

THE ORGANIC LAW OF THE CHINESE PEOPLE'S POLITICAL CONSULTATIVE CONFERENCE

-- Adopted by the First Plenary Session of the Chinese People's PCC on September 29th, 1949 in Peking.

CHAPTER I. GENERAL PROVISIONS

ARTICLE 1. The Chinese People's Political Consultative Conference (referred to in this text as the Chinese People's PCC) is the organization of the democratic united front of the entire Chinese people. Its aim is to unite all democratic classes and all nationalities throughout China by establishing the unity of all democratic parties and groups and people's organizations. This will enable them to put forward their combined efforts in carrying out New Democracy, opposing imperialism, feudalism and bureaucratic capitalism, overthrowing the reactionary rule of the Kuomintang, eliminating open and secret remnant counter-revolutionary forces. It will also enable them to heal the wounds of war, rehabilitate and develop the people's economic, cultural and educational work, consolidate national defence, and unite with all the nations and countries which treat us on a footing of equality. All this is for the purpose of establishing and consolidating an independent, democratic, peaceful, unified, prosperous and strong People's Republic of China of the People's Democratic Dictatorship, led by the working class and based on the alliance of workers and peasants.

CHAPTER II. PARTICIPATING UNITS AND DELEGATES

ARTICLE 2. Democratic parties and groups and people's organisations which agree to Article 1 of this Organic Law may take part in the Chinese People's PCC after they have been discussed and approved by the National Committee of the Chinese People's PCC. Individuals, upon receiving an invitation which has been discussed and agreed upon by the National Committee of the Chinese People's PCC, may also take part in the Plenary Sessions of the Chinese People's PCC and may be elected to its National Committee.

ARTICLE 3. The units, number and choice of delegates to take part in each session of the Chinese People's PCC shall be determined by means of discussion by the National Committee of the previous session of the Chinese People's PCC. The units, number and choice of delegates taking part in the First Plenary Session of the Chinese People's PCC have been so determined by the Preparatory Committee of the Chinese People's PCC.

ARTICLE 4. All participating units and delegates have the obligation to abide by and carry out all the resolutions passed by the Plenary Sessions of the Chinese People's PCC and by its National Committee.

If a participating democratic party or group or a people's organisation disagrees with the resolutions passed by a Plenary Session or by the National Committee, it must, in accordance with the democratic principle of the minority submitting to the majority, abide by the resolutions, and must not violate them. However, it may reserve its divergent opinions for discussion at the following session. If it fundamentally disagrees with important resolutions, it is free to withdraw from the Chinese People's PCC upon request.

ARTICLE 5. If a unit or a delegate to the Chinese People's PCC or a member of its National Committee seriously violates this Organic Law, the Common Program or important resolutions passed by the Chinese People's PCC, the Plenary Session or the National Committee may, according to the gravity of the offence, issue warnings, cause the unit concerned to replace its delegates, cancel the delegate's committee membership or annul the membership of the participating unit.

In the event of disagreement with the disciplinary measures adopted by the National Committee the unit or delegate concerned may file an appeal at the next Plenary Sessions.

CHAPTER III. PLENARY SESSION

ARTICLE 6. A Plenary Session of the Chinese People's PCC shall be summoned once every three years by the National Committee. The National Committee may, when necessary, convene a session earlier or postpone it. The First Plenary Session of the Chinese People's PCC, however, has been summoned by the Preparatory Committee of the Chinese People's PCC.

ARTICLE 7. Plenary Sessions of the Chinese People's PCC have the following powers and functions:

1. Enacting or amending the Organic Law of the Chinese People's PCC;
2. Formulating or amending the program of New Democracy, namely, the Common Program of the Chinese People's PCC, which is to be observed in common by all democratic parties and groups and people's organisations participating in the Chinese People's PCC;
3. Performing the functions and exercising the powers of the All-China People's Congress prior to its convocation by means of universal franchise:
 - a. Enacting or amending the Organic Law of the Central People's Government of the People's Republic of China;
 - b. Electing the Central People's Government Council of the People's Republic of China and vesting it with the power of exercising state authority;
 - c. Submitting to the Central People's Government of the People's Republic of China resolutions concerning fundamental policies or important measures relating to the cause of the nationwide people's democratic revolution or to national construction work; I
4. Submitting proposals on fundamental policies and on important measures relating to national construction work to the Central People's Government and to the All-China People's Congress, after the latter has been convened by means of universal franchise;
5. Electing the National Committee of the Chinese People's PCC.

ARTICLE 8. More than one half of the total number of delegates constitute a quorum of a Plenary Session of the Chinese People's PCC. The adoption of a resolution demands the concurrence of more than one half of the delegates present at a session.

ARTICLE 9. Each Plenary Session of the Chinese People's PCC shall elect a Presidium, the number of members of which shall be prescribed by the given Plenary Session.

ARTICLE 10. Each Plenary Session of the Chinese People's PCC shall elect a Secretary-General and shall have a number of Assistant Secretaries-General appointed by the Presidium. A Secretariat shall be set up under the Secretary-General and his assistants.

ARTICLE 11. A Plenary Session of the Chinese People's PCC may organize various committees, the organisational regulations pertaining to which shall be separately stipulated.

ARTICLE 12. The rules of procedure of each Plenary Session of the Chinese People's PCC shall be drawn up by its Presidium.

CHAPTER IV. NATIONAL COMMITTEE

ARTICLE 13. A National Committee shall be set up to function after the closing of the Plenary Session of the Chinese People's PCC and shall have the following functions and powers:

1. Ensuring the implementation of the resolutions of the Plenary Session and of the National Committee of the Chinese People's PCC;
2. Discussing and submitting proposals to the Central Government of the People's Republic of China;
3. Assisting the Government in mobilizing the people to participate in the work of the people's democratic revolution and of national construction;
4. Discussing and submitting the joint list of candidates of units participating in the Chinese People's PCC, for the election of representatives to the All-China People's Congress;
5. Discussing and determining the units, number and choice of delegates to the next Plenary Session of the Chinese People's PCC and convening it;
6. Directing the work of local democratic united front;
7. Discussing and dealing with other affairs concerning the internal co-operation of the Chinese People's PCC.

ARTICLE 14. The members and reserve members of the National Committee of the Chinese People's PCC shall be elected by the Chinese People's PCC in its Plenary Sessions; the number of the members and reserve members shall be determined by each Plenary Session.

Meeting of the National Committee shall be convened by the Standing Committee of the National Committee, and shall be held every six months. However, when the Standing Committee considers it necessary, it may convene meetings earlier or postpone them.

ARTICLE 15. The National Committee of the Chinese People's PCC shall be elected from among its members a Standing Committee consisting of a number of Committee Members, a Chairman, and a number of Vice-Chairmen to take charge of the affairs of the National Committee.

ARTICLE 16. The National Committee of the Chinese People's PCC shall have a Secretary-General elected by the National Committee, and a number of Assistant-Secretaries-General appointed by the Standing Committee of the National Committee. A Secretariat shall be set up under the Secretary-General and his assistant.

ARTICLE 17. Regulations governing the work of the National Committee of the Chinese People's PCC shall be drawn up by the Standing Committee of the National Committee.

CHAPTER V. LOCAL COMMITTEES

ARTICLE 18. Local committees of the Chinese People's PCC may, in accordance with the resolutions of the National Committee of the Chinese People's PCC, be set up in major cities, important areas and provincial capitals. These committees shall serve as bodies for

consultation and for ensuring the implementation of resolutions by the democratic parties and groups and people's organisations in these places.

ARTICLE 19. The organisational rules of the local committees of the Chinese People's PCC shall be drawn up or ratified by the National Committee of the Chinese People's PCC.

CHAPTER VI. SUPPLEMENTARY PROVISION

ARTICLE 20. The Organic Law shall be put into effect after being adopted by the Plenary Session of the Chinese People's PCC.

-