

2014 Regulations on the Implementation of the Law of the People's Republic of China on Guarding State Secrets

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Article 条款	中华人民共和国保守国家秘密法实施条例（2014）	2014 Regulations on the Implementation of the Law of the People's Republic of China on Guarding State Secrets
	颁布日期: 2014年1月17日 实施日期: 2014年3月1日 颁布单位: 中华人民共和国国务院令	Promulgation date: January 17, 2014 Effective date: March 1, 2014 Promulgating body: State Council of the People's Republic of China
第一章 总则 Chapter One: General Provisions		
Article 1 第一条	根据《中华人民共和国保守国家秘密法》（以下简称保密法）的规定，制定本条例。	These Regulations are formulated in accordance with the provisions of the "Law of the People's Republic of China on Guarding State Secrets" (hereafter referred to as the " State Secrets Law ").
Article 第二条	国家保密行政管理部门主管全国的保密工作。县级以上地方各级保密行政管理部门在上级保密行政管理部门指导下，主管本行政区域的保密工作。	The National Administrative and Management Department for Guarding Secrets shall be responsible for secrets-guarding work throughout the country. The local Administrative and Management Departments for Guarding Secrets at and above the county level shall be responsible for the secrets-guarding work within their respective administrative areas, under the guidance of the Administrative and Management Departments for Guarding Secrets at the higher level.
Article 3 第三条	中央国家机关在其职权范围内管理或者指导本系统的保密工作，监督执行保密法律法规，可以根据实际情况制定或者会同有关部门制定主管业务方面的保密规定。	A central state organ shall, within its scope of authority, manage or guide the secrets-guarding work within its system, supervise the enforcement of laws and regulations for guarding secrets and may, based on actual circumstances, formulate or together with relevant departments formulate provisions for guarding secrets relating to the work area of which they are in charge.

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Article 4 第四条	<p>县级以上人民政府应当加强保密基础设施建设和关键保密科技产品的配备。</p> <p>省级以上保密行政管理部门应当加强关键保密科技产品的研发工作。</p> <p>保密行政管理部门履行职责所需的经费，应当列入本级人民政府财政预算。机关、单位开展保密工作所需经费应当列入本机关、本单位的年度财政预算或者年度收支计划。</p>	<p>The people's governments at or above the county level should strengthen their infrastructure facilities for secrets-guarding work and the deployment of key secrets-guarding technology products.</p> <p>The Administrative and Management Departments for Guarding Secrets at or above the county level should strengthen their research and development relating to key secrets-guarding technology products.</p> <p>The financial resources needed to fulfill the responsibilities of the Administrative and Management Departments for Guarding Secrets should be included in the budget of the people's governments at the same level. The financial resources needed by organs and units for carrying out their secrets-guarding work should be included in the annual budgets or the annual plans for revenues and expenditures of those organs and units.</p>
Article 5 第五条	<p>机关、单位不得将依法应当公开的事项确定为国家秘密，不得将涉及国家秘密的信息公开。</p>	<p>An organ or unit may not classify as state secrets matters that should be disclosed to the public in accordance with the law, nor may it disclose information involving state secrets.</p>
Article 6 第六条	<p>机关、单位实行保密工作责任制。机关、单位负责人对本机关、本单位的保密工作负责，工作人员对本岗位的保密工作负责。</p> <p>机关、单位应当根据保密工作需要设立保密工作机构或者指定人员专门负责保密工作。</p> <p>机关、单位及其工作人员履行保密工作责任制情况应当纳入年度考评和考核内容。</p>	<p>Organs and units shall implement a responsibility system for secrets-guarding work. The responsible person(s) of an organ or unit shall be responsible for the secrets-guarding work of that organ or unit. The personnel shall be responsible for the secrets-guarding work at their posts.</p> <p>An organ or unit should, based on the requirements of its secrets-guarding work, establish a secrets-guarding work office or designate personnel especially to be in charge of secrets-guarding work.</p> <p>The performance of the responsibility system for secrets-guarding work should be incorporated into the contents of the annual performance evaluation and assessments of the respective organs, units and their personnel.</p>
Article 7 第七条	<p>各级保密行政管理部门应当组织开展经常性的保密宣传教育。机关、单位应当定期对本机关、本单位工作人员进行保密形势、保密法律法规、保密技术防范等方面的教育培训。</p>	<p>All levels of Administrative and Management Departments for Guarding Secrets should organize and carry out regular publicity and education. Organs and units should periodically implement education and training for their own personnel on such aspects as the secrets-guarding situation, laws and regulations for guarding secrets, and technologies and precautions for guarding secrets.</p>

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第二章 国家秘密的范围和密级第二章 Chapter Two: Scope and Classification Levels of State Secrets		
Article 8 第八条	<p>国家秘密及其密级的具体范围（以下称保密事项范围）应当明确规定国家秘密具体事项的名称、密级、保密期限、知悉范围。</p> <p>保密事项范围应当根据情况变化及时调整。制定、修订保密事项范围应当充分论证，听取有关机关、单位和相关领域专家的意见。</p>	<p>The specific scope of state secrets and scope of each classification level (hereafter referred to as the “scope of classified matters”) should clearly stipulate the specific titles, classification levels, secrets-guarding periods and access scope of the state secrets.</p> <p>The scope of classified matters should be adjusted in a timely manner based on changes of circumstances. When formulating or revising the scope of classified matters, sufficient substantiation should be conducted to listen to opinions of the relevant organs and units and of experts in relevant fields.</p>
Article 9 第九条	<p>机关、单位负责人为本机关、本单位的定密责任人，根据工作需要，可以指定其他人员为定密责任人。</p> <p>专门负责定密的工作人员应当接受定密培训，熟悉定密职责和保密事项范围，掌握定密程序和方法。</p>	<p>The person in charge of an organ or unit shall be the person responsible for secrets classification of that organ or unit and, based on work requirements, may designate other personnel as persons responsible for secrets classification.</p> <p>Personnel who are especially responsible for classification work should be subject to secrets-guarding training, be familiar with classification duties and the scope of classified matters, and know the procedures and measures for secrets classification.</p>
Article 10 第十条	<p>定密责任人在职责范围内承担有关国家秘密确定、变更和解除工作。具体职责是：</p> <p>（一）审核批准本机关、本单位产生的国家秘密的密级、保密期限和知悉范围；</p> <p>（二）对本机关、本单位产生的尚在保密期限内的国家秘密进行审核，作出是否变更或者解除的决定；</p> <p>（三）对是否属于国家秘密和属于何种密级不明确的事项先行拟定密级，并按照规定的程序报保密行政管理部门确定。</p>	<p>The persons responsible for secrets classification shall, within the scope of their responsibility, be responsible for the work concerning the classification, modification and declassification of state secrets. Their specific responsibilities are:</p> <ol style="list-style-type: none"> 1. To review and approve the classification levels, secrets-guarding periods and access scope of the state secrets that were produced in their respective organs or units; 2. To conduct reviews of state secrets that were produced in their organs or units that are currently still within their secrets-guarding period, and make decisions on whether to change their classification or declassify; and 3. To propose preliminary classification levels for matters where it is not clear whether they are state secrets and should have what classification level, and submit such proposed classifications in accordance with stipulated procedures to the Administrative and Management Departments for Guarding Secrets for determination.

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<p>Article 11 第十一条</p>	<p>中央国家机关、省级机关以及设区的市、自治州级机关可以根据保密工作需要或者有关机关、单位的申请，在国家保密行政管理部门规定的定密权限、授权范围内作出定密授权。</p> <p>定密授权应当以书面形式作出。授权机关应当对被授权机关、单位履行定密授权的情况进行监督。</p> <p>中央国家机关、省级机关作出的授权，报国家保密行政管理部门备案；设区的市、自治州级机关作出的授权，报省、自治区、直辖市保密行政管理部门备案。</p>	<p>Central state organs, provincial level organs and organs of municipalities divided into districts and autonomous prefectures may, based on work requirements or the application of a relevant organ or unit, and within the classification authority stipulated by the National Administrative and Management Departments for Guarding Secrets, make a delegation of classification authority within the scope of their authority.</p> <p>Classification authorizations should be made in written form. The authorizing organ should supervise the authorized organs or units on their performance in fulfilling the classification authorization.</p> <p>The authorizations made by central state organs and provincial level organs shall be reported for the record to the National Administrative and Management Departments for Guarding Secrets; the authorizations made by organs of municipalities divided into districts and autonomous prefectures shall be reported for the record to the Administrative and Management Departments for Guarding Secrets of the respective provinces, autonomous regions or municipalities directly under the Central Government.</p>
<p>Article 12 第十二条</p>	<p>机关、单位应当在国家秘密产生的同时，由承办人依据有关保密事项范围拟定密级、保密期限和知悉范围，报定密责任人审核批准，并采取相应保密措施。</p>	<p>When producing state secrets, the organs or units should make sure that persons producing the state secrets shall propose, pursuant to the relevant scope of classified matters, the classification level, secrets-guarding period and access scope, submit them to the persons responsible for secrets classification for review and approval, and adopt appropriate secrets-guarding measures.</p>
<p>Article 13 第十三条</p>	<p>机关、单位对所产生的国家秘密，应当按照保密事项范围的规定确定具体的保密期限；保密事项范围没有规定具体保密期限的，可以根据工作需要，在保密法规定的保密期限内确定；不能确定保密期限的，应当确定解密条件。</p> <p>国家秘密的保密期限，自标明的制发日起计算；不能标明制发日的，确定该国家秘密的机关、单位应当书面通知知悉范围内的机关、单位和人员，保密期限自通知之日起计算。</p>	<p>Organs and units should, with respect to state secrets they produce, determine the specific secrets-guarding period according to the provisions on the scope of classified matters; when there is no stipulated specific secrets-guarding period for the scope of classified matters, the organ or unit concerned may, based on work requirements, determine it within the statutory limits on secrets-guarding periods. Where it is impossible to determine the secrets-guarding period, the conditions for declassification should be determined.</p> <p>The secrets-guarding period of a state secret shall be calculated starting from the date marked on which the state secret was produced; where it is impossible to mark the date on which the state secret was produced, the organ or unit classifying the state secret should notify in writing all the organs, units and personnel within the access scope, and the secrets-guarding period shall be calculated starting from the date of notification.</p>

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Article 14 第十四条	机关、单位应当按照保密法的规定，严格限定国家秘密的知悉范围，对知悉机密级以上国家秘密的人员，应当作出书面记录。	Organs and units should strictly minimize the access scope of state secrets in accordance with the provisions of the State Secrets Law. A written record of personnel with access to state secrets at the highly secret level and above should be made.
Article 15 第十五条	<p>国家秘密载体以及属于国家秘密的设备、产品的明显部位应当标注国家秘密标志。国家秘密标志应当标注密级和保密期限。国家秘密的密级和保密期限发生变更的，应当及时对原国家秘密标志作出变更。</p> <p>无法标注国家秘密标志的，确定该国家秘密的机关、单位应当书面通知知悉范围内的机关、单位和人员。</p>	<p>The obvious parts of state secret medium (<i>zaiti</i>), equipment, and products that are state secrets should be marked with a state secrets mark. The state secrets mark should indicate the classification level and the secrets-guarding period. When the classification level and secrets-guarding period are modified, the original state secrets mark should be modified promptly.</p> <p>If it is impossible to apply a state secrets mark, the organ or unit that classified that state secret should notify in writing the organs, units and personnel within the access scope of that state secret.</p>
Article 16 第十六条	<p>机关、单位对所产生的国家秘密，认为符合保密法有关解密或者延长保密期限规定的，应当及时解密或者延长保密期限。</p> <p>机关、单位对不属于本机关、本单位产生的国家秘密，认为符合保密法有关解密或者延长保密期限规定的，可以向原定密机关、单位或者其上级机关、单位提出建议。</p> <p>已经依法移交各级国家档案馆的属于国家秘密的档案，由原定密机关、单位按照国家有关规定进行解密审核。</p>	<p>If organs and units believe state secrets they produced should be declassified or their secrets-guarding period extended pursuant to the relevant provisions of the State Secrets Law, they should promptly be declassified or have their secrets-guarding periods extended.</p> <p>Organs and units that believe state secrets they did not produce should be declassified or their secrets-guarding period extended pursuant to the relevant provisions of the State Secrets Law may submit a suggestion to the organ or unit that originally classified that state secret, or to its higher level organ or unit.</p> <p>The organs or units that originally classified archives of state secrets that have already been transferred to the state archives bureaus at various levels in accordance with the law shall conduct declassification reviews in accordance with relevant provisions of the State.</p>
Article 17 第十七条	机关、单位被撤销或者合并的，该机关、单位所确定国家秘密的变更和解除，由承担其职能的机关、单位负责，也可以由其上级机关、单位或者保密行政管理部门指定的机关、单位负责。	Where organs or units are eliminated or merged, modification or declassification of the state secrets classified by them shall be the responsibility of the organs or units assuming their functions. The responsibility may also go to organs or units designated by their higher level organs or units, or by the Administrative and Management Department for Guarding Secrets.

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Article 18 第十八条	<p>机关、单位发现本机关、本单位国家秘密的确定、变更和解除不当的，应当及时纠正；上级机关、单位发现下级机关、单位国家秘密的确定、变更和解除不当的，应当及时通知其纠正，也可以直接纠正。</p>	<p>When an organ or unit discovers that a classification, modification or declassification of a state secret by them is not appropriate, it should promptly correct it. When a higher level organ or unit discovers that a classification, modification or declassification of a state secret by an organ or unit at a lower level is not appropriate, it should promptly notify the organ or unit to correct the situation and may also directly correct the situation itself.</p>
Article 19 第十九条	<p>机关、单位对符合保密法的规定，但保密事项范围没有规定的不明确事项，应当先行拟定密级、保密期限和知悉范围，采取相应的保密措施，并自拟定之日起 10 日内报有关部门确定。拟定为绝密级的事项和中央国家机关拟定的机密级、秘密级的事项，报国家保密行政管理部门确定；其他机关、单位拟定的机密级、秘密级的事项，报省、自治区、直辖市保密行政管理部门确定。</p> <p>保密行政管理部门接到报告后，应当在 10 日内作出决定。省、自治区、直辖市保密行政管理部门还应当将所作决定及时报国家保密行政管理部门备案。</p>	<p>When dealing with an uncertain matter that is subject to the provisions of the State Secrets Law but is not clearly provided for in the scope of classified matters, an organ or unit should propose a preliminary classification level, secrets-guarding period and access scope for it, adopt appropriate secrets-guarding measures, and submit an application to the relevant departments for determination within 10 days of the day the classification level is proposed for the matter. A matter proposed to be classified as top secret or a matter proposed to be classified by a central state organ as highly secret or secret shall be reported to the National Administrative and Management Department for Guarding Secrets for determination; and a matter proposed to be classified as highly secret or secret by other organs or units shall be reported for determination to the Administrative and Management Department for Guarding Secrets of the relevant province, autonomous region or municipality directly under the Central Government.</p> <p>Administrative and Management Departments for Guarding Secrets should make a decision within 10 days of receipt of the reports. The Administrative and Management Departments for Guarding Secrets of the relevant provinces, autonomous regions or municipalities directly under the Central Government should further promptly file their decisions on uncertain matters with the National Administrative and Management Department for Guarding Secrets for the record.</p>
Article 20 第二十条	<p>机关、单位对已定密事项是否属于国家秘密或者属于何种密级有不同意见的，可以向原定密机关、单位提出异议，由原定密机关、单位作出决定。</p> <p>机关、单位对原定密机关、单位未予处理或者对作出的决定仍有异议的，按照下列规定办理：</p> <p>（一）确定为绝密级的事项和中央国家机关确定的机密级、秘密级的事项，报国家保密行政管理部门确定。</p>	<p>Where an organ or unit has a different view on whether a certain classified matter is a state secret or concerning what is the appropriate classification level, it may raise its objection to the organ or unit that was the original classifier, and the original classifying organ or unit shall make a decision.</p> <p>When the original classifying organ or unit fails to handle the matter or the organ or unit still objects to the decision by the original classifying organ or unit, the matter shall be handled pursuant to the following provisions:</p> <ol style="list-style-type: none"> 1. Matters classified as top secret or matters classified by central state organs as highly secret or secret shall be reported for determination to the National Administrative

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	<p>(二) 其他机关、单位确定的机密级、秘密级的事项, 报省、自治区、直辖市保密行政管理部门确定; 对省、自治区、直辖市保密行政管理部门作出的决定有异议的, 可以报国家保密行政管理部门确定。</p> <p>在原定密机关、单位或者保密行政管理部门作出决定前, 对有关事项应当按照主张密级中的最高密级采取相应的保密措施。</p>	<p>and Management Department for Guarding Secrets.</p> <p>2. Matters classified by other organs or units as highly secret or secret shall be reported for determination to the Administrative and Management Departments for Guarding Secrets of the relevant provinces, autonomous regions or municipalities directly under the Central Government; if there are objections regarding the decisions of Administrative and Management Departments for Guarding Secrets of provinces, autonomous regions or municipalities directly under the Central Government, it may be reported for determination to the National Administrative and Management Department for Guarding Secrets.</p> <p>Pending a decision by the original classifying organ or unit, or a decision by the Administrative and Management Department for Guarding Secrets, the matter at issue should be subject to secrets-guarding measures corresponding to the highest classification level advocated.</p>
<p>第三章 保密制度</p> <p>Chapter Three: Systems for Guarding Secrets</p>		
<p>Article 21 第二十一条</p>	<p>国家秘密载体管理应当遵守下列规定:</p> <p>(一) 制作国家秘密载体, 应当由机关、单位或者经保密行政管理部门保密审查合格的单位承担, 制作场所应当符合保密要求。</p> <p>(二) 收发国家秘密载体, 应当履行清点、编号、登记、签收手续。</p> <p>(三) 传递国家秘密载体, 应当通过机要交通、机要通信或者其他符合保密要求的方式进行。</p> <p>(四) 复制国家秘密载体或者摘录、引用、汇编属于国家秘密的内容, 应当按照规定报批, 不得擅自改变原件的密级、保密期限和知悉范围, 复制件应当加盖复制机关、单位戳记, 并视同原件进行管理。</p> <p>(五) 保存国家秘密载体的场所、设施、设备, 应当符合国家保密要求。</p> <p>(六) 维修国家秘密载体, 应当由本</p>	<p>The management of state secret medium (<i>zaiti</i>) should comply with the following provisions:</p> <ol style="list-style-type: none"> 1. The production of a state secret medium (<i>zaiti</i>) should be undertaken by an organ or unit or by a unit that has gone through secrets-guarding examination clearance by the Administrative and Management Department for Guarding Secrets and the production site should comply with secrets-guarding requirements. 2. When receiving or delivering a state secret medium (<i>zaiti</i>), the formalities of sorting and counting, indexing, registration and signing for the receipt of the state secret medium (<i>zaiti</i>) should be observed. 3. Transmission of state secret medium (<i>zaiti</i>) should be done through channels of confidential transportation, confidential communication or other means that comply with secrets-guarding requirements. 4. The reproduction of a state secret medium (<i>zaiti</i>) or extraction, quoting, or compiling contents that are within the scope of state secrets should be reported for approval in accordance with relevant regulations. The classification level, secrets-guarding period or access scope of the original state secret shall not be changed without authorization. The copy of a state secret carrier should be stamped with the seal of the organ or unit that made the copy and be managed the same as the original.

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	<p>机关、本单位专门技术人员负责。确需外单位人员维修的，应当由本机关、本单位的人员现场监督；确需在本机关、本单位以外维修的，应当符合国家保密规定。</p> <p>(七) 携带国家秘密载体外出，应当符合国家保密规定，并采取可靠的保密措施；携带国家秘密载体出境的，应当按照国家保密规定办理批准和携带手续。</p>	<ol style="list-style-type: none"> 5. The sites, facilities and equipment for keeping state secret medium (<i>zaiti</i>) should comply with state secrets-guarding requirements. 6. The maintenance and repair of a state secret medium (<i>zaiti</i>) should be the responsibility of specially designated technicians of the organ or unit that keeps the state secret medium (<i>zaiti</i>). If outside personnel are needed for the maintenance or repair, personnel of the organ or unit where the state secret medium (<i>zaiti</i>) is kept should supervise the whole process on site. If it is truly necessary for a state secret medium (<i>zaiti</i>) to be repaired outside of the organ or unit, it should be carried out in compliance with national regulations for guarding secrets. 7. Taking out a state secret medium (<i>zaiti</i>) should comply with national regulations for guarding secrets and also adopt reliable secrets-guarding measures; and taking a state secret medium (<i>zaiti</i>) out of the country should be handled in accordance with national regulations on guarding secrets on the formalities for approval and authorization.
<p>Article 22 第二十二条</p>	<p>销毁国家秘密载体应当符合国家保密规定和标准，确保销毁的国家秘密信息无法还原。</p> <p>销毁国家秘密载体应当履行清点、登记、审批手续，并送交保密行政管理部门设立的销毁工作机构或者保密行政管理部门指定的单位销毁。机关、单位确因工作需要，自行销毁少量国家秘密载体的，应当使用符合国家保密标准的销毁设备和方法。</p>	<p>The destruction of state secret medium (<i>zaiti</i>) should comply with national regulations and standards on guarding secrets to ensure the state secret information can never be restored.</p> <p>When destroying state secret medium (<i>zaiti</i>), the formalities of sorting and counting, registration, reviewing and approval should be observed and they shall be sent to state secret medium (<i>zaiti</i>) destruction agencies set up by the Administrative and Management Departments for Guarding Secrets, or units designated by Administrative and Management Departments for Guarding Secrets. If, as truly required by their work, organs or units need to destroy a small amount of state secret medium (<i>zaiti</i>) themselves, they should use equipment and methods that comply with national standards for guarding secrets.</p>
<p>Article 23 第二十三条</p>	<p>涉密信息系统按照涉密程度分为绝密级、机密级、秘密级。机关、单位应当根据涉密信息系统存储、处理信息的最高密级确定系统的密级，按照分级保护要求采取相应的安全保密防护措施。</p>	<p>Secrets-related information systems shall be classified as top secret, highly secret and secret according to the degree of their involvement in secrets. Organs and units should determine the classification level of the secrets-related information systems at the highest classification level of secrets the system stores and processes, and adopt appropriate security measures for secrets-guarding in accordance with the protection requirements of each classification level.</p>
<p>Article 24 第二十四条</p>	<p>涉密信息系统应当由国家保密行政管理部门设立或者授权的保密测评机构进行检测评估，并经设区的市、自治</p>	<p>Secrets-related information systems shall be subject to inspection and appraisal by secrets-guarding appraisal organs established or authorized by the National Administrative and Management Department for Guarding Secrets and the examination by the</p>

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	<p>州级以上保密行政管理部门审查合格，方可投入使用。</p> <p>公安、国家安全机关的涉密信息系统投入使用的管理办法，由国家保密行政管理部门会同国务院公安、国家安全部门另行规定。</p>	<p>Administrative and Management Departments for Guarding Secrets at the level of municipalities divided into districts and autonomous prefecture before they may be put into use.</p> <p>The management measures for putting secrets-related information systems of public security and state security organs into use shall be separately stipulated by the National Administrative and Management Department for Guarding Secrets together with the Public Security and State Security Departments.</p>
<p>Article 25 第二十五条</p>	<p>机关、单位应当加强涉密信息系统的运行使用管理，指定专门机构或者人员负责运行维护、安全保密管理和安全审计，定期开展安全保密检查和风险评估。</p> <p>涉密信息系统的密级、主要业务应用、使用范围和使用环境等发生变化或者涉密信息系统不再使用的，应当按照国家保密规定及时向保密行政管理部门报告，并采取相应措施。</p>	<p>Organs and units should strengthen the management of operation and use of secrets-related information systems, designate specific institutions or personnel to be responsible respectively for the operational maintenance, security and secrets-guarding management, and security audits, and regularly conduct security and secrets-guarding inspections and risk assessments.</p> <p>When the classification levels, the major business applications, scope of use and operating environment of secrets-related information systems change or the secrets-related information systems are no longer in use, this should be reported promptly to the Administrative and Management Department for Guarding Secrets and appropriate measures should be adopted in accordance with national regulations for guarding secrets.</p>
<p>Article 26 第二十六条</p>	<p>机关、单位采购涉及国家秘密的工程、货物和服务的，应当根据国家保密规定确定密级，并符合国家保密规定和标准。机关、单位应当对提供工程、货物和服务的单位提出保密管理要求，并与其签订保密协议。</p> <p>政府采购监督管理部门、保密行政管理部门应当依法加强对涉及国家秘密的工程、货物和服务采购的监督管理。</p>	<p>When organs and units procure projects, goods and services involving state secrets, they should determine the classification levels in accordance with national regulations for guarding secrets and comply with national regulations and standards for guarding secrets. The organs and units should inform the units providing the projects, goods and services of the requirements for secrets-guarding management and sign secrets-guarding agreements with them.</p> <p>Supervision and Management Departments for Government Procurement and the Administrative and Management Department for Guarding Secrets should strengthen supervision and management of the procurement of projects, goods and services involving state secrets in accordance with the law.</p>
<p>Article 27 第二十七条</p>	<p>举办会议或者其他活动涉及国家秘密的，主办单位应当采取下列保密措施：</p> <p>（一）根据会议、活动的内容确定密级，制定保密方案，限定参加人员范围；</p> <p>（二）使用符合国家保密规定和标准</p>	<p>The sponsor of a meeting or other activity that involves state secrets should take the following secrets-guarding measures:</p> <ol style="list-style-type: none"> 1. Determine the classification level for the meeting or activity on the basis of its contents, formulate a secrets-guarding plan, and limit the scope of its participants; 2. Use only sites and equipment that comply with national regulations and standards for guarding secrets; 3. Manage state secrets medium (<i>zaiti</i>) in accordance with national regulations for guarding secrets; and

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	<p>的场所、设施、设备；</p> <p>(三) 按照国家保密规定管理国家秘密载体；</p> <p>(四) 对参加人员提出具体保密要求。</p>	<p>4. Specify secrets-guarding requirements relating to the participants.</p>
<p>Article 28 第二十八条</p>	<p>企业事业单位从事国家秘密载体制作、复制、维修、销毁，涉密信息系统集成或者武器装备科研生产等涉及国家秘密的业务（以下简称涉密业务），应当由保密行政管理部门或者保密行政管理部门会同有关部门进行保密审查。保密审查不合格的，不得从事涉密业务。</p>	<p>Enterprises or public institutions engaging in the production, reproduction, maintenance and repair, or destruction of state secret medium (<i>zaiti</i>), the integration of secrets-related information systems, scientific research or manufacturing of weaponry, or other business involving state secrets (hereafter referred to as “secrets-related business”) should be subject to secrets-guarding examination by the Administrative and Management Department for Guarding Secrets together with relevant departments. They may not engage in secrets-related business without secrets-guarding examination clearance.</p>
<p>Article 29 第二十九条</p>	<p>从事涉密业务的企业事业单位应当具备下列条件：</p> <p>(一) 在中华人民共和国境内依法成立 3 年以上的法人，无违法犯罪记录</p> <p>(二) 从事涉密业务的人员具有中华人民共和国国籍；</p> <p>(三) 保密制度完善，有专门的机构或者人员负责保密工作；</p> <p>(四) 用于涉密业务的场所、设施、设备符合国家保密规定和标准；</p> <p>(五) 具有从事涉密业务的专业能力；</p> <p>(六) 法律、行政法规和国家保密行政管理部门规定的其他条件。</p>	<p>Enterprises and public institutions engaging in secrets-related business should meet the following basic conditions:</p> <ol style="list-style-type: none"> 1. They shall be legal persons established in accordance with the law for three years or more within the territory of the People's Republic of China, and without any criminal record; 2. Their personnel engaged in secrets-related business shall be Chinese citizens within the territory of the People's Republic of China; 3. They shall have sound secrets-guarding systems and specialized offices or personnel responsible for secrets-guarding work; 4. The places, facilities and equipment used in the secrets-related business shall comply with national regulations and standards on guarding secrets; 5. They shall possess the professional competence to undertake secrets-related business; and 6. Other conditions stipulated by law, administrative regulation or other regulations stipulated by the National Administrative and Management Department for Guarding Secrets.
<p>Article 30 第三十条</p>	<p>涉密人员的分类管理、任（聘）用审查、脱密期管理、权益保障等具体办法，由国家保密行政管理部门会同国务院有关主管部门制定。</p>	<p>Specific measures on such matters as the categorization and management, appointment or employment examination, management of release from secrecy period, and rights and interests protection of personnel involved in secrets [work] shall be formulated by the National Administrative and Management Department for Guarding Secrets together with relevant responsible departments of the State Council.</p>

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第四章 监督管理 Chapter Four: Supervision and Management		
Article 31 第三十一条	机关、单位应当向同级保密行政管理部门报送本机关、本单位年度保密工作情况。下级保密行政管理部门应当向上级保密行政管理部门报送本行政区域年度保密工作情况。	Organs and units should submit annual reports on the situation of their secrets-guarding work to the Administrative and Management Departments for Guarding Secrets at the same level. Administrative and Management Departments for Guarding Secrets at the lower level should submit annual reports on the situation of the secrets-guarding work in their respective administrative areas to Administrative and Management Departments for Guarding Secrets at the higher level.
Article 32 第三十二条	保密行政管理部门依法对机关、单位执行保密法律法规的下列情况进行检查： （一）保密工作责任制落实情况； （二）保密制度建设情况； （三）保密宣传教育培训情况； （四）涉密人员管理情况； （五）国家秘密确定、变更和解除情况； （六）国家秘密载体管理情况； （七）信息系统和信息设备保密管理情况； （八）互联网使用保密管理情况； （九）保密技术防护设施设备配备使用情况； （十）涉密场所及保密要害部门、部位管理情况； （十一）涉密会议、活动管理情况； （十二）信息公开保密审查情况。	Administrative and Management Departments for Guarding Secrets shall conduct, in accordance with the law, inspections on enforcement of laws and regulations for guarding secrets by organs and units in the following areas: <ol style="list-style-type: none"> 1. Implementation of the responsibility system for secrets-guarding work; 2. Development of secrets-guarding systems; 3. Publicity, education and training on secrets-guarding; 4. The management of personnel involved in secrets [work]; 5. The classification, modification and declassification of state secrets; 6. The management of state secrets medium (<i>zaiti</i>); 7. The secrets-guarding management of information systems and information equipment; 8. The secrets-guarding management of internet use; 9. The deployment and use of facilities and equipment for secrets-guarding and protection technologies; 10. The management of secrets-related places and key secrets-guarding departments and positions; 11. The management of secrets-related meetings and activities; and 12. Secrets-guarding examination for disclosing government information.
Article 33 第三十三条	保密行政管理部门在保密检查过程中，发现有泄密隐患的，可以查阅有关材料、询问人员、记录情况；对有关设施、设备、文件资料等可以依法先行登记保存，必要时进行保密技术检测。有关机关、单位及其工作人员	If in the course of conducting secrets-guarding inspection, an Administrative and Management Department for Guarding Secrets discovers a leakage vulnerability, it may search relevant materials, question personnel, and make records of the situation; relevant facilities, equipment and documents and materials may in accordance with the law be registered in advance for preservation and when necessary secrets-guarding technology detection shall

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	<p>对保密检查应当予以配合。</p> <p>保密行政管理部门实施检查后，应当出具检查意见，对需要整改的，应当明确整改内容和期限。</p>	<p>be carried out. The organs and units and their work personnel should cooperate with the secrets-guarding inspection.</p> <p>After conducting an inspection, the Administrative and Management Department for Guarding Secrets should issue an inspection opinion and, if reform or improvement is required, it should make clear the content of and deadline for the reform or improvement.</p>
<p>Article 34 第三十四条</p>	<p>机关、单位发现国家秘密已经泄露或者可能泄露的，应当立即采取补救措施，并在 24 小时内向同级保密行政管理部门和上级主管部门报告。</p> <p>地方各级保密行政管理部门接到泄密报告的，应当在 24 小时内逐级报至国家保密行政管理部门。</p>	<p>When an organ or unit discovers that a state secret has been leaked or might be leaked, it should immediately take remedial measures and report the matter within 24 hours to the Administrative and Management Department for Guarding Secrets at the same level of government and the department in charge at the higher level.</p> <p>After local Administrative and Management Departments for Guarding Secrets at various levels receive a report of a leak, they should report the matter within 24 hours level by level up to the National Administrative and Management Departments for Guarding Secrets.</p>
<p>Article 35 第三十五条</p>	<p>保密行政管理部门对公民举报、机关和单位报告、保密检查发现、有关部门移送的涉嫌泄露国家秘密的线索和案件，应当依法及时调查或者组织、督促有关机关、单位调查处理。调查工作结束后，认为有违反保密法律法规的事实，需要追究责任的，保密行政管理部门可以向有关机关、单位提出处理建议。有关机关、单位应当及时将处理结果书面告知同级保密行政管理部门。</p>	<p>When Administrative and Management Departments for Guarding Secrets receive leads or suspected leaking of state secrets cases from citizen complaints, reports by organs or unit, discoveries during a secrets-guarding inspection, or transfers from relevant departments, they should, in accordance with the law, immediately investigate or organize and urge the relevant organ or unit to investigate and handle the matter. After the investigative work has been concluded, if there are facts indicating laws or regulations for guarding secrets have been violated and that liability needs to be pursued, the Administrative and Management Department for Guarding Secrets concerned may make suggestions to the relevant organ or unit on how to handle the matter.</p> <p>The relevant organ or unit should promptly notify in writing the Administrative and Management Department for Guarding Secrets at the same level on the results.</p>
<p>Article 36 第三十六条</p>	<p>保密行政管理部门收缴非法获取、持有的国家秘密载体，应当进行登记并出具清单，查清密级、数量、来源、扩散范围等，并采取相应的保密措施。</p> <p>保密行政管理部门可以提请公安、工商行政管理等有关部门协助收缴非法获取、持有的国家秘密载体，有关部</p>	<p>Illegally acquired or possessed state secrets medium (<i>zaiti</i>) seized by an Administrative and Management Department for Guarding Secrets should be registered and a list of the seized state secrets medium (<i>zaiti</i>) should be made, clearly identifying the classification level, quantity, source and scope of exposure, and appropriate secrets-guarding measures shall be adopted.</p> <p>The Administrative and Management Department for Guarding Secrets may request such relevant departments as the Public Security Department and the Administrative and Management</p>

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	门应当予以配合。	Department for Industry and Commerce to assist in seizing illegally acquired or possessed state secrets medium (<i>zaiti</i>), and the relevant departments should cooperate.
Article 37 第三十七条	<p>国家保密行政管理部门或者省、自治区、直辖市保密行政管理部门应当依据保密法律法规和保密事项范围,对办理涉嫌泄露国家秘密案件的机关提出鉴定的事项是否属于国家秘密、属于何种密级作出鉴定。</p> <p>保密行政管理部门受理鉴定申请后,应当自受理之日起 30 日内出具鉴定结论;不能按期出具鉴定结论的,经保密行政管理部门负责人批准,可以延长 30 日。</p>	<p>The National Administrative and Management Department for Guarding Secrets or the Administrative and Management Departments for Guarding Secrets of the provinces, autonomous regions and municipalities directly under the Central Government should, on the basis of laws and regulations for guarding secrets and the scope of classified matters, appraise whether a relevant matter submitted by an organ handling a suspected leaking of state secrets case is a state secret and, if so, appraise its classification level.</p> <p>The Administrative and Management Department for Guarding Secrets should conclude the appraisal of the classification level and issue an appraisal conclusion within 30 days after accepting the appraisal application. If it cannot issue an appraisal conclusion on time, the deadline may be extended by 30 days with the approval of the responsible person of that Administrative and Management Department for Guarding Secrets.</p>
Article 38 第三十八条	保密行政管理部门及其工作人员应当按照法定的职权和程序开展保密审查、保密检查和泄露国家秘密案件查处工作,做到科学、公正、严格、高效,不得利用职权谋取利益。	Administrative and Management Departments for Guarding Secrets and their work personnel should carry out state secrets-guarding examinations, secrets-guarding inspections and investigation of leaking of state secrets cases in accordance with their statutory powers and procedures, and in a scientific, fair, strict and highly efficient manner, and may not use their power to seek personal benefit.
<p>第五章 法律责任</p> <p>Chapter Five: Legal Liability</p>		
Article 39 第三十九条	机关、单位发生泄露国家秘密案件不按照规定报告或者未采取补救措施的,对直接负责的主管人员和其他直接责任人员依法给予处分。	Where an organ or unit fails to report and adopt remedial measures in accordance with provisions after it discovers a leaking of state secrets case, disciplinary action shall be taken against the directly responsible personnel in charge and other directly responsible personnel in accordance with the law.
Article 40 第四十条	<p>在保密检查或者泄露国家秘密案件查处中,有关机关、单位及其工作人员拒不配合,弄虚作假,隐匿、销毁证据,或者以其他方式逃避、妨碍保密检查或者泄露国家秘密案件查处的,对直接负责的主管人员和其他直接责任人员依法给予处分。</p> <p>企业事业单位及其工作人员协助机</p>	<p>If, in the course of a secrets-guarding inspection or investigation and handling of a leaking of state secrets case, a relevant organ or unit and their work personnel refuse to cooperate, engage in fraud, hide or destroy evidence or uses other means to avoid or obstruct the secrets-guarding inspection or investigation and handling of a leaking of state secrets cases, disciplinary action shall be taken against the directly responsible personnel in charge and other directly responsible personnel in accordance with the law.</p> <p>If enterprises or public institutions and their work personnel assist</p>

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	关、单位逃避、妨碍保密检查或者泄露国家秘密案件查处的，由有关主管部门依法予以处罚。	organs or units to avoid or obstruct secrets-guarding inspection or investigation and handling of a leaking of state secrets cases, the relevant departments in charge should take disciplinary actions against them in accordance with the law.
Article 41 第四十一条	经保密审查合格的企业事业单位违反保密管理规定的，由保密行政管理部门责令限期整改，逾期不改或者整改后仍不符合要求的，暂停涉密业务；情节严重的，停止涉密业务。	If an enterprise or public institution that has secrets-guarding examination clearance violates provisions on secrets-guarding management, the Administrative and Management Department for Guarding Secrets shall order it make corrections within a certain time limit. If no corrections are made after the time limit or the corrections made do not comply with requirements, its secrets-related business shall be suspended. If the circumstances are serious, it shall cease its secrets-related business.
Article 42 第四十二条	涉密信息系统未按照规定进行检测评估和审查而投入使用的，由保密行政管理部门责令改正，并建议有关机关、单位对直接负责的主管人员和其他直接责任人员依法给予处分。	If a secrets-related information system has been put into use without undergoing testing, evaluation and examination in accordance with provisions, the Administrative and Management Department for Guarding Secrets shall order the organ or unit concerned to correct the situation and recommend that the relevant organ or unit take disciplinary action against the personnel in charge who are directly responsible and other directly responsible personnel in accordance with the law.
Article 43 第四十三条	机关、单位委托未经保密审查的单位从事涉密业务的，由有关机关、单位对直接负责的主管人员和其他直接责任人员依法给予处分。 未经保密审查的单位从事涉密业务的，由保密行政管理部门责令停止违法行为；有违法所得的，由工商行政管理部门没收违法所得。	If an organ or unit entrusts units that have not undergone secrets-guarding examination to engage in secrets-related business, the organ or unit concerned shall take disciplinary action against the personnel in charge who are directly responsible and other directly responsible personnel in accordance with the law. If a unit that has not undergone secrets-guarding examination engages in secret-related business, the Administrative and Management Department for Guarding Secrets shall order it to stop its actions that violate the law. Any illegal income shall be confiscated by the Administrative and Management Department of Industry and Commerce.
Article 44 第四十四条	保密行政管理部门未依法履行职责，或者滥用职权、玩忽职守、徇私舞弊的，对直接负责的主管人员和其他直接责任人员依法给予处分；构成犯罪的，依法追究刑事责任。	If the Administrative and Management Departments for Guarding Secrets have not carried out their duties in accordance with the law, or have abused their powers, or [been guilty of] dereliction of duty or practicing favoritism, disciplinary action shall be taken against the personnel in charge who are directly responsible and other directly responsible personnel in accordance with the law. If the action constitutes a crime, criminal liability shall be pursued.

<p>Article 条款</p>	<p>中华人民共和国保守国家秘密法实施条例 (2014)</p>	<p>2014 Regulations on the Implementation of the Law of the People's Republic of China on Guarding State Secrets</p>
<p>第六章 附则 Chapter Six: Supplementary Provisions</p>		
<p>Article 45 第四十五条</p>	<p>第四十五条 本条例自 2014 年 3 月 1 日起施行。1990 年 4 月 25 日国务院批准、1990 年 5 月 25 日国家保密局发布的《中华人民共和国保守国家秘密法实施办法》同时废止。</p>	<p>These Regulations shall come into force on March 1, 2014. The Measures for Implementing the Law of the People's Republic of China on Guarding State Secrets approved by the State Council on May 25, 1990 and issued on May 25, 1990 shall be annulled at the same time.</p>