

Appendix 55– Organic Law of the Urban Residents Committees of the PRC (1989)

STANDING COMMITTEE OF THE NATIONAL PEOPLE'S CONGRESS

(Adopted at the 11th Meeting of the Standing Committee of the Seventh National People's Congress on December 26, 1989, promulgated by Order No. 21 of the President of the People's Republic of China on December 26, 1989, and effective as of January 1, 1990)

Article 1. Pursuant to the Constitution, this Law is formulated with a view to improving the urban residents committees as an institution, enabling urban residents to administer their own affairs in accordance with the law, promoting socialist democracy at the grassroots level in the cities, and furthering socialist material development and the building of an advanced socialist culture and ideology in urban areas.

Article 2. An urban residents committee shall be a mass organization for self-government at the grassroots level, in which the residents manage their own affairs, educate themselves, and serve their own needs. The people's government of a city not divided into districts or of a municipal district or an agency of such a people's government shall provide guidance, support and help for the residents committees in their work. The residents committees shall, on their part, assist the above people's government or agency in its work.

Article 3. The tasks of a residents committee shall include: (1) publicizing the Constitution, the laws, the regulations and the state policies, safeguarding the lawful rights and interests of the residents, educating the residents for the fulfillment of their statutory obligations and for the protection of public property, and conducting various forms of activities for the development of an advanced socialist culture and ideology; (2) handling the public affairs and public welfare services of the residents in the local residential area; (3) mediating disputes among the residents; (4) assisting in the maintenance of public security; (5) assisting the local people's government or its agency in its work related to the interests of the residents, such as public health, family planning, special care for disabled servicemen and for family members of revolutionary martyrs and servicemen, social relief, and juvenile education; and (6) conveying the residents' opinions and demands and making suggestions to the local people's government or its agency.

Article 4. A residents committee shall develop community service activities for the convenience and benefit of the residents and may also run relevant services. A residents committee shall manage its own property; no department or unit may infringe upon its right of ownership of property.

Article 5. In an area where people from more than one nationality live, the residents committee shall educate the residents for mutual assistance and mutual respect to enhance unity between different nationalities.

Article 6. A residents committee shall generally be established for an area inhabited by

100-700 households on the basis of the distribution of residents and on the principle of facilitating their self government. The establishment or dissolution of a residents committee or a readjustment in the area covered by it shall be decided by the people's government of a city not divided into districts or of a municipal district.

Article 7. A residents committee shall be composed of 5-9 members, including the chairman, the vice-chairman (vice-chairmen) and the members. In an area where people from more than one nationality live, the residents committee shall include a member or members from the nationality or nationalities with a smaller population.

Article 8. The chairman, ice-chairman (vice-chairmen) and members of a residents committee shall be elected by all the residents of a residential area who have the right to elect or by the representatives from all the households; on the basis of the opinions of the residents, they may also be elected by the elected representatives of residents groups numbering 2-3 from each. The term of office of the residents committee shall be three years, and its members may continue to hold office when reelected. Any resident of an residential area who has reached the age of 18 shall have the right to elect and stand for election, regardless of his ethnic status, race, sex, occupation, family background, religious belief, education, property status and length of residence, with the exception of persons who have been deprived of political rights in accordance with the law.

Article 9. The residents assembly shall be composed of residents at or above the age of 18. The residents assembly may be attended by all the residents at or above the age of 18 or by a representative or representatives of each household; it may also be attended by the elected representatives of residents groups numbering 2-3 from each. The residents assembly shall be held only when it is attended by over half of the total number of the residents at or above the age of 18, or of the representatives of the households, or of the representatives elected by the residents groups. Decisions of the residents assembly shall be adopted by a simple majority of all the people present.

Article 10. The residents committee shall be responsible to the residents assembly and report on its work to the latter. The residents assembly shall be convened and presided over by the residents committee. It shall be convened when proposed by over one-fifth of the residents at or above the age of 18, by over one-fifth of the number of households, or by over one-third of the number of residents groups. When important matters involving the interests of all the residents arise, the residents committee must refer them to the residents assembly for decision through discussion. The residents assembly shall have the power to recall members of the residents committee and hold a by-election.

Article 11. In making decisions, a residents committee shall apply the principle whereby the minority is subordinate to the majority. In its work a residents committee shall adopt a democratic approach and shall not resort to coercion or commandism.

Article 12. Members of a residents committee shall observe the Constitution, the laws, the regulations and the state policies, be fair in handling matters and serve the residents warmheartedly.

Article 13. A residents committee shall, when necessary, establish sub-committees for people's mediation, public security, public health and other matters. Members of the residents committee may concurrently be members of the sub-committees. A residents committee with a smaller population in its area may dispense with the sub-Committees; instead, members of the residents committees shall have a division of responsibilities for various types of work.

Article 14. The residents committee may set up residents groups, the heads of which shall be elected by these groups.

Article 15. Joint pledges of the residents shall be drawn up by the residents assembly through discussion, reported to the people's government of a city not divided into districts or of a municipal district or to an agency of either of them for the record, and implemented under the supervision of the residents committee. The residents shall observe the decisions of the residents assembly and the joint pledges of the residents. The joint pledges of the residents shall not contravene the Constitution, the laws, the regulations and the state policies.

Article 16. The funds needed by a residents committee for managing public welfare services in the residential area, upon decision of the residents assembly through discussion, may be raised from the residents on a voluntary basis, and may also be raised from beneficiary units in the residential area, subject to approval by such units; the accounts of revenues and expenditures shall be made public without delay for supervision by the residents.

Article 17. The funds needed for the work of a residents committee and their sources, and the scope, standards and sources of the financial subsidies for members of the residents committee shall be specified by the people's government of a city not divided into districts or of a municipal district, or by the people's government at a higher level, and the money shall be provided by it. With the approval of the residents assembly, appropriate subsidies may be granted by using some of the residents committee's financial revenues. The office premises for a residents committee shall be made available by the local people's government through overall planning.

Article 18. Persons who have been deprived of political rights in accordance with the law shall be included in residents groups. The residents committee shall exercise supervision over them and give them ideological education.

Article 19. State organs, public organizations, units of the armed forces, enterprises and institutions shall not join the organizations of the residents committees in their localities, but they shall support the work of these residents committees. When the

residents committees in their localities discuss problems related to them and their presence becomes necessary, these units shall send representatives to the meetings. In the meantime, these units shall abide by the relevant decisions of the residents committees and the joint pledges of the residents. The staff and workers of the units specified in the preceding paragraph and their family members, and servicemen and dependents living with them shall join the residents committees in their residential areas; in areas where such families live in compact communities, dependents committees may be established separately to assume the responsibilities of the residents committees and conduct their work under the guidance of the people's governments of cities not divided into districts or of municipal districts, their agencies or the units they belong to. The funds needed for the work of the dependents committees, the financial subsidies for their members and their office premises shall be provided by the units they belong to.

Article 20. If a relevant department under the people's government of a municipality or a municipal district, in its work, needs the cooperation of a residents committee or one of its sub-committees, it shall seek the approval of the people's government of the municipality or of the municipal district or an agency of either of them, which shall make unified arrangements. The relevant departments under the people's government of a municipality or a municipal district may give professional guidance to the relevant sub-committees of the residents committees.

Article 21. This Law shall apply to the residents committees established in the localities under the people's governments of townships, nationality townships or towns.

Article 22. Measures for the implementation of this Law shall be formulated, in accordance with this Law, by the standing committees of the people's congresses of provinces, autonomous regions and municipalities directly under the Central Government.

Article 23. This Law shall enter into force on January 1, 1990. The Organic Regulations of the Urban Residents Committees, adopted by the Standing Committee of the National People's Congress on December 31, 1954, shall be abrogated as of the same date.