

General rules for the organization of local people's procuratorates at all levels

Adopted at the twelfth meeting of the Central People's Government Committee on September 3, 1951

Article 1

In order to establish the local people's procuratorate at all levels, the general rules of the organization have been formulated.

Article 2

The functions and powers of the local people's procuratorate at all levels are as follows:

(1) Inspect whether government agencies, public servants, and citizens at all levels strictly abide by the common program of the Chinese People's Political Consultative Conference, the policies, guidelines, and laws and decrees of the people's government.

(2) Conduct prosecutions and prosecute counter-revolutionary and other criminal cases.

(3) Protest against illegal or improper judgments by judicial organs at all levels.

(4) Illegal measures taken by the procuratorate and prison labor reform institutions.

(5) Dealing with cases of people's appeal for reconsideration against the lower-level procuratorial office for non-prosecution.

(6) Representing the national public welfare and participating in important civil cases and administrative litigations concerning the interests of society and the working people.

Article 3

The organization of the local people's procuratorate at all levels is as follows:

(1) The Supreme People's Procuratorate of the Central People's Government may set up branch offices in large administrative regions or other regions. The branch offices have chief prosecutors and deputy chief prosecutors, under which they have a secretary-general, general office, and first, second, and third offices; The department has sections and offices; the divisions have inspectors, inspectors, assistant inspectors, clerks, etc.

(2) Provinces (administrative offices) and central or large administrative regions have established People's Procuratorate, with chief prosecutors and deputy chief prosecutors, under which there are offices, first and second divisions, and prosecutors, assistant prosecutors, and secretaries. Staff and so on.

(3) The Provincial People's Procuratorate may set up branch offices in special areas. The branch offices shall have chief prosecutors and deputy chief prosecutors, under which prosecutors, assistant prosecutors, clerks, etc., and may also set up offices.

(4) Counties (cities) set up People's Procuratorate, with chief prosecutors and deputy chief prosecutors, under which there are prosecutors, assistant prosecutors, secretaries, clerks, etc., but the People's Procuratorate of a larger city may set up an office. The various departments, offices, and sections of the procuratorate at all levels may, when necessary, set up deputy positions at their discretion. All ethnic autonomous regions, in accordance with their specific conditions, establish people's procuratorates equivalent to the people's governments at that level.

Article 4

The chief prosecutors of the local people's inspection offices at all levels preside over the affairs of the whole office, and the deputy chief procurators assist the chief prosecutors in performing their duties.

Article 5

The local people's procuratorate at all levels may have several committee members. The chief procurator, the deputy chief procurator and the committee members shall form the committee for discussion, and the chief procurator shall be the chairman. When the committee has different opinions, it is up to the chief prosecutor. The committees of local people's procuratorates at all levels discuss and decide on procuratorial policies and other important issues. The committee meetings of the local People's Procuratorate at all levels are held once a month and convened by the chief procurator. If necessary, the convening may be advanced or postponed.

Article 6

The relationship between the local People's Procuratorate at all levels and the subordinate and the same level of agencies is as follows:

- (1) The local People's Procuratorate at all levels are under the leadership of the People's Procuratorate at a higher level.
- (2) Local people's procuratorates at all levels (including the branches of the Supreme People's Procuratorate) are an integral part of the people's government at the same level, and are also under the leadership of the people's government committee at the same level, and have close ties with the judicial, public security, supervisory and other relevant agencies at the same level, working. The Provincial People's Procuratorate Branch is under the guidance of the district commissioner.
- (3) When local people's procuratorates at all levels exercise their procuratorial powers, those who believe that criminal sanctions should be imposed should be prosecuted to the people's courts at the same level; if they believe that administrative sanctions should be imposed, they should be transferred to the people's supervision committees at the same level for handling.
- (4) The local people's procuratorate at all levels may read relevant materials and documents from various agencies for the purpose of effectively fulfilling their tasks.
- (5) The chief prosecutors (deputy chief prosecutors) of local people's procuratorates at all levels may negotiate with the judicial, public security, and supervisory agencies at the same level to participate in their administrative meetings and professional meetings in order to obtain work cooperation, and may also invite the above agencies to participate. The administrative meetings and professional meetings of the local people's procuratorate at this level.

Article 7

This general rule shall be implemented on the day of approval and promulgation by the Central People's Government Committee.