

Organic Law of the State Council of the People's Republic of China

(Adopted at the Fifth Session of the Fifth National People's Congress and promulgated for implementation by Order No. 14 of the Chairman of the Standing Committee of the National People's Congress on December 10, 1982)

Article 1 This Organic Law is formulated in accordance with the provisions concerning the State Council in the Constitution of the People's Republic of China.

Article 2 The State Council shall be composed of a Premier, Vice-Premiers, State Councillors, Ministers in charge of ministries, Ministers in charge of commissions, an Auditor-General and a Secretary-General.

The Premier shall assume overall responsibility for the work of the State Council. The Premier shall direct the work of the State Council. The Vice-Premiers and State Councillors shall assist the Premier in his work.

Article 3 The State Council shall exercise the functions and powers prescribed in Article 89 of the Constitution.

Article 4 Meetings of the State Council shall be divided into plenary meetings and executive meetings. The plenary meetings of the State Council shall be composed of all members of the State Council. The executive meetings of the State Council shall be composed of the Premier, the Vice-Premiers, the State Councillors and the Secretary-General. The Premier shall convene and preside over the plenary and executive meetings of the State Council. Important issues in the work of the State Council must be discussed and decided by an executive or plenary meeting of the State Council.

Article 5 The Premier shall sign the decisions, orders, and administrative regulations issued by the State Council, the proposals submitted by the State Council to the National People's Congress or its Standing Committee, and the appointments and removals of personnel.

Article 6 As entrusted by the Premier, the State Councillors shall take charge of work in certain fields or of certain special tasks and may represent the State Council in foreign affairs.

Article 7 Under the direction of the Premier, the Secretary-General of the State Council shall be responsible for the day-to-day work of the State Council.

The State Council shall install a certain number of Deputy Secretaries-General, who shall assist the Secretary-General in his work.

The State Council shall establish a general office, which shall be under the direction of the Secretary-General.

Article 8 The establishment, dissolution or merger of ministries and commissions of the State Council shall be proposed by the Premier and decided by the National People's Congress or, when the Congress is not in session, by its Standing Committee.

Article 9 Each ministry shall have a Minister and two to four Vice-Ministers. Each commission shall have a Minister, two to four Vice-Ministers and five to ten commission members.

The Ministers in charge of the ministries or commissions shall assume overall responsibility for the work of the ministries and commissions. The Ministers in charge of the ministries or commissions shall direct the work of their respective departments; convene and preside over ministerial meetings or the general and executive meetings of the commissions; sign important requests for instructions and reports to be submitted to the State Council; and sign orders and instructions to be issued to their subordinate units. The Vice-Ministers shall assist the Ministers in their work.

Article 10 The ministries and commissions shall request instructions from and submit reports to the State Council concerning principles, policies, plans and important administrative measures in their work, and the State Council shall make decisions on such matters. The competent ministries or commissions may, within the limits of their authority and in accordance with law and the decisions of the State Council, issue orders, instructions and rules.

Article 11 The State Council may, according to work requirements and the principle of simplified and efficient administration, set up a certain number of directly subordinate agencies to take charge of various specialized work and a certain number of administrative offices to assist the Premier in handling specialized affairs. Each agency or office shall have two to five persons responsible.