

LAW OF THE RED CROSS SOCIETY OF THE PEOPLE'S REPUBLIC OF CHINA

中华人民共和国红十字会法

(1993年10月31日第八届全国人民代表大会常务委员会议第四次通过)

第一条 为了保护人的生命和健康，发扬人道主义精神，促进和平进步事业，保障红十字会依法履行，制定本法。

第二条 中国红十字会是中华人民共和国统一的红十字组织，是从事人道主义工作的社会救助团体。

第三条 中华人民共和国公民，不分民族、种族、性别、职业、宗教信仰、教育程度，承认中国红十字会章程并缴纳会费的，可以自愿参加红十字会。

第四条 中国红十字会遵守宪法和法律，遵循国际红十字和红新月运动确立的基本原则，依照中国参加的日内瓦公约及其附加议定书和中国红十字会章程，独立自主地开展工作。

第五条 人民政府对红十字会给予支持和资助，保障红十字会依法履行，并对其活动进行监督；红十字会协助人民政府开展与其职责有关的活动。

第六条 中国红十字会根据独立、平等、互相尊重的原则，发展同各国红十字会和红新月会的友好合作关系。

第七条 中国红十字会使用白底红十字标志。

第二章 组织

第八条 县级以上按行政区域建立地方各级红十字会，根据实际工作需要配备专职工作人员。

全国性行业根据需要可以建立行业红十字会。

(Adopted at the Fourth Meeting of the Standing Committee of the Eighth National People's Congress on October 31, 1993, and is hereby promulgated, and comes into effect on the date of its promulgation)

CHAPTER I GENERAL PROVISIONS

Article 1 This regulation was formulated in order to protect the life and health of people, fostering the spirit of humanism, promoting peace and progress, and ensuring the Red Cross Society fulfills its duties and responsibilities in accordance with the law.

Article 2 The Red Cross Society of China is a unitary Red Cross organization of the People's Republic of China and is a social relief organization that engages in humanitarian work.

Article 3 All citizens of the People's Republic of China who, regardless of ethnicity, race, sex, occupation, religious belief and education level, recognize the Red Cross Society of China and pay membership dues, may join the Society on a voluntary basis.

Article 4 The Red Cross Society of China shall abide by the Constitution and laws of China, adhere to the Fundamental Principles established by the International Red Cross and the Red Crescent Movement, and carry out its work independently in accordance with the Geneva Conventions and their Additional Protocols acceded to by China and the Statutes of the Red Cross Society of China.

Article 5 The People's Government shall provide support and financial aid to the Red Cross Society of China, ensuring the Society lawfully fulfills its duties and responsibilities, and exercise supervision over its activities; the Society shall assist the People's Government in initiating activities relevant to its own duties and responsibilities.

Article 6 The Red Cross Society of China shall develop friendly and cooperative relations with the Red Cross Societies and the Red Crescent Societies of all countries on the principles of independence, equality and mutual respect.

Article 7 The Red Cross Society of China shall use the sign of a red cross against a white background.

CHAPTER II ORGANIZATION

Article 8 Local Red Cross Societies above the county level shall be established according to the division of the administrative areas and manned with the full-time staff members needed to carry out its work load. Where necessary, national sectors can establish sector-specific Red Cross Societies

The All-China Federation of the Red Cross Societies shall be established nationwide.

全国建立中国红十字会总会。

第九条 各级红十字会理事会由会员代表大会民主选举产生。理事会民主选举产生会长和副会长。

各级红十字会会员代表大会闭会期间，由理事会执行会员代表大会的决议。

理事会向会员代表大会负责并报告工作，接受其监督。

上级红十字会指导下级红十字会工作。

第十条 中国红十字会总会设名誉会长和名誉副会长。名誉会长和名誉副会长由中国红十字会总会理事会聘请。

第十一条 中国红十字会总会具有社会团体法人资格；地方各级红十字会、行业红十字会依法取得社会团体法人资格。

第三章 职责

第十二条 红十字会履行下列职责：

（一）开展救灾的准备工作；在自然灾害和突发事件中，对伤病人员和其他受害者进行救助；

（二）普及卫生救护和防病知识，进行初级卫生救护培训，组织群众参加现场救护；参与输血献血工作，推动无偿献血；开展其他人道主义服务活动；

（三）开展红十字青少年活动；

（四）参加国际人道主义救援工作；

（五）宣传国际红十字和红新月运动的基本原则和日内瓦公约及其附加议定书；

（六）依照国际红十字和红新月运动的基本原则，完成人民政府委托事宜；

（七）依照日内瓦公约及其附加议定书的有关规定开展工作。

（相关资料：部门规章 1 篇 相关论文 1 篇）

第二十条 红十字会经费的主要来源：

（一）红十字会会员缴纳的会费；

（二）接受国内外组织和个人捐赠的款物；

（三）动产和不动产的收入；

When the member congresses of the Red Cross Societies at various levels are not in session, the Councils shall implement the decisions made by the congresses.

The Councils shall be responsible to member congresses, report their work to them, and accept their supervision.

The Red Cross Societies at higher levels shall direct the work of the Societies at lower levels.

Article 10 The All-China Federation of the Red Cross Societies shall have an Honorary President and several Honorary Vice-Presidents. The Honorary President and Honorary Vice-Presidents shall be invited and hired by the Council of The All-China Federation of the Red Cross Societies.

Article 11 The All-China Federation of the Red Cross Societies shall have the legal status of a social organization; the local Red Cross Societies at various levels, and the sector-specific Red Cross Societies shall acquire the status of legal persons as social organizations as prescribed by law.

CHAPTER III FUNCTIONS AND DUTIES

Article 12 The Red Cross Society shall perform the following functions and duties:

(1) to make preparations for disaster relief; in case of natural disasters and emergencies, to offer relief and assistance to the sick, the injured and other victims;

(2) to disseminate knowledge about hygiene, first aid skills, and disease prevention, conduct training in basic hygiene and first-aid skills, organize the masses to participate in on-site first-aid situations; participate in blood transfusion and donation activities; promote gratuitous donation of blood; and provide other humanitarian services;

(3) to initiate Red Cross activities among the youth;

(4) to take part in international humanitarian relief work;

(5) to propagate the Fundamental Principles of the International Red Cross and the Red Crescent Movement and the Geneva Conventions and their

Additional

Protocols;

(6) to fulfill the tasks entrusted by the people's government in accordance with the Fundamental Principles of the International Red Cross and the Red Crescent Movement; and

(7) to conduct its work in accordance with the relevant provisions of the Geneva Conventions and their Additional Protocols.

Article 13 The Red Cross Society of China shall have the right to dispose of the accepted relief goods and materials; and in disposing of the contributed money and goods, it shall honour the wishes of the donors.

Article 14 In conducting relief operations during natural disasters and emergencies, personnel, goods and materials, and transportation vehicles

Article 21 The State shall support the social welfare undertakings set up by the Red Cross Society in conformity with its aims to benefit society.

Article 22 The Red Cross Society may, for the purpose of extending relief and assistance, conduct fundraising activities.

Article 23 The goods and materials donated to the Red Cross Society for the purpose of relief and public welfare undertakings may enjoy preferential tax reduction or exemption treatment in accordance with

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第十三条 红十字会有权处分其接受的救助物资；在处分捐赠款物时，应当尊重捐赠者的意愿。

第十四条

在自然灾害和突发事件中，执行救助任务并标有红十字标志的人员、物资和交通工具具有优先通行的权利。

(相关资料： 部门规章 1 篇)

第十五条 任何组织和个人不得拒绝、阻碍红十字会工作人员依法履行职责。

在自然灾害和突发事件中，以暴力、威胁方法阻碍红十字会工作人员依法履行职责的，比照刑法第一百五十七条的规定追究刑事责任；阻碍红十字会工作人员依法履行职责未使用暴力、威胁方法的，比照治安管理处罚条例第十九条的规定处罚。

(相关资料： 法律 1 篇 部门规章 1 篇 地方法规 5 篇)

第四章 标志

第十六条 红十字标志具有保护作用和标明作用。

红十字标志的保护使用，是标示在武装冲突中必须受到尊重和保护的人员和设备。其使用办法，依照日内瓦公约及其附加议定书的有关规定执行。

红十字标志的标明使用，是标示与红十字活动有关的人或者物。其使用办法，由国务院规定。

第十七条 因宗教信仰使用红新月标志的，其使用办法适用红十字标志的使用规定。

第十八条 军队使用红十字标志，依照日内瓦公约及其附加议定书的有关规定执行。

第十九条 禁止滥用红十字标志。

对于滥用红十字标志的，红十字会有权要求其停止使用；拒绝停止使用的，红十字会可以提请人民政府按照有关法律、法规的规定予以处理。

第五章 经费与财产

marked with the sign of the Red Cross shall enjoy priority in transportation. .

Article 15 No organization or individual shall refuse or obstruct the staff of the Red Cross Society in performing their duties and responsibilities as prescribed by law.

In cases of natural disasters and emergencies, those who utilize violence and threats to obstruct the staff of the Red Cross Society to perform their functions and duties as prescribed by law shall be investigated for criminal responsibility by applying the provisions of

Article 157 of the Criminal Law; anyone who obstructs the staff of the Red Cross Society to perform their duties and responsibilities as prescribed by law without resorting to violence or threats, shall be punished according to the provisions of Article 19 of the Regulations on Administrative Penalties for Public Security.

CHAPTER IV SIGN

Article 16 The sign of the Red Cross plays a protective and an indicative role.

The protective role of the sign of the Red Cross is to indicate that personnel and equipment must be respected and protected in armed conflicts. And the method for utilizing the sign shall be carried out according to the relevant regulations prescribed within the Geneva Convention and the Additional Protocols

The indicative role of the sign of the Red Cross is to show mark the personnel or goods that are involved in activities of the Red Cross. The way the sign is used shall be determined by the State Council.

Article 17 Where the sign of the Red Crescent is used due to religious beliefs, the provisions on the use of the sign of the Red Cross shall apply.

Article 18 In case the armed forces use the sign of the Red Cross, the relevant provisions of the Geneva Conventions and their Additional Protocols shall apply.

Article 19 Abuses of the sign of the Red Cross is prohibited. In case the sign of the Red Cross is abused, the Red Cross Society shall have the right to demand that such acts be ceased; in case of refusal to cease such acts, the Red Cross Society may appeal to the people's government to deal with the matter according to the provisions of relevant laws and regulations.

CHAPTER V FUNDS AND PROPERTY

Article 20 The funds of the Red Cross Society come mainly from:
(1) membership dues paid by members of the Red Cross Society;

(2) money and goods donated by domestic or overseas organizations and individuals;

(3) incomes derived from movable and immovable property; and

(4) appropriations of the people's government.

(四) 人民政府的拨款。

第二十一条 国家对红十字会兴办的与其宗旨相符的社会福利事业给予扶持。

第二十二条 红十字会为开展救助工作，可以进行募捐活动。

第二十三条 红十字会接受用于救助和公益事业的捐赠物资，按照国家有关规定享受减税、免税的优惠待遇。

第二十四条 红十字会建立经费审查监督制度。

红十字会的经费使用应当与其宗旨相一致。

红十会对接受的境外捐赠款物，应当建立专项审查监督制度。

红十字会经费的来源和使用情况每年向红十字会理事会报告。

第二十五条 红十字会的经费使用情况依照国家有关法律、法规的规定，接受人民政府的检查监督。

第二十六条 任何组织和个人不得侵占和挪用红十字会的经费和财产。

第六章 附则

第二十七条 本法所称“国际红十字和红新月运动确立的基本原则”，是指一九八六年十月日内瓦国际红十字大会第二十五次会议通过的“国际红十字和红新月运动章程”中确立的人道性、公正性、中立性、独立性、志愿服务、统一性和普遍性七项基本原则。

本法所称“日内瓦公约”，是指中国加入的于一九四九年八月十二日缔结的日内瓦四公约，即：《改善战地武装部队伤者病者境遇之日内瓦公约》、《改善海上武装部队伤者病者及遇船难者境遇之日内瓦公约》、《关于战俘待遇之日内瓦公约》和《关于战时保护平民之日内瓦公约》。

本法所称日内瓦公约“附加议定书”，是指中国加入的于一九七七年六月八日缔结的《一九四九年八月十二日日内瓦四公约关于保护国际性武装冲突受难者的附加议定书》和《一九四九年八月十二日日内瓦四公约关于保护非国际性武装冲突受难者的附加议定书》。

(相关资料：行政法规 1 篇)

第二十八条 本法自公布之日起施行。

the relevant provisions of the State.

Article 24 The Red Cross Society shall establish a system for examining and supervising the use of its funds. The Red Cross Society shall use its funds in conformity with its aims. The Red Cross Society shall establish a specialized examination and supervision system for donations from abroad. The Red Cross Society shall report to its Council every year on the sources and use of its funds.

Article 25 The use of the funds of the Red Cross Society shall be in accordance with the provisions of relevant laws and regulations of the State, and be subjected to the examination and supervision of the People's Government.

Article 26 No organization or individual shall appropriate or misuse the funds or property of the Red Cross Society.

CHAPTER VI SUPPLEMENTARY PROVISIONS

Article 27 "The Fundamental Principles of the International Red Cross and the Red Crescent Movement" as mentioned in this Law refers to the seven fundamental principles, namely, humanity, impartiality, neutrality, independence, voluntary service, unity and universality, listed in the Statutes of the International Red Cross and the Red Crescent Movement adopted by the Twenty-fifth International Red Cross Conference in Geneva in October 1986.

"The Geneva Conventions" as mentioned in this Law refers to the four conventions concluded in Geneva on 12 August 1949 and then acceded by the People's Republic of China, namely, the Geneva Convention on Amelioration of the Conditions of the Wounded and the Sick in Armed Forces in the Field, the Geneva Convention on Amelioration of the Conditions of the Wounded, the Sick and Shipwrecked Members of Armed Forces, the Geneva Convention on Treatment of Prisoners of War, and the Geneva Convention on Protection of Civilians in Time of War.

"The Additional Protocols" to the Geneva Conventions as mentioned in this Law refers to the Additional Protocols to the Four Geneva Conventions, concluded on 12 August 1949, concerning the Protection of Victims in International Armed Conflicts and the Additional Protocol to the Four Geneva Conventions on 12 October 1949, Concerning the Protection of Victims in Non-international Armed Conflicts acceded to by the People's Republic of China on 8 June 1977.

Article 28 This Law shall come into effect at the date of its promulgation.

Translated and reviewed by Shin-ye Yu and Shawn Shieh