|  |  |  |
| --- | --- | --- |
| 发文机关  Promulgator | ：  : | 全国人民代表大会常务委员会  The Standing Committee of the National People's Congress |
| 发布日期  Date of Issue | ：  : | 2015.04.24  2015.04.24 |
| 生效日期  Effective Date | ：  : | 2015.04.24  2015.04.24 |
| 时效性  Effectiveness | ：  : | 现行有效  Current |

# 中华人民共和国邮政法（2015修正）

# Postal Law of the People’s Republic of China (Revision 2015)

中华人民共和国邮政法（2015修正）

Postal Law of the People’s Republic of China (Revision 2015)

（1986年12月2日第六届全国人民代表大会常务委员会第十八次会议通过 2009年4月24日第十一届全国人民代表大会常务委员会第八次会议修订 根据2012年10月26日第十一届全国人民代表大会常务委员会第二十九次会议《关于修改〈中华人民共和国邮政法〉的决定》第一次修正 根据2015年4月24日第十二届全国人民代表大会常务委员会第十四次会议《关于修改〈中华人民共和国义务教育法〉等五部法律的决定》第二次修正）

(Adopted at the 18th session of the Standing Committee of the 6th National People's Congress on December 2, 1986; revised at the 8th session of the Standing Committee of the 11th National People's Congress of the People's Republic of China on April 24, 2009; amended for the first time according to the Decision on Revising the Postal Law of the People's Republic of China at the 29th session of the Standing Committee of the 11th National People's Congress of the People's Republic of China on October 26, 2012; and amended for the second time at the 14th session of the Standing Committee of the 12th National People's Congress of the People's Republic of China on April 24, 2015)

第一章 总则

Chapter 1 General Provisions

第一条   为了保障邮政普遍服务，加强对邮政市场的监督管理，维护邮政通信与信息安全，保护通信自由和通信秘密，保护用户合法权益，促进邮政业健康发展，适应经济社会发展和人民生活需要，制定本法。

Article 1 This Law is enacted for the purposes of safeguarding universal postal services, strengthening the supervision and administration of postal markets, maintaining the security of postal correspondence and information, protecting the freedom and privacy of correspondence, protecting the legitimate rights and interests of customers, promoting the healthy development of the postal industry, and meeting social and economic development needs and people's living needs.

第二条   国家保障中华人民共和国境内的邮政普遍服务。

Article 2 The State shall guarantee the universal postal services within the territory of the People's Republic of China.

邮政企业按照国家规定承担提供邮政普遍服务的义务。

Postal enterprises shall assume the obligation of providing universal postal services in accordance with the provisions of the State.

国务院和地方各级人民政府及其有关部门应当采取措施，支持邮政企业提供邮政普遍服务。

The State Council, the local people's governments at all levels and the relevant departments thereof shall take measures to support postal enterprises in providing the universal postal services.

本法所称邮政普遍服务，是指按照国家规定的业务范围、服务标准，以合理的资费标准，为中华人民共和国境内所有用户持续提供的邮政服务。

Universal postal services referred to in this Law shall mean provision of continuous postal services for all users in the People's Republic of China in accordance with the scope of services and service standards stipulated by the State at reasonable fee rates.

第三条   公民的通信自由和通信秘密受法律保护。除因国家安全或者追查刑事犯罪的需要，由公安机关、国家安全机关或者检察机关依照法律规定的程序对通信进行检查外，任何组织或者个人不得以任何理由侵犯公民的通信自由和通信秘密。

Article 3 The freedom and privacy of citizens' correspondence are protected by law. No organization or individual may, on any ground, infringe upon citizens' freedom and privacy of correspondence, except in cases where, to meet the needs of State security or of criminal investigation, public security, State security or procuratorial organs are permitted to censor correspondence in accordance with procedures prescribed by law.

除法律另有规定外，任何组织或者个人不得检查、扣留邮件、汇款。

Unless otherwise provided by law, no organization or individual may inspect or withhold mail or remittances.

第四条   国务院邮政管理部门负责对全国的邮政普遍服务和邮政市场实施监督管理。

Article 4 The postal administrative department of the State Council shall be responsible for supervision and administration of general postal services and postal markets nationwide.

省、自治区、直辖市邮政管理机构负责对本行政区域的邮政普遍服务和邮政市场实施监督管理。

The postal administrative departments of provinces, autonomous regions and centrally-administered municipalities shall be responsible for supervision and administration of general postal services and postal markets within their administrative region.

按照国务院规定设立的省级以下邮政管理机构负责对本辖区的邮政普遍服务和邮政市场实施监督管理。

The postal administrative departments below the provincial level established pursuant to the provisions of the State Council shall be responsible for supervision and administration of general postal services and postal markets within their jurisdiction.

国务院邮政管理部门和省、自治区、直辖市邮政管理机构以及省级以下邮政管理机构（以下统称邮政管理部门）对邮政市场实施监督管理，应当遵循公开、公平、公正以及鼓励竞争、促进发展的原则。

The postal administrative department of the State Council, the postal administrative authorities of provinces, autonomous regions and centrally-administered municipalities and the postal administrative authorities of provincial level and below (hereinafter referred to collectively as the "postal administrative authorities") shall comply with the principles of transparency, fairness, equitableness, encouraging competition and promoting development in supervision and administration of the postal market.

第五条   国务院规定范围内的信件寄递业务，由邮政企业专营。

Article 5 Correspondence delivery services within the scope specified by the State Council shall be operated exclusively by postal enterprises.

第六条   邮政企业应当加强服务质量管理，完善安全保障措施，为用户提供迅速、准确、安全、方便的服务。

Article 6 Postal enterprises shall strengthen service quality management and improve security measures to provide customers with fast, accurate, safe and convenient services.

第七条   邮政管理部门、公安机关、国家安全机关和海关应当相互配合，建立健全安全保障机制，加强对邮政通信与信息安全的监督管理，确保邮政通信与信息安全。

Article 7 Postal administrative departments, public security organs, national security organs and customs shall cooperate with each other, establish and improve a security protection mechanism, strengthen the supervision and administration of the security of postal correspondence and information, and ensure the security of postal correspondence and information.

第二章 邮政设施

Chapter 2 Postal Facilities

第八条   邮政设施的布局和建设应当满足保障邮政普遍服务的需要。

Article 8 The layout and construction of postal facilities shall meet the needs for ensuring the universal postal services.

地方各级人民政府应当将邮政设施的布局和建设纳入城乡规划，对提供邮政普遍服务的邮政设施的建设给予支持，重点扶持农村边远地区邮政设施的建设。

Local people's governments at all levels shall include the layout and construction of postal facilities in their urban and rural planning, support the construction of postal facilities for providing universal postal services, and focus on the construction of postal facilities in remote rural areas.

建设城市新区、独立工矿区、开发区、住宅区或者对旧城区进行改建，应当同时建设配套的提供邮政普遍服务的邮政设施。

The construction of new urban areas, independent industrial and mining areas, development zones or residential areas or the reconstruction of old urban areas shall be accompanied with the construction of supporting postal facilities for providing universal postal services.

提供邮政普遍服务的邮政设施等组成的邮政网络是国家重要的通信基础设施。

The postal network composed of postal facilities for providing universal postal services etc, shall be important correspondence infrastructure of the state.

第九条   邮政设施应当按照国家规定的标准设置。

Article 9 Postal facilities shall be set up according to the standards prescribed by the State.

较大的车站、机场、港口、高等院校和宾馆应当设置提供邮政普遍服务的邮政营业场所。

Post offices that provide universal postal services shall be set up in larger stations, airports, ports, institutions of higher learning, and hotels.

邮政企业设置、撤销邮政营业场所，应当事先书面告知邮政管理部门；撤销提供邮政普遍服务的邮政营业场所，应当经邮政管理部门批准并予以公告。

Any postal enterprise that seeks to set up or close a post office shall notify the Postal Administrative Department in writing in advance; any proposal to close down a post office that provides universal postal services shall be subject to the approval of the Postal Administrative Department and an announcement thereby.

第十条   机关、企业事业单位应当设置接收邮件的场所。农村地区应当逐步设置村邮站或者其他接收邮件的场所。

Article 10 State organs, enterprises and public institutions shall establish places for receiving correspondence. Village postal stations or other places to receive mails shall be gradually set up in rural areas.

建设城镇居民楼应当设置接收邮件的信报箱，并按照国家规定的标准验收。建设单位未按照国家规定的标准设置信报箱的，由邮政管理部门责令限期改正；逾期未改正的，由邮政管理部门指定其他单位设置信报箱，所需费用由该居民楼的建设单位承担。

Mailboxes shall be installed in the construction of urban residential buildings and be checked and accepted in accordance with the standards prescribed by the State. Where the construction unit fails to set up a letterbox in accordance with the standards specified by the State, the Postal Administrative Department shall order it to make corrections within a time limit; where it fails to make corrections within such time limit, the Postal Administrative Department shall designate another unit to set up the letterbox and the construction unit of the residential building concerned shall bear the expenses as required.

第十一条   邮件处理场所的设计和建设，应当符合国家安全机关和海关依法履行职责的要求。

Article 11 Mail processing centers shall be designed and constructed in a manner that meets the requirements of national security organs and customs authorities regarding legal performance of their responsibilities.

第十二条   征收邮政营业场所或者邮件处理场所的，城乡规划主管部门应当根据保障邮政普遍服务的要求，对邮政营业场所或者邮件处理场所的重新设置作出妥善安排；未作出妥善安排前，不得征收。

Article 12 Where a post office or mail processing center is requisitioned, the competent urban and rural planning authority shall properly arrange the re-establishment of the post office or mail processing center according to the requirements for guaranteeing universal postal services; no requisition shall proceed until such proper arrangement is made.

邮政营业场所或者邮件处理场所重新设置前，邮政企业应当采取措施，保证邮政普遍服务的正常进行。

Prior to the re-establishment of post offices or mail processing centers, postal enterprises shall take measures to guarantee the normal provision of universal postal services.

第十三条   邮政企业应当对其设置的邮政设施进行经常性维护，保证邮政设施的正常使用。

Article 13 Postal enterprises shall regularly maintain the postal facilities they set up to guarantee the normal operation of such postal facilities.

任何单位和个人不得损毁邮政设施或者影响邮政设施的正常使用。

No entity or individual may damage postal facilities or affect the normal use of such postal facilities.

第三章 邮政服务

Chapter 3 Postal Services

第十四条   邮政企业经营下列业务：

Article 14 Postal enterprises operate the following businesses:

（一）邮件寄递；

1. mail delivery;

（二）邮政汇兑、邮政储蓄；

2. postal remittances and savings;

（三）邮票发行以及集邮票品制作、销售；

(III) issuing stamps and producing and selling philatelic products;

（四）国内报刊、图书等出版物发行；

(IV) distribution of domestic newspapers and periodicals, books and other publications;

（五）国家规定的其他业务。

(V) other business prescribed by the State.

第十五条   邮政企业应当对信件、单件重量不超过五千克的印刷品、单件重量不超过十千克的包裹的寄递以及邮政汇兑提供邮政普遍服务。

Article 15 Postal enterprises shall provide universal postal services for the delivery of correspondence, printed matters not heavier than five kilograms, parcels not heavier than ten kilograms, and postal remittances.

邮政企业按照国家规定办理机要通信、国家规定报刊的发行，以及义务兵平常信函、盲人读物和革命烈士遗物的免费寄递等特殊服务业务。

Postal enterprises shall, according to state provisions, provide special services such as delivery of confidential correspondence, distribution of state-specified newspapers and periodicals and free delivery of ordinary correspondence of drafted servicemen, Braille reading materials and relics of the deceased revolutionary martyrs.

未经邮政管理部门批准，邮政企业不得停止办理或者限制办理前两款规定的业务；因不可抗力或者其他特殊原因暂时停止办理或者限制办理的，邮政企业应当及时公告，采取相应的补救措施，并向邮政管理部门报告。

No postal enterprise may cease or restrict the provision of services specified in the preceding two paragraphs without the approval of the Postal Administrative Department; where any such service is ceased or restricted due to force majeure or any other special reason, the postal enterprise shall make a timely announcement, take corresponding remedial measures, and report the same to the Postal Administrative Department.

邮政普遍服务标准，由国务院邮政管理部门会同国务院有关部门制定；邮政普遍服务监督管理的具体办法，由国务院邮政管理部门制定。

The standards for universal postal services shall be formulated by the postal administrative department of the State Council in conjunction with other relevant departments of the State Council; the specific measures for the supervision and administration of universal postal services shall be formulated by the postal administrative department of the State Council.

第十六条   国家对邮政企业提供邮政普遍服务、特殊服务给予补贴，并加强对补贴资金使用的监督。

Article 16 The State shall subsidise the postal enterprises which provide universal postal services and special services, and strengthen the supervision over the appropriation of subsidies.

第十七条   国家设立邮政普遍服务基金。邮政普遍服务基金征收、使用和监督管理的具体办法由国务院财政部门会同国务院有关部门制定，报国务院批准后公布施行。

Article 17 The State shall establish a universal postal services fund. The specific measures for the collection, use, supervision and administration of the fund shall be formulated by the public finance department of the State Council in conjunction with other relevant departments of the State Council, and be promulgated for implementation upon approval of the State Council.

第十八条   邮政企业的邮政普遍服务业务与竞争性业务应当分业经营。

Article 18 Postal enterprises shall operate universal postal services and competitive postal services separately.

第十九条   邮政企业在城市每周的营业时间应当不少于六天，投递邮件每天至少一次；在乡、镇人民政府所在地每周的营业时间应当不少于五天，投递邮件每周至少五次。

Article 19 Postal enterprises in cities shall have no less than six business days a week and deliver mail at least once a day; postal enterprises in the places where the people's governments of villages and towns are located shall no less than five days a week and deliver mail at least five times a week.

邮政企业在交通不便的边远地区和乡、镇其他地区每周的营业时间以及投递邮件的频次，国务院邮政管理部门可以另行规定。

The postal administrative department under the State Council may formulate separate provisions on the business hours and frequency of delivery of postal enterprises in remote areas with poor traffic conditions and other areas of villages and towns.

第二十条   邮政企业寄递邮件，应当符合国务院邮政管理部门规定的寄递时限和服务规范。

Article 20 Postal enterprises shall deliver mail according to delivery time limits and service standards specified by the postal administrative department under the State Council.

第二十一条   邮政企业应当在其营业场所公示或者以其他方式公布其服务种类、营业时间、资费标准、邮件和汇款的查询及损失赔偿办法以及用户对其服务质量的投诉办法。

Article 21 Postal enterprises shall publicize, or otherwise announce, at their places of business the types of services they provide, their business hours, postage rates, inquiry about mail and remittances and measures for compensation for lost mail and remittances, and arrangements for customer complaints about the quality of their services.

第二十二条   邮政企业采用其提供的格式条款确定与用户的权利义务的，该格式条款适用《中华人民共和国合同法》关于合同格式条款的规定。

Article 22 Where postal enterprises use standard clauses that they provide to define the rights and obligations between them and customers, such standard clauses shall be subject to the provisions of the Contract Law of the People's Republic of China regarding standard clauses of contracts.

第二十三条   用户交寄邮件，应当清楚、准确地填写收件人姓名、地址和邮政编码。邮政企业应当在邮政营业场所免费为用户提供邮政编码查询服务。

Article 23 When sending mails, customers shall clearly and accurately fill in the names, addresses and postal codes of the recipients. Postal enterprises shall provide free postal code inquiry services for customers at their post offices.

邮政编码由邮政企业根据国务院邮政管理部门制定的编制规则编制。邮政管理部门依法对邮政编码的编制和使用实施监督。

Postal codes are prepared by the postal enterprises in accordance with the coding rules formulated by the administrative department of postal services under the State Council. Postal administrative departments shall supervise the coding and use of postal codes according to law.

第二十四条   邮政企业收寄邮件和用户交寄邮件，应当遵守法律、行政法规以及国务院和国务院有关部门关于禁止寄递或者限制寄递物品的规定。

Article 24 Postal enterprises as well as customers shall, when receiving and delivering mail, abide by laws, administrative regulations and provisions of the State Council and the relevant departments of the State Council on articles the delivery of which is prohibited or restricted.

第二十五条   邮政企业应当依法建立并执行邮件收寄验视制度。

Article 25 Postal enterprises shall legally establish a system for examining the mail received for delivery and implement the system.

对用户交寄的信件，必要时邮政企业可以要求用户开拆，进行验视，但不得检查信件内容。用户拒绝开拆的，邮政企业不予收寄。

For correspondence sent by customers, postal enterprises may require customers to open the same for examination when necessary, provided that they may not examine the contents of such correspondence. Where customers refuse to open such correspondence, postal enterprises may refuse to receive and deliver such correspondence.

对信件以外的邮件，邮政企业收寄时应当当场验视内件。用户拒绝验视的，邮政企业不予收寄。

For any mail other than correspondence, postal enterprises shall examine the inside of such mail when receiving it. Where customers refuse to open such mail, postal enterprises may refuse to receive and deliver it.

第二十六条   邮政企业发现邮件内夹带禁止寄递或者限制寄递的物品的，应当按照国家有关规定处理。

Article 26 Where a postal enterprise discovers that mail includes any article the delivery of which is prohibited or restricted, it shall handle the same in accordance with the relevant provisions of the State.

进出境邮件中夹带国家禁止进出境或者限制进出境的物品的，由海关依法处理。

Where inbound or outbound mail includes any article the entry or exit of which is prohibited or restricted by the State, it shall be handled by the customs according to law.

第二十七条   对提供邮政普遍服务的邮政企业交运的邮件，铁路、公路、水路、航空等运输企业应当优先安排运输，车站、港口、机场应当安排装卸场所和出入通道。

Article 27 With regard to mail consigned by postal enterprises that provide universal postal services, rail, road, waterway and air transport enterprises shall give priority in arranging for the transport of such mail, and stations, ports and airports shall arrange for the loading and unloading places and access for such mail.

第二十八条   带有邮政专用标志的车船进出港口、通过渡口时，应当优先放行。

Article 28 When entering or leaving ports or crossing ferries, vehicles and vessels with special purpose postal marks shall be given priority release.

带有邮政专用标志的车辆运递邮件，确需通过公安机关交通管理部门划定的禁行路段或者确需在禁止停车的地点停车的，经公安机关交通管理部门同意，在确保安全的前提下，可以通行或者停车。

Where a vehicle bearing an exclusive postal mark, for delivering mail, needs to pass a section of road closed by the traffic control department of the public security organ or park at a no-parking spot, upon the approval of the traffic control department of the public security organ, it may pass the closed section of road or park at the no-parking spot, provided that safety is ensured.

邮政企业不得利用带有邮政专用标志的车船从事邮件运递以外的经营性活动，不得以出租等方式允许其他单位或者个人使用带有邮政专用标志的车船。

No postal enterprise shall use any vehicle or vessel bearing an exclusive postal mark for business operation other than mail delivery or permit any other entity or individual to use any vehicle or vessel bearing an exclusive postal mark by lease or in any other manner.

第二十九条   邮件通过海上运输时，不参与分摊共同海损。

Article 29 When transported by sea, postal materials shall not be included in arrangements for sharing common sea losses.

第三十条   海关依照《中华人民共和国海关法》的规定，对进出境的国际邮袋、邮件集装箱和国际邮递物品实施监管。

Article 30 The customs shall, in accordance with the Customs Law of the People's Republic of China, exercise supervision and control over international postal parcels, postal containers and international postal articles entering or leaving the territory.

第三十一条   进出境邮件的检疫，由进出境检验检疫机构依法实施。

Article 31 Inbound and outbound mail shall be quarantined by inbound and outbound inspection and quarantine agencies according to law.

第三十二条   邮政企业采取按址投递、用户领取或者与用户协商的其他方式投递邮件。

Article 32 Postal enterprises shall deliver mail by address, customer collection or other means as agreed with customers.

机关、企业事业单位、住宅小区管理单位等应当为邮政企业投递邮件提供便利。单位用户地址变更的，应当及时通知邮政企业。

State organs, enterprises, public institutions and residential area management entities shall facilitate the delivery of mail by postal enterprises. Any entity that changes its address shall notify the postal enterprise concerned of the same without delay.

第三十三条   邮政企业对无法投递的邮件，应当退回寄件人。

Article 33 Postal enterprises shall return mail that is impossible to deliver to the senders.

无法投递又无法退回的信件，自邮政企业确认无法退回之日起超过六个月无人认领的，由邮政企业在邮政管理部门的监督下销毁。无法投递又无法退回的其他邮件，按照国务院邮政管理部门的规定处理；其中无法投递又无法退回的进境国际邮递物品，由海关依照《中华人民共和国海关法》的规定处理。

For undeliverable and unreturnable correspondence, where there is no one to collect such correspondence after six months from the date on which the postal enterprise determines it as unreturnable, the postal enterprise shall destroy such correspondence under the supervision of the postal administrative authorities. Other undeliverable and unreturnable mail shall be handled in accordance with the regulations of the postal administrative department under the State Council. Inbound international postal articles that are undeliverable and unreturnable shall be handled by the customs in accordance with the Customs Law of the People's Republic of China.

第三十四条   邮政汇款的收款人应当自收到汇款通知之日起六十日内，凭有效身份证件到邮政企业兑领汇款。

Article 34 The remittee of a postal remittance shall cash such remittance from a postal enterprise on the strength of a valid identity certificate within 60 days of receiving a remittance notice.

收款人逾期未兑领的汇款，由邮政企业退回汇款人。自兑领汇款期限届满之日起一年内无法退回汇款人，或者汇款人自收到退汇通知之日起一年内未领取的汇款，由邮政企业上缴国库。

Where the remittee fails to cash the remittance within the time limit, the postal enterprise shall return such remittance to the remitter. Where it is impossible to return the remittance to the remitter within one year of the date on which the time limit for cashing the remittance expires or the remitter fails to collect the remittance within one year of receiving the notice of the remittance being returned, the postal enterprise shall turn over the remittance to the State.

第三十五条   任何单位和个人不得私自开拆、隐匿、毁弃他人邮件。

Article 35 No entity or individual may open, hide, destroy or discard another person's mail without permission.

除法律另有规定外，邮政企业及其从业人员不得向任何单位或者个人泄露用户使用邮政服务的信息。

Unless otherwise provided by law, postal enterprises and their personnel shall not disclose customer information used for providing postal services to any entity or individual.

第三十六条   因国家安全或者追查刑事犯罪的需要，公安机关、国家安全机关或者检察机关可以依法检查、扣留有关邮件，并可以要求邮政企业提供相关用户使用邮政服务的信息。邮政企业和有关单位应当配合，并对有关情况予以保密。

Article 36 For the purpose of national security or criminal investigation, public security organs, national security organs or procuratorial organs may legally examine or detain relevant mail, and may also require postal enterprises to provide relevant information on customers' use of postal services. Postal enterprises and the relevant entities shall cooperate with such requests and keep the relevant information confidential.

第三十七条   任何单位和个人不得利用邮件寄递含有下列内容的物品：

Article 37 No entity or individual may use mail to deliver articles containing the following contents:

（一）煽动颠覆国家政权、推翻社会主义制度或者分裂国家、破坏国家统一，危害国家安全的；

1. inciting subversion of the State regime, the overthrow of the socialist system, the splitting of the State or undermining of the unity of the State, or endangering State security;

（二）泄露国家秘密的；

2. Divulging any state secret;

（三）散布谣言扰乱社会秩序，破坏社会稳定的；

(III) disseminating rumors to disturb social order or undermine social stability;

（四）煽动民族仇恨、民族歧视，破坏民族团结的；

(IV) Those that instigate hostility or discrimination among different nationalities, or disrupt the national solidarity;

（五）宣扬邪教或者迷信的；

(V) that which propagates evil cults or superstition;

（六）散布淫秽、赌博、恐怖信息或者教唆犯罪的；

(VI) disseminating obscene, gambling or terrorist information or instigating others to commit crimes;

（七）法律、行政法规禁止的其他内容。

(VII) other contents prohibited by laws and administrative regulations.

第三十八条   任何单位和个人不得有下列行为：

Article 38 No entity or individual may:

（一）扰乱邮政营业场所正常秩序；

1. disturbing the normal order of post offices;

（二）阻碍邮政企业从业人员投递邮件；

(II) obstructing the staff of postal enterprises from delivering mail; and

（三）非法拦截、强登、扒乘带有邮政专用标志的车辆；

(III) illegally intercepting, forcibly boarding, or climbing aboard vehicles with special purpose postal marks;

（四）冒用邮政企业名义或者邮政专用标志；

(IV) falsely acting in the name of a postal enterprise or falsely using special purpose postal marks;

（五）伪造邮政专用品或者倒卖伪造的邮政专用品。

(V) to forge special postal articles or buy in forged special postal articles and sell them at a profit.

第四章 邮政资费

Chapter 4 Postal Charges

第三十九条   实行政府指导价或者政府定价的邮政业务范围，以中央政府定价目录为依据，具体资费标准由国务院价格主管部门会同国务院财政部门、国务院邮政管理部门制定。

Article 39 The scope of postal services implementing government- guided prices or government-determined prices shall be based on the list of prices of the Central Government, and specific fee rates shall be formulated by the pricing department of the State Council jointly with the finance department and postal department of the State Council.

邮政企业的其他业务资费实行市场调节价，资费标准由邮政企业自主确定。

The charges for other services of postal enterprises shall be subject to the market adjustment, and the charge rates shall be determined independently by postal enterprises.

第四十条   国务院有关部门制定邮政业务资费标准，应当听取邮政企业、用户和其他有关方面的意见。

Article 40 Formulation of postal service fee rates by the relevant departments of the State Council shall take into consideration the opinions of postal enterprises, customers and other relevant parties.

邮政企业应当根据国务院价格主管部门、国务院财政部门和国务院邮政管理部门的要求，提供准确、完备的业务成本数据和其他有关资料。

Postal enterprises shall provide accurate and complete business cost data and other relevant materials in accordance with the requirements of the competent price department under the State Council, the finance department under the State Council and the postal administrative department under the State Council.

第四十一条   邮件资费的交付，以邮资凭证、证明邮资已付的戳记以及有关业务单据等表示。

Article 41 The payment of postage shall be evidenced by postage certificates, postmarks showing postage paid and relevant business documents, etc.

邮资凭证包括邮票、邮资符志、邮资信封、邮资明信片、邮资邮简、邮资信卡等。

Postage certificates include stamps, imprints, imprinted envelops, postal cards, stamped letter sheets, stamped letter cards, etc.

任何单位和个人不得伪造邮资凭证或者倒卖伪造的邮资凭证，不得擅自仿印邮票和邮资图案。

No entity or individual may forge postage vouchers, resell forged postage vouchers, or copy stamps or postage patterns without authorization.

第四十二条   普通邮票发行数量由邮政企业按照市场需要确定，报国务院邮政管理部门备案；纪念邮票和特种邮票发行计划由邮政企业根据市场需要提出，报国务院邮政管理部门审定。国务院邮政管理部门负责纪念邮票的选题和图案审查。

Article 42 The quantity of regular stamps issued shall be determined by postal enterprises based on market needs and shall be filed with the postal administrative department under the State Council for the record; plans to issue commemorative stamps and special stamps shall be proposed by postal enterprises according to market needs and shall be filed with the postal administrative department under the State Council for approval. The postal administrative department under the State Council is responsible for selecting the subjects and examining the patterns of commemorative stamps.

邮政管理部门依法对邮票的印制、销售实施监督。

The postal administration shall supervise the printing and sale of stamps according to law.

第四十三条   邮资凭证售出后，邮资凭证持有人不得要求邮政企业兑换现金。

Article 43 After a postage certificate is sold, the holder of the postage certificate shall not require the postal enterprise to exchange it for cash.

停止使用邮资凭证，应当经国务院邮政管理部门批准，并在停止使用九十日前予以公告，停止销售。邮资凭证持有人可以自公告之日起一年内，向邮政企业换取等值的邮资凭证。

The cessation of use of a postage certificate shall be subject to the approval of the postal administrative department of the State Council. At least 90 days before the cessation of use, the cessation of use shall be announced publicly and the sale of the postage certificate shall cease. The holders of such postage certificates may, within one year from the date of the announcement, exchange them for other equivalent postage certificates at postal enterprises.

第四十四条   下列邮资凭证不得使用：

Article 44 The following postage certificates shall not be used:

（一）经国务院邮政管理部门批准停止使用的；

1. those for which the cessation of use has been approved by the postal administrative department under the State Council;

（二）盖销或者划销的；

2. those that have been postmarked or cancelled; and

（三）污损、残缺或者褪色、变色，难以辨认的。

(III) Those that are illegible due to being stained, incomplete, or discolored.

从邮资信封、邮资明信片、邮资邮简、邮资信卡上剪下的邮资图案，不得作为邮资凭证使用。

Postage patterns cut from stamped envelopes, stamped postcards, stamped letter sheets and stamped letters and cards may not be used as postage vouchers.

第五章 损失赔偿

Chapter 5 Damages

第四十五条   邮政普遍服务业务范围内的邮件和汇款的损失赔偿，适用本章规定。

Article 45 This Chapter shall apply to compensation for the loss of mail and remittances within the business scope of universal postal services.

邮政普遍服务业务范围以外的邮件的损失赔偿，适用有关民事法律的规定。

The compensation for losses caused to mail outside the business scope of universal postal services shall be governed by the relevant civil law provisions.

邮件的损失，是指邮件丢失、损毁或者内件短少。

The term "loss of mail" refers to the loss, damage or destruction of mail, or the missing of the contents of mail.

第四十六条   邮政企业对平常邮件的损失不承担赔偿责任。但是，邮政企业因故意或者重大过失造成平常邮件损失的除外。

Article 46 Postal enterprises shall not be liable for the loss of regular mail. However, normal mail losses caused by intentional misconduct or gross negligence of postal enterprises shall be excluded.

第四十七条   邮政企业对给据邮件的损失依照下列规定赔偿：

Article 47 Postal enterprises shall pay compensation for the loss of certified mail in accordance with the following provisions:

（一）保价的给据邮件丢失或者全部损毁的，按照保价额赔偿；部分损毁或者内件短少的，按照保价额与邮件全部价值的比例对邮件的实际损失予以赔偿。

(I) Where insured certified mail is lost or completely damaged or destroyed, compensation shall be made according to the insurance coverage. Where such mail is partially damaged or destroyed or the contents of mail are missing, compensation shall be made according to the ratio between the insurance coverage and the total value of the mail in question.

（二）未保价的给据邮件丢失、损毁或者内件短少的，按照实际损失赔偿，但最高赔偿额不超过所收取资费的三倍；挂号信件丢失、损毁的，按照所收取资费的三倍予以赔偿。

(II) For uninsured certified mail that is lost, damaged or destroyed or the contents of which are missing, compensation shall be made based on the actual loss suffered, provided that the maximum amount of compensation shall not exceed three times the value of the postal charges received; for registered mail that is lost or damaged, compensation equivalent to three times the value of the postal charges received shall be made.

邮政企业应当在营业场所的告示中和提供给用户的给据邮件单据上，以足以引起用户注意的方式载明前款规定。

Postal enterprises shall, in public notices displayed at their places of business or on mail receipts provided to customers, state the provisions of the preceding paragraph in a manner that adequately attracts the attention of customers.

邮政企业因故意或者重大过失造成给据邮件损失，或者未履行前款规定义务的，无权援用本条第一款的规定限制赔偿责任。

Where the loss of receipt mail is caused by the deliberate conduct or gross negligence of the postal enterprise or the postal enterprise fails to perform its obligations as provided in the preceding paragraph, the postal enterprise shall have no right to invoke Paragraph 1 of this Article to limit compensation liability.

第四十八条   因下列原因之一造成的给据邮件损失，邮政企业不承担赔偿责任：

Article 48 A postal enterprise shall not be liable for compensation for the loss of certified mail due to any of the following reasons:

（一）不可抗力，但因不可抗力造成的保价的给据邮件的损失除外；

(1) Force Majeure, other than a loss of insured certified mail caused by Force Majeure;

（二）所寄物品本身的自然性质或者合理损耗；

2. Natural properties or reasonable wear and tear of the posted articles themselves;

（三）寄件人、收件人的过错。

(III) The fault of the sender or recipient.

第四十九条   用户交寄给据邮件后，对国内邮件可以自交寄之日起一年内持收据向邮政企业查询，对国际邮件可以自交寄之日起一百八十日内持收据向邮政企业查询。

Article 49 After sending a receipt mail, for a domestic mail, a customer may track the mail at the postal enterprise upon the strength of the receipt within one year from the date of sending; for an international mail, the term shall be 180 days.

查询国际邮件或者查询国务院邮政管理部门规定的边远地区的邮件的，邮政企业应当自用户查询之日起六十日内将查询结果告知用户；查询其他邮件的，邮政企业应当自用户查询之日起三十日内将查询结果告知用户。查复期满未查到邮件的，邮政企业应当依照本法第四十七条的规定予以赔偿。

Where a customer inquires about international mail or mail sent to an outlying area specified by the postal administrative department of the State Council, a postal enterprise shall notify the customer of the result of the inquiry within 60 days of the date on which the customer inquires; where a customer inquires about other mail, a postal enterprise shall notify the customer of the result of the inquiry within 30 days of the date on which the customer inquires. If the mail cannot be located when the inquiry time limit expires, the postal enterprise shall pay compensation for the loss of mail in accordance with the provisions of Article 47 hereof.

用户在本条 第一款规定的查询期限内未向邮政企业查询又未提出赔偿要求的，邮政企业不再承担赔偿责任。

Where any customer, within the time limit for tracking prescribed in paragraph 1 hereof, fails to request a postal enterprise to track the mail and fails to claim compensation against the postal enterprise, the postal enterprise shall not be liable for compensation any more.

第五十条   邮政汇款的汇款人自汇款之日起一年内，可以持收据向邮政企业查询。邮政企业应当自用户查询之日起二十日内将查询结果告知汇款人。查复期满未查到汇款的，邮政企业应当向汇款人退还汇款和汇款费用。

Article 50 The remitter of a postal remittance may, within one year of the date of remittance, track the remittance at the postal enterprise on the strength of the receipt. The postal enterprise shall notify the remitter about the result of the inquiry within 20 days of the date on which the customer inquires. Where no remittance has been located when the inquiry time limit expires, the postal enterprise shall return the remittance and the associated fee to the remitter.

第六章 快递业务

Chapter 6 Express Delivery Services

第五十一条   经营快递业务，应当依照本法规定取得快递业务经营许可；未经许可，任何单位和个人不得经营快递业务。

Article 51 Operators of express delivery services shall obtain a business permit for express delivery services in accordance with this Law; no entity or individual may engage in express delivery services without such a permit.

外商不得投资经营信件的国内快递业务。

Foreign investors may not invest in or operate domestic express delivery services.

国内快递业务，是指从收寄到投递的全过程均发生在中华人民共和国境内的快递业务。

The term "domestic express delivery services" refers to express delivery services in which the entire process from acceptance to delivery occurs within the territory of the People's Republic of China.

第五十二条   申请快递业务经营许可，应当具备下列条件：

Article 52 Any enterprise that applies for a business permit for express delivery services shall:

（一）符合企业法人条件；

1. It shall be an enterprise legal person;

（二）在省、自治区、直辖市范围内经营的，注册资本不低于人民币五十万元，跨省、自治区、直辖市经营的，注册资本不低于人民币一百万元，经营国际快递业务的，注册资本不低于人民币二百万元；

(II) If the applicant tends to operate courier services within a single province, autonomous region or municipality directly under the Central Government, its registered capital shall not be less than CNY500,000; if the applicant tends to operate courier services in more than one province, autonomous region or municipality directly under the Central Government, its registered capital shall not be less than CNY1 million. If the applicant tends to operate international courier services, its registered capital shall not be less than CNY2 million;

（三）有与申请经营的地域范围相适应的服务能力；

(III) the applicant shall be capable of providing services in the regions applied for;

（四）有严格的服务质量管理制度和完备的业务操作规范；

(IV) it has a strict service quality control system and sound business operating standards;

（五）有健全的安全保障制度和措施；

(V) It has a sound security protection system and measures; and

（六）法律、行政法规规定的其他条件。

(VI) Other conditions prescribed by laws and administrative regulations.

第五十三条   申请快递业务经营许可，在省、自治区、直辖市范围内经营的，应当向所在地的省、自治区、直辖市邮政管理机构提出申请，跨省、自治区、直辖市经营或者经营国际快递业务的，应当向国务院邮政管理部门提出申请；申请时应当提交申请书和有关申请材料。

Article 53 To apply for an express delivery business permit for providing the service within a province, autonomous region or centrally-administered municipalities, an applicant shall file an application with the postal administrative department of the province, autonomous region or centrally-administered municipalities where it is located; to apply for an express delivery business permit for providing the express delivery service across provinces, autonomous regions or centrally-administered municipalities or providing the international express delivery service, an applicant shall file an application with the postal administrative department of the State Council. An application form and the relevant application materials shall be submitted at the time of application.

受理申请的邮政管理部门应当自受理申请之日起四十五日内进行审查，作出批准或者不予批准的决定。予以批准的，颁发快递业务经营许可证；不予批准的，书面通知申请人并说明理由。

The Postal Administrative Department that accepts an application shall examine the application within 45 days after accepting the application and make a decision of approval or disapproval. Where the application is approved, a business permit for courier services shall be issued; where the application is not approved, a written notice shall be sent to the applicant to explain the reasons.

邮政管理部门审查快递业务经营许可的申请，应当考虑国家安全等因素，并征求有关部门的意见。

Postal Departments shall, when reviewing the applications for business licensing of courier services, take into account such factors as security of the State and consult relevant departments.

申请人凭快递业务经营许可证向工商行政管理部门依法办理登记后，方可经营快递业务。

An applicant may operate express delivery service only after it has legally registered with the industrial and commercial administrative authority on the strength of the business permit for express delivery service.

第五十四条   邮政企业以外的经营快递业务的企业（以下称快递企业）设立分支机构或者合并、分立的，应当向邮政管理部门备案。

Article 54 Enterprises providing the express delivery service other than postal enterprises (hereinafter referred to as the "express delivery enterprises") shall report their establishment of branches, mergers or divisions to the Postal Administrative Department for the record.

第五十五条   快递企业不得经营由邮政企业专营的信件寄递业务，不得寄递国家机关公文。

Article 55 Courier companies shall not engage in letter delivery business which are exclusively run by postal enterprises, and shall not deliver the official documents of state organs.

第五十六条   快递企业经营邮政企业专营业务范围以外的信件快递业务，应当在信件封套的显著位置标注信件字样。

Article 56 Express delivery enterprises providing the correspondence delivery service beyond the scope of services which shall be exclusively provided by postal enterprises shall mark the word "correspondence" in a conspicuous position of the correspondence envelope.

快递企业不得将信件打包后作为包裹寄递。

Express delivery enterprises shall not pack correspondence for delivery as a parcel.

第五十七条   经营国际快递业务应当接受邮政管理部门和有关部门依法实施的监管。邮政管理部门和有关部门可以要求经营国际快递业务的企业提供报关数据。

Article 57 Enterprises that operate international express delivery services shall be subject to the lawful supervision of the Postal Administrative Departments and relevant departments. The Postal Administrative Departments and relevant departments may require enterprises that operate international express delivery services to provide customs declaration data.

第五十八条   快递企业停止经营快递业务的，应当书面告知邮政管理部门，交回快递业务经营许可证，并对尚未投递的快件按照国务院邮政管理部门的规定妥善处理。

Article 58 Any express delivery enterprise that ceases operating express delivery services shall notify the Postal Administrative Department in writing, return its business permit for express delivery services, and properly handle the express mail that has not been delivered in accordance with the provisions of the postal administrative department under the State Council.

第五十九条   本法第六条、第二十一条、第二十二条、第二十四条、第二十五条、第二十六条第一款、第三十五条第二款、第三十六条关于邮政企业及其从业人员的规定，适用于快递企业及其从业人员；第十一条关于邮件处理场所的规定，适用于快件处理场所；第三条第二款、第二十六条第二款、第三十五条第一款、第三十六条、第三十七条关于邮件的规定，适用于快件；第四十五条第二款关于邮件的损失赔偿的规定，适用于快件的损失赔偿。

Article 59 The provisions of Articles 6, 21, 22, 24 and 25, Paragraph 1 of Article 26, Paragraph 2 of Article 35, and Article 36 of this Law on postal enterprises and the staff thereof shall apply to express delivery enterprises and the staff thereof; the provisions of Article 11 on mail processing centers shall apply to express mail processing centers; the provisions of Paragraph 2 of Article 3, Paragraph 2 of Article 26, Paragraph 1 of Article 35, and Articles 36 and 37 on mail shall apply to express mail; and the provisions of Paragraph 2 of Article 45 on compensation for losses caused to mail shall apply to the compensation for losses caused to express mail.

第六十条   经营快递业务的企业依法成立的行业协会，依照法律、行政法规及其章程规定，制定快递行业规范，加强行业自律，为企业提供信息、培训等方面的服务，促进快递行业的健康发展。

Article 60 The industry association legally established by enterprises that engage in the express delivery business shall formulate the standards for express delivery industry in accordance with the laws, administrative regulations and their articles of association, strengthen the industry self-discipline, provide enterprises with the services in information and training and promote the healthy development of the express delivery industry.

经营快递业务的企业应当对其从业人员加强法制教育、职业道德教育和业务技能培训。

Enterprises that operate express delivery services shall strengthen legal education, professional ethics education, and business skills training for their employees.

第七章 监督检查

Chapter 7 Supervision and Inspection

第六十一条   邮政管理部门依法履行监督管理职责，可以采取下列监督检查措施：

Article 61 Postal administrative departments may take the following supervision and inspection measures in the course of legally performing their supervision and administration duties and responsibilities:

（一）进入邮政企业、快递企业或者涉嫌发生违反本法活动的其他场所实施现场检查；

1. entering postal enterprises, courier companies or other places where suspected violations of this Law have occurred to conduct on-site inspections;

（二）向有关单位和个人了解情况；

(II) Obtaining information from relevant entities and individuals;

（三）查阅、复制有关文件、资料、凭证；

(III) consulting and copying relevant documents, materials or vouchers;

（四）经邮政管理部门负责人批准，查封与违反本法活动有关的场所，扣押用于违反本法活动的运输工具以及相关物品，对信件以外的涉嫌夹带禁止寄递或者限制寄递物品的邮件、快件开拆检查。

(IV) subject to the approval of the person in charge of the administrative department of postal services, sealing up places related to activities in violation of this Law, detaining vehicles used in activities in violation of this Law and related articles, or unsealing or unpacking mail or express mail other than correspondence which is suspected of including articles the delivery of which is prohibited or restricted for inspection.

第六十二条   邮政管理部门根据履行监督管理职责的需要，可以要求邮政企业和快递企业报告有关经营情况。

Article 62 The Postal Administrative Departments may, where necessary to the performance of their supervisory and administrative responsibilities and duties, require postal enterprises and express delivery enterprises to make reports on their operating circumstances as relevant.

第六十三条   邮政管理部门进行监督检查时，监督检查人员不得少于二人，并应当出示执法证件。对邮政管理部门依法进行的监督检查，有关单位和个人应当配合，不得拒绝、阻碍。

Article 63 When conducting supervision and inspection, a postal administrative department shall assign at least two functionaries, who shall show their law enforcement certificates. Relevant entities and individuals shall cooperate with and may not refuse or obstruct the supervision and inspection legally conducted by the Postal Administrative Departments.

第六十四条   邮政管理部门工作人员对监督检查中知悉的商业秘密，负有保密义务。

Article 64 The staff of an administrative department of postal services shall keep the trade secrets of which they become aware in the course of supervision and inspection confidential.

第六十五条   邮政企业和快递企业应当及时、妥善处理用户对服务质量提出的异议。用户对处理结果不满意的，可以向邮政管理部门申诉，邮政管理部门应当及时依法处理，并自接到申诉之日起三十日内作出答复。

Article 65 Postal enterprises and courier companies shall handle customers' objections to service quality in a timely and proper manner. Any customer who is dissatisfied with the handling of a compliant may appeal to the Postal Administrative Department, and the Postal Administrative Department shall handle the same according to law and reply within thirty days of the date of receipt of the appeal.

第六十六条   任何单位和个人对违反本法规定的行为，有权向邮政管理部门举报。邮政管理部门接到举报后，应当及时依法处理。

Article 66 Any entity or individual has the right to report any violation of this Law to the Postal Administrative Department. Upon receipt of a report, the postal administrative authorities shall promptly handle pursuant to the law.

第八章 法律责任

Chapter 8 Legal Liabilities

第六十七条   邮政企业提供邮政普遍服务不符合邮政普遍服务标准的，由邮政管理部门责令改正，可以处一万元以下的罚款；情节严重的，处一万元以上五万元以下的罚款；对直接负责的主管人员和其他直接责任人员给予处分。

Article 67 Where universal postal services provided by a postal enterprise do not meet the universal postal service standards, the Postal Administrative Department shall order it to make corrections and may impose a fine of no more than CNY10,000 thereon; for a serious circumstance, a fine of between CNY10,000 and CNY50,000 may be imposed thereon; the in-charge persons bearing direct responsibility and other persons subject to direct liability shall be subject to sanctions.

第六十八条   邮政企业未经邮政管理部门批准，停止办理或者限制办理邮政普遍服务业务和特殊服务业务，或者撤销提供邮政普遍服务的邮政营业场所的，由邮政管理部门责令改正，可以处二万元以下的罚款；情节严重的，处二万元以上十万元以下的罚款；对直接负责的主管人员和其他直接责任人员给予处分。

Article 68 Where a postal enterprise, without the approval of the Postal Administrative Department, ceases or restricts its handling of universal postal services or special postal services or winds up its post office (s) used to provide universal postal services, the Postal Administrative Department shall order it to make corrections and may impose a fine of no more than CNY20,000 on the enterprise; for a serious circumstance, a fine of between CNY20,000 and CNY100 ,000 may be imposed on the enterprise; the in-charge persons bearing direct responsibility and other persons subject to direct liability shall be subject to sanctions.

第六十九条   邮政企业利用带有邮政专用标志的车船从事邮件运递以外的经营性活动，或者以出租等方式允许其他单位或者个人使用带有邮政专用标志的车船的，由邮政管理部门责令改正，没收违法所得，可以并处二万元以下的罚款；情节严重的，并处二万元以上十万元以下的罚款；对直接负责的主管人员和其他直接责任人员给予处分。

Article 69 Where a postal enterprise uses any vehicle or ship bearing an exclusive postal mark for business operation other than mail delivery, or allows any other entity or individual to use any vehicle or ship bearing an exclusive postal mark by lease or otherwise, the administrative department of postal services shall order it to make corrections, confiscate the illegal gains, and may impose a fine of not more than CNY20,000 on the enterprise; for a serious circumstance, a fine of not less than CNY20,000 but not more than CNY100 ,000 may be imposed on the enterprise; and impose sanctions on the directly liable person in charge and other directly liable persons.

邮政企业从业人员利用带有邮政专用标志的车船从事邮件运递以外的活动的，由邮政企业责令改正，给予处分。

Where an employee of a postal enterprise uses a vehicle or vessel with special purpose postal marks to carry out business activities other than the transportation and delivery of mail, the postal enterprise shall order him/her to make corrections and impose a sanction on the employee.

第七十条   邮政企业从业人员故意延误投递邮件的，由邮政企业给予处分。

Article 70 Where an employee of a postal enterprise intentionally delays the delivery of mail, the postal enterprise shall impose a sanction on the employee.

第七十一条   冒领、私自开拆、隐匿、毁弃或者非法检查他人邮件、快件，尚不构成犯罪的，依法给予治安管理处罚。

Article 71 Where anyone falsely claims, unseals without permission, hides, destroys or illegally inspects the mail or express mail of any other person, which does not constitute a crime, he/she shall be subject to a public security administration punishment legally.

第七十二条   未取得快递业务经营许可经营快递业务，或者邮政企业以外的单位或者个人经营由邮政企业专营的信件寄递业务或者寄递国家机关公文的，由邮政管理部门或者工商行政管理部门责令改正，没收违法所得，并处五万元以上十万元以下的罚款；情节严重的，并处十万元以上二十万元以下的罚款；对快递企业，还可以责令停业整顿直至吊销其快递业务经营许可证。

Article 72 Where anyone provides the express delivery service without an express delivery business permit, or any entity other than a postal enterprise or any individual provides the correspondence delivery service which shall be exclusively provided by postal enterprises or delivers the official documents of state organs, the postal administrative department or the administrative department for industry and commerce shall order it/him to make correction, confiscate the illegal gains and impose a fine of RMB 50,000 up to RMB 100,000 on it/him; for a serious case, a fine of RMB 100,000 up to RMB 200,000 shall be imposed on it/him; for an express delivery enterprise, it/he may also be ordered to stop business for rectification or even have its express delivery business permit revoked.

违反本法第五十一条第二款的规定，经营信件的国内快递业务的，依照前款规定处罚。

Where domestic express delivery services for correspondence are operated in violation of the provisions of Paragraph 2 of Article 51 of this Law, a penalty shall be imposed according to the preceding paragraph.

第七十三条   快递企业有下列行为之一的，由邮政管理部门责令改正，可以处一万元以下的罚款；情节严重的，处一万元以上五万元以下的罚款，并可以责令停业整顿：

Article 73 Where an express delivery enterprise commits any of the following acts, the Postal Administrative Department shall order it to make corrections and may impose a fine of no more than CNY10,000 thereon; for a serious circumstance, shall impose a fine of no less than CNY10,000 but no more than CNY50,000 thereon and may order it to suspend business for rectification:

（一）设立分支机构、合并、分立，未向邮政管理部门备案的；

1. establishing branches or being subject to merger or division without filing with the Postal Administrative Department for the record;

（二）未在信件封套的显著位置标注信件字样的；

(II) failing to mark the words "correspondence" in a conspicuous position of the correspondence envelope or packaging;

（三）将信件打包后作为包裹寄递的；

(III) Packing and delivering letters as parcels;

（四）停止经营快递业务，未书面告知邮政管理部门并交回快递业务经营许可证，或者未按照国务院邮政管理部门的规定妥善处理尚未投递的快件的。

(IV) where the enterprise ceases operating express delivery business, but fails to notify the Postal Administrative Department in writing of such cease and to return its business permit for express delivery, or fails to, in accordance with the provisions of the postal administrative department under the State Council, properly handle the express mail that has not been delivered.

第七十四条   邮政企业、快递企业未按照规定向用户明示其业务资费标准，或者有其他价格违法行为的，由政府价格主管部门依照《中华人民共和国价格法》的规定处罚。

Article 74 Where postal enterprises and courier companies fail to make service charge standards known to customers as required, or commit other price violations, the competent price departments of the government shall impose a penalty in accordance with the provisions of the Pricing Law of the People's Republic of China.

第七十五条   邮政企业、快递企业不建立或者不执行收件验视制度，或者违反法律、行政法规以及国务院和国务院有关部门关于禁止寄递或者限制寄递物品的规定收寄邮件、快件的，对邮政企业直接负责的主管人员和其他直接责任人员给予处分；对快递企业，邮政管理部门可以责令停业整顿直至吊销其快递业务经营许可证。

Article 75 Where a postal enterprise or express delivery enterprise fails to establish or implement a system for checking the inside of mail received for delivery, or accepts and delivers mail or express mail in violation of a law or administrative regulation or the provisions of the State Council or the relevant department of the State Council on items prohibited or restricted from delivery, the postal administrative department shall impose sanctions on the directly liable person in charge and other directly liable persons of the postal enterprise; or may order the express delivery enterprise to stop business for rectification or even revoke its express delivery business permit.

用户在邮件、快件中夹带禁止寄递或者限制寄递的物品，尚不构成犯罪的，依法给予治安管理处罚。

Where mail or express mail sent by a customer includes an item the delivery of which is prohibited or restricted, which does not constitute a crime, he/she shall be subject to a public security administrative penalty legally.

有前两款规定的违法行为，造成人身伤害或者财产损失的，依法承担赔偿责任。

Whoever commits the violations as prescribed in the preceding two paragraphs which cause personal injuries or property losses shall be liable for compensation in accordance with the law.

邮政企业、快递企业经营国际寄递业务，以及用户交寄国际邮递物品，违反《中华人民共和国海关法》及其他有关法律、行政法规的规定的，依照有关法律、行政法规的规定处罚。

Postal enterprises and courier companies which provide international postal delivery services, as well as postal articles sent by customers, and violate the Customs Law of the People's Republic of China and other relevant laws and administrative regulations shall be punished in line with the provisions of relevant laws and administrative regulations.

第七十六条   邮政企业、快递企业违法提供用户使用邮政服务或者快递服务的信息，尚不构成犯罪的，由邮政管理部门责令改正，没收违法所得，并处一万元以上五万元以下的罚款；对邮政企业直接负责的主管人员和其他直接责任人员给予处分；对快递企业，邮政管理部门还可以责令停业整顿直至吊销其快递业务经营许可证。

Article 76 Postal administration departments shall order postal enterprises and courier companies which provide information about customers' use of postal or courier services to make corrections, confiscate illegal gains, impose a fine of CNY10,000 to CNY50,000, and impose sanctions on the in-charge persons bearing direct responsibility and other persons subject to direct liability of such postal enterprises; for postal enterprises, Postal administration departments may also order them to suspend operation for rectification until cancelling their business permits for courier services.

邮政企业、快递企业从业人员有前款规定的违法行为，尚不构成犯罪的，由邮政管理部门责令改正，没收违法所得，并处五千元以上一万元以下的罚款。

Where an employee of a postal enterprise or express delivery enterprise commits any violation described in the preceding paragraph, which does not constitute a crime, the Postal Administrative Department shall order the employee to make corrections, confiscate all illegal income derived, and impose a fine of between CNY5,000 and CNY10,000 thereon.

第七十七条   邮政企业、快递企业拒绝、阻碍依法实施的监督检查，尚不构成犯罪的，依法给予治安管理处罚；对快递企业，邮政管理部门还可以责令停业整顿直至吊销其快递业务经营许可证。

Article 77 Where a postal enterprise or express delivery enterprise refuses or impedes the supervision and inspection legally conducted, which does not constitute a crime, it shall be subject to a public security administrative penalty legally; for the express delivery enterprise, the Postal Administrative Department may also order it to suspend business for rectification until canceling its business permit for express delivery services.

第七十八条   邮政企业及其从业人员、快递企业及其从业人员在经营活动中有危害国家安全行为的，依法追究法律责任；对快递企业，并由邮政管理部门吊销其快递业务经营许可证。

Article 78 Where a postal enterprise or express delivery enterprise or any staff member thereof commits any act endangering the state security in the course of its business activities, it/he shall be subject to legal liability; for an express delivery enterprise, the postal administrative department shall revoke its express delivery business permit.

第七十九条   冒用邮政企业名义或者邮政专用标志，或者伪造邮政专用品或者倒卖伪造的邮政专用品的，由邮政管理部门责令改正，没收伪造的邮政专用品以及违法所得，并处一万元以上五万元以下的罚款。

Article 79 Where anyone falsely acts in the name of a postal enterprise or uses an exclusive postal mark, forges any item exclusively for the postal use, or buys and sells any forged item exclusively for the postal use, the administrative department of postal services shall order it/him to make corrections, confiscate the forged items exclusively for the postal use and illegal gains and impose a fine of RMB 10,000 up to RMB 50,000 on it/him.

第八十条   有下列行为之一，尚不构成犯罪的，依法给予治安管理处罚：

Article 80 Where a person commits any of the following acts, which does not constitute a crime, he shall be given an administrative penalty for public security according to law:

（一）盗窃、损毁邮政设施或者影响邮政设施正常使用的；

1. stealing or damaging postal facilities or affecting the normal operation of such facilities;

（二）伪造邮资凭证或者倒卖伪造的邮资凭证的；

2. forging postage vouchers or speculatively reselling forged postage vouchers;

（三）扰乱邮政营业场所、快递企业营业场所正常秩序的；

(III) disturbing the normal order of post offices or the business premises of courier companies;

（四）非法拦截、强登、扒乘运送邮件、快件的车辆的。

(IV) illegally intercepting, forcibly boarding, or climbing aboard a vehicle used for transporting mail or express mail.

第八十一条   违反本法规定被吊销快递业务经营许可证的，自快递业务经营许可证被吊销之日起三年内，不得申请经营快递业务。

Article 81 Where the business permit for express delivery services of an express delivery enterprise is revoked due to a violation of this Law, such enterprise may not apply for operating express delivery services within three years of the date of such revocation.

快递企业被吊销快递业务经营许可证的，应当依法向工商行政管理部门办理变更登记或者注销登记。

Where an express delivery enterprise's express delivery business permit is revoked, it shall go through the formalities for the change of registration or cancellation of registration with the industrial and commercial administrative authority in accordance with the law.

第八十二条   违反本法规定，构成犯罪的，依法追究刑事责任。

Article 82 Where a violation of the provisions of this Law constitutes a criminal offence, criminal liability shall be imposed according to the law.

第八十三条   邮政管理部门工作人员在监督管理工作中滥用职权、玩忽职守、徇私舞弊，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，依法给予处分。

Article 83 Where any staff member of an administrative department of postal services abuses his/her power, neglects his/her duties, or commits illegalities for personal gains or by fraudulent means in the course of supervision and administration, which constitutes a crime, he/she shall be prosecuted for criminal liability in accordance with the law; if no crime is constituted, he/she shall be punished in accordance with the law.

第九章 附则

Chapter 9 Supplementary Provisions

第八十四条   本法下列用语的含义：

Article 84 Terms used in this Law are defined as follows:

邮政企业，是指中国邮政集团公司及其提供邮政服务的全资企业、控股企业。

Postal enterprises shall refer to China Post Group and its wholly-owned enterprises and holding enterprises that provide postal services.

寄递，是指将信件、包裹、印刷品等物品按照封装上的名址递送给特定个人或者单位的活动，包括收寄、分拣、运输、投递等环节。

Postal Delivery "shall refer to the delivery of any article such as correspondence, package or printed material to the addressed individual or organization according to the name and address on the envelope or package, including such links as acceptance, sorting, transportation and delivery.

快递，是指在承诺的时限内快速完成的寄递活动。

Express delivery refers to the activity of rapid delivery within a promised time limit.

邮件，是指邮政企业寄递的信件、包裹、汇款通知、报刊和其他印刷品等。

The term "mail" refers to letters, parcels, remittance notices, newspapers, periodicals and other printed materials, etc., which are delivered by postal enterprises.

快件，是指快递企业递送的信件、包裹、印刷品等。

"Express mail" refers to letters, parcels or printed materials delivered by express delivery enterprises.

信件，是指信函、明信片。信函是指以套封形式按照名址递送给特定个人或者单位的缄封的信息载体，不包括书籍、报纸、期刊等。

The term "correspondence" refers to letters or postcards. The term "letter" refers to a sealed information carrier delivered in an envelope to a specific individual or entity according to the name and address indicated thereon, excluding books, newspapers and periodicals.

包裹，是指按照封装上的名址递送给特定个人或者单位的独立封装的物品，其重量不超过五十千克，任何一边的尺寸不超过一百五十厘米，长、宽、高合计不超过三百厘米。

Parcels shall mean the items which are separately packaged and delivered to specific individuals or entities according to the names and addresses on the packages. The weight of a parcel shall not exceed 50 kg, the measurement of any side shall not exceed 150 cm, and the total of length, width and height shall not exceed 300 cm.

平常邮件，是指邮政企业在收寄时不出具收据，投递时不要求收件人签收的邮件。

The term "regular mail" refers to mail for which no receipt is required upon acceptance by the postal enterprise and for which the recipient's signature is not required upon delivery.

给据邮件，是指邮政企业在收寄时向寄件人出具收据，投递时由收件人签收的邮件。

The term "certified mail" refers to mail for which a receipt is issued by the postal enterprise to the sender upon receipt and for which the recipient's signature is required upon delivery.

邮政设施，是指用于提供邮政服务的邮政营业场所、邮件处理场所、邮筒（箱）、邮政报刊亭、信报箱等。

Postal facilities shall mean post offices, mail processing centers, postboxes, postal newspaper and periodical stands, letter boxes, etc. that are used for the provision of postal services.

邮件处理场所，是指邮政企业专门用于邮件分拣、封发、储存、交换、转运、投递等活动的场所。

The term "mail processing center" refers to a place exclusively used by a postal enterprise for the sorting, sealing for delivery, storage, exchange, transport and delivery of mail and other activities.

国际邮递物品，是指中华人民共和国境内的用户与其他国家或者地区的用户相互寄递的包裹和印刷品等。

The term "international postal articles" refers to parcels, printed materials or other articles delivered from a customer within the territory of the People's Republic of China to a customer in another country or region.

邮政专用品，是指邮政日戳、邮资机、邮政业务单据、邮政夹钳、邮袋和其他邮件专用容器。

The term "articles exclusively used for postal services" refers to postal date-marks, postage meters, postal service documents, postal tongs, postal bags and other containers exclusively used for mail.

第八十五条   本法公布前按照国家有关规定，经国务院对外贸易主管部门批准或者备案，并向工商行政管理部门依法办理登记后经营国际快递业务的国际货物运输代理企业，凭批准或者备案文件以及营业执照，到国务院邮政管理部门领取快递业务经营许可证。国务院邮政管理部门应当将企业领取快递业务经营许可证的情况向其原办理登记的工商行政管理部门通报。

Article 85 An international freight forwarding enterprise which provides the international express delivery service upon the approval of or filing with the competent department of foreign trade under the State Council and registration with the administrative department for industry and commerce according to law before the promulgation of this Law shall obtain an express delivery business permit from the postal administrative department under the State Council with the approval or filing document and its business license. The postal administrative department under the State Council shall report the collection of an express delivery business permit by an enterprise to the industrial and commercial administrative department where the enterprise was originally registered.

除前款规定的企业外，本法公布前依法向工商行政管理部门办理登记后经营快递业务的企业，不具备本法规定的经营快递业务的条 件的，应当在国务院邮政管理部门规定的期限内达到本法规定的条件，逾期达不到本法规定的条件的，不得继续经营快递业务。

In addition to the enterprise prescribed in the preceding paragraph, an enterprise which provides the express delivery service upon the registration with the administrative department for industry and commerce according to law before this Law is promulgated shall, if it fails to meet the requirements of this Law for providing the express delivery service, meet the requirements prescribed in this Law within the time limit prescribed by the postal administrative department of the State Council; otherwise, it shall not continue to provide the express delivery service.

第八十六条   省、自治区、直辖市应当根据本地区的实际情况，制定支持邮政企业提供邮政普遍服务的具体办法。

Article 86 A province, autonomous region or municipality directly under the Central Government shall, according to the local actualities, formulate the specific measures for supporting postal enterprises in providing the universal postal services.

第八十七条   本法自2009年10月1日起施行。

Article 87 This Law shall be effective 1 October 2009.