departments.

Article VII. — A close control and check system must be established and necessary material equipment supplied in connection with the copying, correlating, printing, sealing, mailing, delivery, reading custody, destruction and filing of telegrams, documents, reference materials, statistics relative to state secrets.

Article VIII. — In the case of important conferences, the attending personnel should be determined according to work needs and should be subject to screening and approval by a definite organ. Strict check and security education must be conducted in regard to personnel assisting in the work of the conference. Guards must be closely posted around conference halls. Documents of the conference

must be examined and approved by persons in charge before printing and distribution and should be recalled after the conference unless permission has been granted and may not be copied without permission. Even documents which need not be handed back must be clearly recorded. No individual person may take minutes without permission. It is not permitted to disclose to outside persons proceedings of the conference. When the proceedings of the conference require to be circulated then it is necessary to appoint special persons to take charge of circulating the documents and also necessary to determine the contents of the documents to be circulated and the person who will receive the documents.

Article IX. — Secret codes used by all grades of People's Government shall be compiled under a unified plan and approved for use by the GAG of the Central People's Government and the security departments of the Administrative Regions People's Government (MAC). The secret code used by all grades of armed units shall be compiled under a unified plan and approved for use by the People's Revolutionary Council of the Central People's Government and the security departments of first grade military district commands and field army headquarters.

Article X. — In case of various grades of People's Governments and armed units find it necessary to set up radio stations, the government must report the matter grade by grade to the GAC of the Central People's Government or the Administrative Regions People's Government (MAC) for approval. The military must report the matter grade by grade to the central staff of the People's Revolutionary Military Council of the Central People's Government or the first NSIEN military-district command or field army headquarters for approval.

Article XI. — In regard to publications and reporting of news, articles and reference materials relative to state secrets, measures for publication shall be worked out under a uniform plan by the GAC of the Central People's Government in the case of those falling within the scope of administration and by the People's Revolutionary Military Council of the Central People's Government in the case of those falling within the scope of military affairs.

All news articles and reference materials published in newspapers and magazines and broadcast by radio stations shall not divulge state secrets. All news agencies, newspapers, broadcasting stations and publishing agencies should formulate security and examination measures in connection with publications of news articles and reference materials.

Article XII.— All publications put out by the organizational units in the administrative system are subject to approval respectively of the GAC of the Central People's Government and the Administrative Regions People's Government, All publications put out by the organizational units in the military system are subject to approval respectively of the general staff and the general political department for the People's Revolutionary Military Council as well as of the first grade military district commands or headquarters and political department of field army. The above publications may not publish state confidential documents or disclose state secrets and should be subject to security examination by the competent authorities before printing.

Article XIII. — Any of the following acts shall be condemned as counter revolutionary and shall be punished in accordance with the regulations for the punishment of counter revolutionaries.

1. Selling state secrets to enemies inside and outside the country.

2. Deliberately revealing the state secrets to enemies inside and outside the country.

3. Selling state secrets to unscrupulous merchants inside and outside the country.

Article XIV. — Persons who utilize state secrets for speculation in profit making purposes shall be delivered to judicial organs or military tribunal.

Article XV. — Persons who disclose state secrets or lose state secrets through carelessness shall be punished according to circumstances of the case.

Article XVI. — Any of the following merits shall be commended or rewarded.

1. Preserving state secrets heroically and unyieldingly before the enemy.

2. Preserving state secrets under critical circumstances and in defiance of difficulties and dangers.

3. Timely denunciation of elements who make illegal use, sell and steal state secrets and breaking such cases.

4. Timely taking remedial measures on discovery of loss and revelation of secrets.

5. Consistently carrying out the security system and persuading others to preserve state secrets with marked success.

Article XVII. — The supervisory organs of all grades of People's Governments should take supervision over preservation of state secrets as one of their regular tasks.

Article XVIII. — Various organizational units may formulate concrete measures for enforcement on the basis of these regulations.

Article XIX. — These regulations shall be passed by the GAC of the Central People's Government and promulgated for enforcement after approval by a chairman of the Central People's Government.

Article XX'. — The right of interpretation and right of revision of the regulations shall belong to the GAC of the Central People's Government.