

ORGANIC LAW OF THE STATE COUNCIL OF THE PEOPLE'S REPUBLIC OF CHINA

Adopted by the First Session of the First National People's Congress on September 21, 1954

ARTICLE 1 The Organic Law of the State Council of the People's Republic of China is enacted in accordance with the second paragraph of Article 48 of the Constitution of the People's Republic of China.

ARTICLE 2 The State Council is composed of the following ministries and commissions:

- The Ministry of Internal Affairs;
- The Ministry of Foreign Affairs;
- The Ministry of Defence;
- The Ministry of Public Security;
- The Ministry of Justice;
- The Ministry of Supervision;
- The State Planning Commission;
- The National Construction Commission;
- The Ministry of Finance;
- The Ministry of Food;
- The Ministry of Commerce;
- The Ministry of Foreign Trade;
- The Ministry of Heavy Industry;
- The First Ministry of Machine Building;
- The Second Ministry of Machine Building;
- The Ministry of Fuel Industries;
- The Ministry of Geology;
- The Ministry of Building;
- The Ministry of Textile Industry;
- The Ministry of Light Industry;
- The Ministry of Local Industry;
- The Ministry of Railways;
- The Ministry of Communications;
- The Ministry of Posts and Tele-Communications;
- The Ministry of Agriculture;
- The Ministry of Forestry;
- The Ministry of Water Conservancy;
- The Ministry of Labour;
- The Ministry of Culture;
- The Ministry of Higher Education;
- The Ministry of Education;
- The Ministry of Public Health;
- The Physical Culture and Sports Commission;
- The Nationalities Affairs Commission;
- The Overseas Chinese Affairs Commission.

The addition of new ministries or commissions under the State Council and the abolition or merging of existing ones are decided by the National People's Congress, or by its Standing Committee when the National People's Congress is not in session, on the recommendation of the Premier.

ARTICLE 3 Each ministry has a Minister and Vice-Ministers; and when necessary Assistants to the Minister may be appointed.

Each commission has a Head, Deputy Heads and members.

ARTICLE 4 The meetings of the State Council are of two kinds: plenary and executive.

Plenary meetings of the State Council are attended by the Premier, the Vice-Premiers, the Ministers, the Heads of Commissions and the Secretary-General. They are held once every month and may be called by the Premier at such other times as may be necessary.

Executive meetings of the State Council are attended by the Premier, the Vice-Premiers and the Secretary-General.

ARTICLE 5 Any resolution or order issued by the State Council must first have been adopted by a plenary or an executive meeting of the State Council.

ARTICLE 6 The State Council may, when necessary, establish organs directly subordinate to it to take charge of various specific matters. The establishment, merging or abolition of such organs is subject to approval by the Standing Committee of the National People's Congress on the recommendation of the Premier.

ARTICLE 7 The State Council may, when necessary, establish administrative organs to assist the Premier in directing the work of the various departments under the State Council.

ARTICLE 8 The State Council has a Secretariat under the direction of the Secretary-General. The State Council has Deputy Secretaries-General to assist the Secretary-General in his work.

ARTICLE 9 The State Council appoints and removes the following administrative officers:

1. The Deputy Secretaries-General of the State Council, the Vice-Ministers and Assistants to Ministers, the Deputy Heads and members of Commissions, the Heads and Vice-Heads of Departments and the Directors and Vice-Directors of Bureaux under the Ministries and Commissions;
2. Heads and Deputy Heads of Boards, Directors and Vice-Directors of Bureaux under the people's councils of provinces and municipalities directly subject to the central authority;
3. Commissioners of Special Administrative Offices; ¹
4. Officers in autonomous regions whose positions correspond to those enumerated in Sections (2) and (3);
5. Counsellors of Embassy and consuls-general accredited to foreign countries;
6. Presidents and vice-presidents of universities and colleges of higher learning;
7. Other officers whose positions are equivalent to those enumerated in the above sections.

¹This is an office administering an area containing several counties under the province.