

Law on the Protection of Minors of the People's Republic of China

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Law on the Protection of Minors of the People's Republic of China

(Passed by the 21st Standing Committee Session of the 7th National People's Congress on September 4, 1991; first amendment made by the 25th Standing Committee Session of the 10th National People's Congress on December 29, 2006; revised pursuant to "Decision on Revising 'Law on the Protection of Minors of the People's Republic of China'" made by the 29th Standing Committee Session of the 11th National People's Congress on October 26, 2012; second amendment made by the 22nd Standing Committee Session of the 13th National People's Congress on October 17, 2020)

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Chapter 2 Family Protection

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Article 17 The parents or other guardians of minors may not engage in the following behavior:

(1) Abuse, abandon, or illegally place out for upbringing minors or engage in domestic violence against minors;

(2) Allow, inculcate, or use minors to engage in illegal criminal behavior;

(3) Allow or instigate minors to participate in cults or superstitious activities or be subjected to the encroachments of terrorism, separatism, or extremism;

(4) Allow or instigate minors to smoke (including e-cigarettes, as below), drink alcohol, gamble, engage in vagrancy or begging, or bully others;

(5) Allow or compel minors who should receive compulsory education to not receive or discontinue education;

(6) Allow minors to become addicted to the Internet or to access books, publications, films, radio and TV programs, audiovisual materials, electronic publications, and online information that are harmful or may affect their physical and mental health;

(7) Allow minors to enter venues not suitable for minors, such as entertainment venues, bars, or Internet cafes that are in business;

(8) Permit or compel minors to perform labor not permitted by the state;

(9) Permit or compel minors to marry or enter into marriage contracts for minors;

(10) Illegally dispose of or misappropriate the property of minors or use minors to seek illegitimate benefits;

(11) Other behavior that infringes on the physical and mental health and property rights and interests of minors or not performing one's obligations to protect minors under the law.

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Chapter 4 Social Protection

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Article 59 Tobacco, alcohol, and lottery sales points may not be set up around schools and kindergartens. The sale of tobacco, alcohol lottery tickets or encashment of lottery tickets to minors are forbidden. Tobacco, alcohol, and lottery ticket businesses should display signs that they do not sell tobacco, alcohol, or lottery tickets to minors in prominent locations; when it is difficult to determine whether one is a minor, ask that they present ID.

Smoking and drinking alcohol are not permitted in schools, kindergartens, and other public venues where minors gather.

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Chapter 8 Legal Liability

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Article 123 If relevant businesses violate the provisions of Article 58, Article 59 Clause 1, or Article 60 of this Law, the culture and tourism, market supervision and management, tobacco monopoly, and public security departments shall order correction by a deadline based on their duties and division of labor, give a warning, confiscate illegal gains, and possibly assess a fine up to 50,000 yuan; for those who refuse to make corrections or in aggravated circumstances, an order shall be given to suspend business to make corrections or the business license and relevant permits shall be canceled, and a fine of 50,000 up to 500,000 yuan may be assessed.

Article 124 If the provisions of Article 59 Clause 2 of this Law are violated, and one smokes or drinks alcohol in schools, kindergartens, or public venues where minors gather, the public health, education, and market supervision and management departments shall order correction based on their duties and division of labor, give a warning, and possibly assess a fine up to 500 yuan; if the venue managers do not promptly stop the activity, the public health, education, and market supervision and management departments shall give a warning based on their duties and division of labor and assess a fine up to 10,000 yuan.

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Chapter 9 Supplemental Provisions

Article 130 Meanings of the following language under this Law:

(1) Work units that come in close contact with minors mean education organizations such as schools and kindergartens; extracurricular training organizations; organizations that resettle and aid minors such as minor aid and protection organizations and children's welfare organizations; children and infant care service organizations and early education service organizations; extracurricular care and temporary oversight organizations; household services organizations; health care organizations that provide health services to minors; and other enterprise and public service units and social organizations with duties such as educating, training, supervising, aiding, caring for, and providing health care to minors.

(2) Schools mean ordinary primary and secondary schools, special education schools, secondary vocational schools, and specialized schools.

(3) Student bullying means the behavior of one party among students intentionally or maliciously using their limbs, language, or online methods to oppress or humiliate the other party, causing physical harm, property loss, or mental harm.

Article 131 Foreigners and stateless persons in Chinese territory under the age of 18 are protected by the relevant provisions of this Law.

Article 132 This Law takes effect on June 1, 2021.