

Regulations of the GAC on the Establishment of People's Tribunals during the "Five Antis" Movement.

March 24, 1952

On March 21, 1952, the 129th Executive Meeting of the State Council passed the Notice of the State Council on the Abolition of Some Political, Legal, Military, Government Affairs and Other Regulations

In order to seriously, carefully and timely handle cases of serious and complete violations of law by industrial and commercial households during the "Five Antis" campaign and other cases that should be handled through trial procedures, and to ensure the smooth and complete conclusion of the "Five Antis" campaign, it is necessary to establish people's courts in cities where there are many cases of industrial and commercial households violating laws. To this end, the following principles are specially stipulated:

1. Any city where there are a large number of illegal cases involving industrial and commercial households during the "Five Antis" movement may establish a municipal people's court under the leadership of the municipal people's government to conduct trials, and may set up branch courts in one or several districts.

In cities and counties where there were relatively few cases of industrial and commercial violations during the "Five Antis" movement, such cases can be tried by the city or county people's courts without setting up a separate people's court. However, during the trial, representatives of people's organizations, especially workers, shop assistants, and law-abiding industrial and commercial households, or representatives of basically law-abiding industrial and commercial households, should be included as jurors.

2. The Municipal People's Court and its branches shall have a Trial Committee consisting of a presiding judge, one or two vice-presiding judges, and a number of judges.

The presiding judge, deputy presiding judge and judges of the Municipal People's Court and its branches shall be appointed by the Municipal People's Government. The presiding judge of the Municipal People's Court shall generally be concurrently appointed by the President of the Municipal People's Court; the deputy presiding judge and judges may be appointed from the heads of relevant agencies and people's organizations and activists in the "Five Antis" movement.

3. The Municipal People's Court (or Municipal or County People's Court) has the power to arrest and sentence persons to disgorge illegal gains, compensate for losses, impose fines, confiscate property, deprive them of political rights, impose control, impose forced labor, fixed-term imprisonment, life imprisonment, death penalty, and grant suspended sentences or exemption from punishment at its discretion.

The branch of the Municipal People's Court generally only accepts cases involving serious law-breaking households and has the power to order the withdrawal of illegal gains, compensation for losses, fines or exemption from punishment.

4. The judgment of the Municipal People's Court (or Municipal or County People's Court) shall be the final judgment. However, the judgment of life imprisonment or imprisonment of ten years or above shall be approved by the Municipal People's Government (the judgment of the People's Court or Municipal or County People's Court below the provincial level shall be approved by the Provincial People's Government), and the judgment of death penalty shall be reviewed by the Municipal (Provincial) People's Government and reported to the People's Government of the Greater

Administrative Region or the State Council of the Central People's Government for approval before execution.

If the defendant or plaintiff is dissatisfied with the judgment of a branch of the Municipal People's Court, he or she may appeal to the Municipal People's Court within three days after the judgment is pronounced.

5. All judgments of the Municipal People's Tribunal and its branches shall be submitted to the Municipal People's Court for execution.

6. The assessment and handling of law-abiding households, basically law-abiding households, and semi-law-abiding and semi-illegal households shall be directly handled by the city and county conservation inspection committees. If the business operator is dissatisfied with the handling of the conservation inspection committee, it may request the city people's court (or city or county people's court) to handle it.

7. After the "Five Antis" campaign is over and its tasks are completed, the Municipal People's Government shall order the dissolution of the Municipal People's Court and its branches.

8. These Regulations shall come into force on the date of promulgation.