

中华人民共和国治安管理处罚条例

Regulations of the PRC on Administrative Penalties for

Public Security

第一章 总则

CHAPTER I GENERAL PROVISIONS

第一条 为加强治安管理，维护社会秩序和公共安全，保护公民的合法权益，保障社会主义现代化建设的顺利进行，制定本条例。

Article 1. These Regulations are formulated for the purpose of strengthening the administration of public security, maintaining social order and public safety, protecting the lawful rights of citizens and guaranteeing the smooth progress of the socialist modernization.

第二条 扰乱社会秩序，妨害公共安全，侵犯公民人身权利，侵犯公私财产，依照《中华人民共和国刑法》的规定构成犯罪的，依法追究刑事责任；尚不够刑事处罚，应当给予治安管理处罚的，依照本条例处罚。

Article 2. Whoever disturbs social order, endangers public safety, infringes upon a citizen's rights of the person and encroaches upon public or private property, if such acts constitute a crime according to the Criminal Law of the People's Republic of China, shall be investigated for criminal responsibility; if such acts are not serious enough for criminal punishment but should be given administrative penalties for public security, penalties shall be given according to these Regulations.

第三条 在中华人民共和国领域内发生的违反治安管理行为，除法律有特别规定的以外，适用本条例。

Article 3. These Regulations shall apply to acts violating the administration of public security within the territory of the People's Republic of China, except when otherwise stipulated by law.

在中华人民共和国船舶或者航空器内发生的违反治安管理行为，也适用本条例。

These Regulations shall also apply to acts violating the administration of public security aboard ships or airborne vehicles of the People's Republic of China.

第四条 公安机关对违反治安管理的人，坚持教育与处罚相结合的原则。

Article 4. In dealing with those who violate the administration of public security, public security organs shall adhere to the principle of combining education with punishment.

第五条 对于因民间纠纷引起的打架斗殴或者损毁他人财物等违反治安管理行为，情节轻微的，公安机关可以调解处理。

Article 5. Acts caused by civil disputes which violate the administration of public security, such as brawling and damaging or destroying another person's property, if the adverse effects are minor, may be handled by public security organs through mediation.

第二章 处罚的种类和运用

CHAPTER II TYPES AND APPLICATION OF PENALTIES

第六条 对违反治安管理行为的处罚分为下列三种：

Article 6. Penalties for acts violating the administration of public security are divided into three types as follows:

(一) 警告。

(1) warning;

(二) 罚款：一元以上，二百元以下。本条例第三十条、第三十一条、第三十二条另有规定的，依照规定。

(2) fine, ranging from a minimum of one yuan to a maximum of two hundred yuan. In cases where Articles 30, 31 and 32 in these Regulations stipulate otherwise, such provisions shall be observed; or

(三) 拘留：一日以上，十五日以下。

(3) detention, ranging from a minimum of one day to a maximum of fifteen days.

第七条 违反治安管理所得的财物和查获的违禁品，依照规定退回原主或者没收。

Article 7. Property obtained and contraband seized through acts violating the administration of public security shall be returned to the owner or confiscated according to relevant provisions.

违反治安管理使用的本人所有的工具，可以依照规定没收。具体办法由公安部另行规定。

Instruments belonging to the offender used in acts violating the administration of public security may be confiscated according to relevant provisions. Detailed measures shall be stipulated separately by the Ministry of Public Security.

第八条 违反治安管理造成的损失或者伤害，由违反治安管理的人赔偿损失或者负担医疗费用，

Article 8. When losses or injuries are caused by acts violating the administration of public security, the offender shall compensate for the loss or bear the medical expenses;

如果违反治安管理的人是无行为能力人或者限制行为能力人，本人无力赔偿或者负担的，由其监护人依法负责赔偿或者负担。

if the offender is not an able person or is a person of limited ability, unable to compensate for the loss or bear the medical expenses, his guardian shall make the compensation or bear the medical expenses according to law.

第九条 已满十四岁不满十八岁的人违反治安管理的，从轻处罚；不满十四岁的人违反治安管理的，免于处罚，但是可以予以训诫，并责令其监护人严加管教。

Article 9. Acts violating the administration of public security committed by a person between fourteen and eighteen years of age shall be given relatively light penalties; acts violating the administration of public security committed by a person under fourteen shall be exempted from penalties, but a reprimand may be given and his guardian shall be instructed to subject the offender to strict discipline.

第十条 精神病人在不能辨认或者不能控制自己行为的时候违反治安管理的，不予处罚，但是应当责令其监护人严加看管和治疗。

Article 10. A mentally disordered person who violates the administration of public security at the time when he is unable to recognize or to control his own conduct shall not be penalized, but his guardian shall be instructed to keep a strict guard on him and subject him to medical treatment.

间歇性的精神病人在精神正常的时候违反治安管理的，应予处罚。

An intermittently insane person who violates the administration of public security while in normal mental condition shall be punished.

第十一条 又聋又哑的人或者盲人，由于生理缺陷的原因而违反治安管理的，不予处罚。

Article 11. A deaf-mute or blind person who violates the administration of public security due to his physiological defects shall not be penalized.

第十二条 醉酒的人违反治安管理的，应予处罚。

Article 12. An intoxicated person who violates the administration of public security shall be penalized.

醉酒的人在醉酒状态中，对本人有危险或者对他人的安全有威胁的，应当将其约束到酒醒。

An intoxicated person who may cause danger to himself or who threatens the safety of others due to his drunken state shall be restrained until he returns to a sober state.

第十三条 一人有两种以上违反治安管理行为的，分别裁决，合并执行。

Article 13. If a person commits two or more acts violating the administration of public security, rulings shall be made separately but executed concurrently.

第十四条 二人以上共同违反治安管理的，根据情节轻重，分别处罚。

Article 14. When acts violating the administration of public security are committed jointly by two or more persons, they shall be penalized separately according to the seriousness of each person's case.

教唆或者胁迫、诱骗他人违反治安管理的，按照其所教唆、胁迫、诱骗的行为处罚。

Whoever instigates, coerces or induces others to violate the administration of public security shall be penalized according to the seriousness of the acts he instigates, coerces or induces.

第十五条 机关、团体、企业、事业单位违反治安管理的，处罚直接责任人员；单位主管人员指使的，同时处罚该主管人员。

Article 15. For acts violating the administration of public security committed by government offices, organizations, enterprises or institutions, penalties shall be given to the persons directly responsible; if the acts are committed at the order of persons in charge of units, such persons shall be penalized at the same time.

第十六条 违反治安管理有下列情形之一的，可以从轻或者免于处罚：

Article 16. Penalties for acts violating the administration of public security shall be mitigated or exempted under any of the following circumstances:

(一) 情节特别轻微的；

(1) the adverse effects are extremely minor;

(二) 主动承认错误及时改正的；

- (2) when those responsible voluntarily admit their mistakes and correct them in time;
(三) 由于他人胁迫或诱骗的。
(3) when those responsible were coerced or induced by others.

第十七条 违反治安管理有下列情形之一的，可以从重处罚：

Article 17. Heavier penalties shall be given for acts violating the administration of public security under any of the following circumstances:

- (一) 有较严重后果的；
(1) when acts have caused relatively serious consequences;
(二) 胁迫、诱骗他人或者教唆不满十八岁的人违反治安管理的；
(2) when those responsible coerce or induce others or instigate persons under the age of eighteen to violate the administration of public security;
(三) 对检举人、证人打击报复的；
(3) when those responsible take revenge on the informants or witnesses;
(四) 屡犯不改的。
(4) when those responsible have been repeatedly punished and refuse to amend.

第十八条 违反治安管理行为在六个月内公安机关没有发现的，不再处罚。

Article 18. Acts violating the administration of public security shall not be penalized if they have not been discovered by the public security organs within six months.

前款期限从违反治安管理行为发生之日起计算，违反治安管理行为有连续或者继续状态的，从行为终了之日起计算。

The period of time mentioned in the paragraph above shall be counted from the day the acts violating the administration of public security are committed or from the day the acts stopped if they are continuous or continuing acts.

第三章 违反治安管理行为和处罚

CHAPTER III ACTS VIOLATING THE ADMINISTRATION OF PUBLIC SECURITY AND PENALTIES

第十九条 有下列扰乱公共秩序行为之一，尚不够刑事处罚的，处十五日以下拘留、二百元以下罚款或者警告：

Article 19. Whoever commits one of the following acts disturbing public order, if it is not serious enough for criminal punishment, shall be detained for a maximum of fifteen days, fined a maximum of two hundred yuan or given a warning.

(一) 扰乱机关、团体、企业、事业单位的秩序，致使工作、生产、营业、医疗、教学、科研不能正常进行，尚未造成严重损失的；

(1) disturbing the public order of government offices, organizations, enterprises or institutions, making it impossible for the work, productive or business operations, medical care, teaching or scientific research to go on smoothly but not having caused serious losses.

(二) 扰乱车站、码头、民用航空站、市场、商场、公园、影剧院、娱乐场、运动场、展览馆或者其他公共场所的秩序的；

(2) disturbing the public order of stations, wharves, civil airports, markets, bazaars, parks, theatres, entertainment centers, sports grounds, exhibition halls or other public places;

(三) 扰乱公共汽车、电车、火车、船只等公共交通工具上的秩序的；

(3) disturbing the public order of buses, trolleybuses, trains, ships and other public transit vehicles;

(四) 结伙斗殴，寻衅滋事，侮辱妇女或者进行其他流氓活动的；

(4) gang-fighting, instigating quarrels, taking liberties with women or other indecent behavior;

(五) 捏造或者歪曲事实、故意散布谣言或者以其他方法煽动扰乱社会秩序的；

(5) spreading disruptive rumours and inciting disturbances;

(六) 谎报险情，制造混乱的；

(6) making false reports of dangerous situations and fomenting chaos;

(七) 拒绝、阻碍国家工作人员依法执行职务，未使用暴力、威胁方法的。

(7) refusing or obstructing state personnel who are carrying out their functions according to law, without resorting to violence and threat.

第二十条 有下列妨害公共安全行为之一的，处十五日以下拘留、二百元以下罚款或者警告：

Article 20. Whoever commits one of the following acts impairing public security shall be detained for a maximum of fifteen days, fined a maximum of two hundred yuan or given a warning:

(一) 非法携带、存放枪支、弹药或者有其他违反枪支管理规定行为，尚不够刑事处罚的；

(1) carrying or keeping firearms or ammunition, or committing other acts in violation of firearms control regulations, but not serious enough for criminal punishment;

(二) 违反爆炸、剧毒、易燃、放射性等危险物品管理规定，生产、销售、储存、运输、携带或者使用危险物品，尚未造成严重后果不够刑事处罚的；

(2) making, storing, transporting or using dangerous objects, in violation of regulations concerning the control of dangerous objects such as explosives, deadly poisons, combustibles and radioactive elements, but not having caused serious consequences;

(三) 非法制造、贩卖、携带匕首、三棱刀、弹簧刀或者其他管制刀具的；

(3) illegally manufacturing, selling or carrying daggers, knives with three edges, switchblades or other types of controlled knives;

(四) 经营旅馆、饭店、影剧院、娱乐场、运动场、展览馆或者其他供群众聚集的场所，违反安全规定，经公安机关通知不加改正的；

(4) running hotels, restaurants, theatres, entertainment centers, sports grounds, exhibition halls or other public places for mass gatherings in violation of safety provisions and refusing to improve after notification by the public security organs;

(五) 组织群众集会或者文化、娱乐、体育、展览、展销等群众性活动，不采取相应的安全措施，经公安机关通知不加改正的；

(5) organizing mass gatherings, exhibitions, fairs, or other public activities in the fields of culture, entertainment, or sports without appropriate safety precautions and refusing to improve after notification by the public security organs;

(六) 违反渡船、渡口安全规定，经公安机关通知不加改正的；

(6) violating safety regulations concerning ferry boats and ferries and refusing to improve after notification by the public security organs;

(七) 不听劝阻抢登渡船，造成渡船超载或者强迫渡船驾驶员违反安全规定，冒险航行，尚不够刑事处罚的；

(7) rushing to board a ferry despite dissuasion, causing the ferry boat to be overloaded or forcing the pilot to navigate under dangerous conditions in violation of safety regulations, when circumstances are not serious enough for criminal punishment;

(八) 在铁路、公路、水域航道、堤坝上, 挖掘坑穴, 放置障碍物, 损毁、移动指示标志, 可能影响交通运输安全, 尚不够刑事处罚的。

(8) digging holes, placing obstacles, damaging, destroying or removing markers on railways, highways, navigation routes or dams which may affect safe traffic and transportation, when circumstances are not serious enough for criminal punishment.

第二十一条 有下列妨害公共安全行为之一的, 处二百元以下罚款或者警告:

Article 21. Whoever commits one of the following acts impairing public security shall be fined a maximum of two hundred yuan or given a warning:

(一) 设置、使用民用射击场, 不符合安全规定的;

(1) establishing or using a civilian shooting range not in accordance with safety regulations;

(二) 未经批准, 安装、使用电网的, 或者安装、使用电网不符合安全规定, 尚未造成严重后果的;

(2) installing or using electrified wire-nettings without approval, or not in accordance with safety regulations, without having caused grave consequences;

(三) 在车辆、行人通行的地方施工, 对沟井坎穴不设覆盖物、标志、防围的, 或者故意损毁、移动覆盖物、标志、防围的。

(3) when setting up a construction site in a place where vehicles and pedestrians pass, installing no covers, signs or fences for pits, wells, ridges and holes, or intentionally damaging, destroying, or removing covers, signs and fences.

第二十二条 有下列侵犯他人人身权利行为之一, 尚不够刑事处罚的, 处十五日以下拘留、二百元以下罚款或者警告:

Article 22. Whoever commits one of the following acts infringing upon a citizen's rights of the person, but not serious enough for criminal punishment, shall be detained for a maximum of fifteen days, fined a maximum of two hundred yuan or given a warning:

(一) 殴打他人, 造成轻微伤害的;

(1) striking another person, causing slight injury;

(二) 非法限制他人人身自由或者非法侵入他人住宅的;

(2) illegally limiting others' personal freedom or illegally breaking into others' houses;

(三) 公然侮辱他人或者捏造事实诽谤他人的;

(3) openly insulting other persons or fabricating stories to slander other persons;

(四) 虐待家庭成员, 受虐待人要求处理的;

(4) maltreating family members, when the victims thereof ask for disposition;

(五) 写恐吓信或者用其他方法威胁他人安全或者干扰他人正常生活的;

(5) threatening others' safety or disturbing others' normal lives by writing letters of intimidation or by other methods;

(六) 胁迫或者诱骗不满十八岁的人表演恐怖、残忍节目, 摧残其身心健康的;

(6) coercing or inveigling a person under the age of eighteen to give frightening or cruel performances, ruining the person's physical and mental health;

(七) 隐匿、毁弃或者私自开拆他人邮件、电报的。

(7) hiding, destroying, discarding or illegally opening another person's postal articles or telegrams.

第二十三条 有下列侵犯公私财物行为之一，尚不够刑事处罚的，处十五日以下拘留或者警告，可以单处或者并处二百元以下罚款：

Article 23. Whoever commits one of the following acts encroaching upon public or private property, but not serious enough for criminal punishment, shall be detained for a maximum of fifteen days, given a warning or fined simply or concurrently a maximum of two hundred yuan:

- (一) 偷窃、骗取、抢夺少量公私财物的；
- (1) stealing, swindling or seizing a small amount of public or private property;
- (二) 哄抢国家、集体、个人财物的；
- (2) starting a riot to seize state-owned, collective-owned and private property;
- (三) 敲诈勒索公私财物的；
- (3) extorting or demanding with menace public or private property;
- (四) 故意损坏公私财物的。
- (4) intentionally damaging public or private property.

第二十四条 有下列妨害社会管理秩序行为之一的，处十五日以下拘留、二百元以下罚款或者警告：

Article 24. Whoever commits one of the following acts impairing the administration of social order shall be detained for a maximum of fifteen days, fined a maximum of two hundred yuan or given a warning:

- (一) 明知是赃物而窝藏、销毁、转移，尚不够刑事处罚的，或者明知是赃物而购买的；
- (1) knowingly buying stolen goods;
- (二) 倒卖车票、船票、文艺演出或者体育比赛入场票券及其他票证，尚不够刑事处罚的；
- (2) illegally dealing in train tickets, ship tickets, admission tickets for theatrical performances or sports games or other tickets or certificates, when circumstances are not serious enough for criminal punishment;
- (三) 违反政府禁令，吸食鸦片、注射吗啡等毒品的；
- (3) taking opium or injecting morphine and other drugs in violation of the government's prohibition;
- (四) 利用会道门、封建迷信活动，扰乱社会秩序、危害公共利益、损害他人身体健康或者骗取财物，尚不够刑事处罚的；
- (4) disturbing public order or swindling money by way of feudal superstition, when circumstances are not serious enough for criminal punishment;
- (五) 偷开他人机动车辆的；
- (5) driving others' motor vehicles without permission.

第二十五条 妨害社会管理秩序，有下列第一项至第三项行为之一的，处二百元以下罚款或者警告；有第四项至第七项行为之一的，处五十元以下罚款或者警告：

Article 25. Whoever commits one of the following acts, from item one to item three, impairing the administration of social order, shall be fined a maximum of two hundred yuan or given a warning; anyone committing acts covered in items four through seven shall be fined a maximum of fifty yuan or given a warning:

- (一) 在地下、内水、领海及其他场所中发现文物隐匿不报，不上交国家的；
(1) hiding, not reporting, and not handing in to the state cultural relics discovered underground, in internal waters, in territorial waters or other places;
- (二) 刻字业承制公章违反管理规定，尚未造成严重后果的；
(2) accepting orders to engrave official seals in violation of administrative provisions, but not having caused serious consequences;
- (三) 故意污损国家保护的文物、名胜古迹，损毁公共场所雕塑，尚不够刑事处罚的；
(3) deliberately defacing and damaging cultural relics, scenic spots or historic relics, under protection of the state, and damaging or destroying sculptures in public places, when circumstances are not serious enough for criminal punishment;
- (四) 故意损毁或者擅自移动路牌、交通标志的；
(4) deliberately damaging, destroying or removing without approval street nameplates or traffic markers;
- (五) 故意损毁路灯、邮筒、公用电话或者其他公用设施，尚不够刑事处罚的；
(5) deliberately damaging or destroying street lamps, postboxes, public telephone booths or other public facilities, when circumstances are not serious enough for criminal punishment;
- (六) 违反规定，破坏草坪、花卉、树木的；
(6) damaging lawns, flowers, shrubs and trees in violation of relevant regulations;
- (七) 违反规定，在城镇使用音响器材，音量过大，影响周围居民的工作或者休息，不听制止的。
(7) operating acoustic equipment in cities and towns at too high a volume in violation of the relevant regulations, disturbing the neighbouring residents work or rest, and refusing to stop such acts.

第二十六条 违反消防管理，有下列第一项至第四项行为之一的，处十日以下拘留、一百元以下罚款或者警告；有第五项至第八项行为之一的，处一百元以下罚款或者警告：

Article 26. Whoever commits one of the following acts, from item one to item four, violating fire control shall be detained for a maximum of ten days, fined a maximum of one hundred yuan or given a warning; anyone committing acts in items five to eight shall be fined a maximum of one hundred yuan or given a warning:

- (一) 在有易燃易爆物品的地方，违反禁令，吸烟、使用明火的；
(1) smoking and using open fire in places where there are combustibles and explosive devices, in violation of the prohibitions;
- (二) 故意阻碍消防车、消防艇通行或者扰乱火灾现场秩序，尚不够刑事处罚的；
(2) deliberately blocking the passing of fire engines or fire boats, or disturbing order at the scene of a fire, when circumstances are not serious enough for criminal punishment;
- (三) 拒不执行火场指挥员指挥，影响灭火救灾的；
(3) refusing to follow the instructions of the commander at the scene of a fire and hindering fire fighting and rescue work;
- (四) 过失引起火灾，尚未造成严重损失的；
(4) causing fire by negligence, but not having caused serious damages or injury;
- (五) 指使或者强令他人违反消防安全规定，冒险作业，尚未造成严重后果的；
(5) instigating or coercing others to work at risk of causing fire in violation of safety measures against fire, but not having resulted in serious consequences;

(六) 违反消防安全规定, 占用防火间距, 或者搭棚、盖房、挖沟、砌墙堵塞消防车通道的;

(6) occupying fire prevention belts, putting up shelters, building houses, digging trenches or building walls blocking the passage of fire engines in violation of the safety measures against fire;

(七) 埋压、圈占或者损毁消火栓、水泵、水塔、蓄水池等消防设施或者将消防器材、设备挪作他用, 经公安机关通知不加改正的;

(7) burying, enclosing or damaging and destroying fire-fighting facilities such as fire hydrants, water pumps, water towers, cisterns, or using such instruments and equipment for other purposes, and refusing to correct such acts after being informed by the public security organs;

(八) 有重大火灾隐患, 经公安机关通知不加改正的。

(8) being in serious potential danger of fire, but refusing to take corrective measures after notification by the public security organs.

第二十七条 违反交通管理, 有下列第一项至第六项行为之一的, 处十五日以下拘留、二百元以下罚款或者警告; 有第七项至第十一项行为之一的, 处五十元以下罚款或者警告:

Article 27. Whoever commits one of the following acts, from item one to item six, in violation of traffic regulations shall be detained for a maximum of fifteen days, fined a maximum of two hundred yuan or given a warning; anyone committing acts in items seven to eleven shall be fined a maximum of fifty yuan or given a warning:

(一) 挪用、转借机动车辆牌证或者驾驶证的;

(1) misappropriating, borrowing or lending vehicle license plates or a driver's license;

(二) 无驾驶证的人、醉酒的人驾驶机动车辆, 或者把机动车辆交给无驾驶证的人驾驶的;

(2) driving a motor vehicle without a license or in an intoxicated condition, or lending a vehicle to a person who drives without a driving license;

(三) 在城市集会、游行, 违反有关规定妨碍交通, 不听民警指挥的;

(3) blocking traffic by rallying or demonstrating in cities, violating relevant regulations in disregard of police directions;

(四) 无理拦截车辆或者强行登车影响车辆正常运行, 不听劝阻的;

(4) deliberately intercepting or boarding vehicles by force or impeding the normal operation of vehicles in disregard of dissuasion;

(五) 在县级以上公安机关明令禁止通行的地区, 强行通行, 不听公安人员劝阻的;

(5) deliberately passing through an area when passage is forbidden in express terms by public security organs at or above the county level, in disregard of dissuasion;

(六) 违反交通规则, 造成交通事故, 尚不够刑事处罚的;

(6) violating traffic regulations so as to cause traffic accidents, when circumstances are not serious enough for criminal punishment;

(七) 驾驶未经交通管理部门检验和批准行驶的机动车辆的;

(7) driving motor vehicles not examined or sanctioned by traffic administration organs;

(八) 驾驶机件不合安全要求的机动车辆的;

(8) driving motor vehicles with parts not up to safety requirements;

(九) 饮酒后驾驶机动车辆的;

(9) driving motor vehicles after drinking alcoholic liquor;

(十) 指挥、强迫车辆驾驶人员违反交通规则的;

(10) instigating or coercing drivers to violate traffic regulations;

(十一) 未经主管部门批准, 在街道上搭棚、盖房、摆摊、堆物或者有其他妨碍交通行为的。

(11) blocking traffic by putting up shelters, building houses, setting up stalls, piling up goods or conducting other operations without approval of the appropriate department.

第二十八条 有下列违反交通管理行为之一的, 处五元以下罚款或者警告:

Article 28. Whoever commits one of the following acts in violation of traffic regulations shall be fined a maximum of five yuan or given a warning:

(一) 驾驶机动车违反装载、车速规定或者违反交通标志、信号指示的;

(1) driving a motor vehicle in violation of stipulations concerning loading and speed or in violation of directions indicated by traffic signs and signals;

(二) 非机动车驾驶人员或者行人违反交通规则的;

(2) breaking of traffic regulations by non-motorized vehicle users or pedestrians;

(三) 在交通管理部门明令禁止停放车辆的地方停放车辆的;

(3) parking vehicles in places where parking is forbidden in express terms by traffic administration organs;

(四) 在机动车辆上非法安装、使用特殊音响警报器或者标志灯具的。

(4) illegally installing or using special sirens or signal light equipment in motor vehicles.

第二十九条 违反户口或者居民身份证管理, 有下列第一项至第三项行为之一的, 处五十元以下罚款或者警告; 有第四项或者第五项行为的, 处一百元以下罚款或者警告:

Article 29. Whoever commits one of the following acts, from item one to item three, in violation of residence control or administration of resident cards shall be fined a maximum of fifty yuan or given a warning; whoever commits an act in item four or item five shall be fined a maximum of one hundred yuan or fined:

(一) 不按规定申报户口或者申领居民身份证, 经公安机关通知拒不改正的;

(1) failing to register for residence or apply for a resident card according to regulations, in disregard of the notice of the public security organs;

(二) 假报户口或者冒用他人户口证件、居民身份证的;

(2) faking a residence registration or assuming another person's residence registration or resident card;

(三) 故意涂改户口证件的;

(3) deliberately altering a residence certificate;

(四) 旅店管理人员对住宿的旅客不按照规定登记的;

(4) failing to register hotel guests according to regulations;

(五) 出租房屋或者床铺供人住宿, 不按照规定申报登记住宿人户口的。

(5) failing to report and register lodgers according to regulations in letting a house or bed to another person.

第三十条 严厉禁止卖淫、嫖宿暗娼以及介绍或者容留卖淫、嫖宿暗娼, 违者处十五日以下拘留、警告、责令具结悔过或者依照规定实行劳动教养, 可以并处五千元以下罚款; 构成犯罪的, 依法追究刑事责任。

Article 30. Prostitution, whoring, pandering or housing prostitution or whoring with a prostitute is strictly forbidden. Whoever breaks the above ban shall be detained for a maximum

of fifteen days, given a warning, made to sign a statement of repentance or given re-education through labour according to regulations, and may be concurrently fined a maximum of five thousand yuan. Criminal responsibility shall be investigated if the actions constitute a crime.

嫖宿不满十四岁幼女的，依照刑法第一百三十九条的规定，以强奸罪论处。

Whoring with a girl under the age of fourteen shall be dealt with as rape according to the provisions of Article 139 of the Criminal Law.

第三十一条 严厉禁止违反政府规定种植罂粟等毒品原植物，违者除铲除其所种罂粟等毒品原植物以外，处十五日以下拘留，可以单处或者并处三千元以下罚款；构成犯罪的，依法追究刑事责任。非法运输、买卖、存放、使用罂粟壳的，收缴其非法运输、买卖、存放、使用的罂粟壳，处十五日以下拘留，可以单处或者并处三千元以下罚款；构成犯罪的，依法追究刑事责任。

Article 31. Planting opium poppy and other raw narcotics in violation of government decrees is strictly forbidden. Whoever violates the above decree shall be detained for a maximum of fifteen days and may be fined simply or concurrently a maximum of three thousand yuan, in addition to having his opium poppy and other narcotic plants rooted out; criminal responsibility shall be investigated if the actions constitute a crime.

第三十二条 严厉禁止下列行为：

Article 32. The following acts are strictly forbidden:

(一) 赌博或者为赌博提供条件的；

(1) gambling or facilitating gambling;

(二) 制作、复制、出售、出租或者传播淫书、淫画、淫秽录像或者其他淫秽物品的。

(2) making, duplicating, selling, lending or distributing pornographic books, pictures, video tapes or other pornographic objects.

有上述行为之一的，处十五日以下拘留，可以单处或者并处三千元以下罚款；或者依照规定实行劳动教养；构成犯罪的，依法追究刑事责任。

Whoever commits one of the above acts shall be detained for a maximum of fifteen days, fined simply or concurrently a maximum of three thousand yuan or given re-education through labour according to regulations. Criminal responsibility shall be investigated if the actions constitute a crime.

第四章 裁决与执行

CHAPTER IV RULING AND ENFORCEMENT

第三十三条 对违反治安管理行为的处罚，由县、市公安局、公安分局或者相当于县一级的公安机关裁决。

Article 33. Penalties for acts violating the administration of public security shall be ruled on by the city or county public security bureaus or sub-bureaus or public security organs equivalent to the county level.

警告、五十元以下罚款，可以由公安派出所裁决；在农村，没有公安派出所的地方，可以由公安机关委托乡（镇）人民政府裁决。

Warnings and fines of a maximum of fifty yuan can be ruled on by local police stations; in rural areas where there is no local police station, the people's government of a township or town can be entrusted with the ruling.

第三十四条 对违反治安管理的人处警告或者五十元以下罚款的，或者罚款数额超过五十元，被处罚人没有异议的，可以由公安人员当场处罚。

Article 34. Warnings and fines of a maximum of fifty yuan involving persons who violate the administration of public security, or fines exceeding fifty yuan with no objections from the offenders, may be imposed on the spot by the public security officials.

对违反治安管理的人的其他处罚，适用下列程序：

Other penalties for persons who violate the administration of public security shall follow the following procedures:

（一）传唤。公安机关对违反治安管理的人，需要传唤的，使用传唤证。对于当场发现的违反治安管理的人，可以口头传唤。对无正当理由不接受传唤或者逃避传唤的，公安机关可以强制传唤。

(1) Summons. A summoning warrant shall be issued by a public security organ when it is necessary to summon an offender. A person discovered committing an offense may be summoned verbally. Whoever refuses to be summoned or avoids summons without good reasons shall be summoned compulsorily.

（二）讯问。违反治安管理的人，应当如实回答公安机关的讯问。讯问应当作出笔录；被讯问人经核对认为无误后，应当在笔录上签名或者盖章，讯问人也应当在笔录上签名。

(2) Interrogation. Whoever violates the administration of public security should honestly answer to the interrogation by public security organs. A written record of the interrogation should be made. After checking the record and finding no mistake, the person interrogated shall sign or seal the written statement, and the in record and finding no mistake, the person interrogated shall sign or seal the written statement, and the interrogator shall also sign the same document.

（三）取证。公安机关收集证据材料时，有关单位和公民应当积极予以支持和协助。询问证人时，证人应当如实反映情况，询问应当作出笔录。证人经核对认为无误后，应当在笔录上签名或者盖章。

(3) Obtaining evidence. Active support and cooperation shall be rendered by the departments and citizens concerned to the public security organs in the course of obtaining evidence. Honest statements shall be given by witnesses during the inquiry, and written statements should be made which shall be signed or sealed by the witnesses after checking and finding no error.

（四）裁决。经讯问查证，违反治安管理行为事实清楚，证据确凿的，依照本条例的有关条款裁决。裁决应当填写裁决书，并应立即向本人宣布。

(4) Ruling. A ruling shall be made according to relevant provisions of these Regulations if the facts of violating the administration of public security are obvious and evidence is confirmed after interrogation and investigation.

裁决书一式三份。一份交给被裁决人，一份交给被裁决人的所在单位，一份交给被裁决人的常住地公安派出所。单位和常住地公安派出所应当协助执行裁决。

A written ruling on the punishment should be made and declared to the offender immediately. Three copies of such a ruling shall be made and distributed among the offender himself, his work

unit and the local police station of his permanent abode. The enforcement of the ruling shall be assisted by his work unit and the local police station.

(五) 对违反治安管理的人, 公安机关传唤后应当及时讯问查证。

(5) After being summoned to the public security organ, the offender should be interrogated and investigated promptly.

对情况复杂, 依照本条例规定适用拘留处罚的, 讯问查证的时间不得超过二十四小时。

The time of interrogation and investigation shall not exceed twenty-four hours in complicated cases subject to detention according to these Regulations.

第三十五条 受拘留处罚的人应当在限定的时间内, 到指定的拘留所接受处罚。对抗拒执行的, 强制执行。

Article 35. Whoever shall be detained should receive the penalty in a specified detention house over a specified time. Compulsory detention shall be used against one who resists enforcement of the punishment.

在拘留期间, 被拘留人的伙食费由自己负担。

During the time of detention the detainee's food costs shall be paid by himself.

第三十六条 受罚款处罚的人应当将罚款当场交公安人员或者在接到罚款通知或者裁决书后五日内送交指定的公安机关。无正当理由逾期不缴纳的, 可以按日增加罚款一元至五元。拒绝交纳罚款的, 可以处十五日以下拘留, 罚款仍应执行。

Article 36. A fine shall be paid by the offender on the spot to the public security officials or paid to the appointed public security organs within five days after receiving the notice of fine or written ruling. Failure to pay a fine in time without good cause shall be punished by an addition of one to five yuan per day. Whoever refuses to pay a fine shall be detained for a maximum of fifteen days and shall still be subject to the fine.

公安机关或者公安人员收到罚款后, 应当给被罚款人开具罚款收据。

Receipt for payment of a fine shall be given to the offender by the public security organ or officials as soon as the fine is received.

罚款全部上交国库。

The entire fine shall be delivered to the state treasury.

第三十七条 裁决机关没收财物, 应当给被没收人开具收据。

Article 37. A receipt shall be given to the offender after the penalty of confiscation is enforced by the ruling organs.

没收的财物全部上交国库, 属偷窃、抢夺、骗取或者敲诈勒索他人的, 除违禁品外, 六个月内查明原主的, 依法退还原主。

All the property confiscated shall be delivered to the state treasury. Property stolen, robbed, defrauded or extorted, with the exception of contraband, shall be returned according to law to the original owners, to be located within six months.

第三十八条 被裁决赔偿损失或者负担医疗费用的, 应当在接到裁决书后五日内将费用交裁决机关代转; 数额较大的, 可以分期交纳。

Article 38. Whoever is required by a ruling to make reparations for loss or to bear medical cost shall deliver the cost to the organ making the ruling for transmission within five days after receiving the written ruling. Payments by instalments may be accepted if the amount is large.

拒不交纳的，由裁决机关通知其所在单位从本人工资中扣除，或者扣押财物折抵。

In cases the offender denies responsibility, the organs making the ruling shall notify his work unit to deduct the reparations from his salary or retain his property to be converted into payment.

第三十九条 被裁决受治安管理处罚的人或者被侵害人不服公安机关或者乡（镇）人民政府裁决的，在接到通知后五日内，可以向上一级公安机关提出申诉，由上一级公安机关在接到申诉后五日内作出裁决；不服上一级公安机关裁决的，可以在接到通知后五日内向当地人民法院提起诉讼。

Article 39. If an offender or victim protests the ruling of the public security organ or the people's governments of townships or towns, he may petition to the public security organs at the next higher level within five days after receiving the notice, and the public security organs at the next higher level shall make a new ruling within five days after receiving the petition. Whoever protests the ruling of the public security organ at the next higher level may file suit with the local people's court within five days after the notice.

第四十条 对治安管理处罚提出申诉或者提起诉讼的，在申诉和诉讼期间原裁决继续执行。

Article 40. The original ruling shall continue to be executed during the time a petition or suit against the penalty for violating the administration of public security is taking place.

被裁决拘留的人或者他的家属能够找到担保人或者按照规定交纳保证金的，在申诉和诉讼期间，原裁决暂缓执行。

In case a guarantor can be found or bail has been paid according to regulations by the detainee or his family, the original ruling can be suspended temporarily during the time a petition or suit is taking place.

裁决被撤销或者开始执行时，依照规定退还保证金。

When the ruling is revoked or starts to be enforced, the bail shall be returned according to regulations.

第四十一条 公安人员在执行本条例时，应当严格遵守法纪，秉公执法，不得徇私舞弊。禁止对违反治安管理的人打骂、虐待或者侮辱。违反的给予行政处分；构成犯罪的，依法追究刑事责任。

Article 41. In implementing these Regulations, the public security officials should strictly abide by laws and disciplines and impartially implement the provisions, allowing no favouritism and fraudulent practices. It is forbidden to beat or abuse, mistreat or insult the offender. An administrative disciplinary sanction shall be incurred against those who break the above mentioned provision. If such actions constitute a crime, criminal responsibility shall be investigated.

第四十二条 公安机关对公民给予的治安管理处罚错误的，应当向受处罚人承认错误，退回罚款及没收的财物；对受处罚人的合法权益造成损害的，应当赔偿损失。

Article 42. The public security organs shall admit their mistakes to those who are punished by mistake and return fines and the confiscated property; in case the legal rights and interests of those who are so punished have been infringed upon, the loss shall be compensated for.

第四十三条 本条例所说以上、以下、以内，都包括本数在内。

Article 43. In numerical phrases containing the words " for a minimum of, " " for a maximum of " or " within " used in these Regulations, the indicated numbers are understood to be included in the time limit.

第四十四条 对违反交通管理行为处罚的实施办法，由国务院另行制定。

Article 44. The enforcement measures for dealing with acts of violating traffic regulations shall be formulated separately by the State Council.

第四十五条 本条例自一九八七年一月一日起施行。一九五七年十月二十二日公布的《中华人民共和国治安管理处罚条例》同时废止。

Article 45. These Regulations shall go into effect on January 1, 1987. On the same day, the Regulations of the People's Republic of China Concerning Administrative Penalties for Public security, promulgated on October 22, 1957, shall be invalidated.