|  |  |  |
| --- | --- | --- |
| 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 | ：: | 2017.11.042017.11.04 |
| 生效日期Effective Date | ：: | 2017.11.042017.11.04 |
| 时效性Effectiveness | ：: | 现行有效Current |
| 文号No.  | ：: | 主席令第八十号Presidential Decree No. 80 |

# 中华人民共和国刑法修正案（十）

# Amendment X to the Criminal Law of the People's Republic of China

中华人民共和国刑法修正案（十）

Amendment X to the Criminal Law of the People's Republic of China

主席令第八十号

Presidential Decree No. 80

《中华人民共和国刑法修正案（十）》已由中华人民共和国第十二届全国人民代表大会常务委员会第三十次会议于2017年11月4日通过，现予公布，自公布之日起施行。

The Amendment X to the Criminal Law of the People's Republic of China, adopted at the 30th Session of the Standing Committee of the 12th National People's Congress of the People's Republic of China on November 4, 2017, is hereby promulgated, effective as of the date of its promulgation.

中华人民共和国主席 习近平

President Xi Jinping

2017年11月4日

November 4, 2017

中华人民共和国刑法修正案（十）

Amendment X to the Criminal Law of the People's Republic of China

（2017年11月4日第十二届全国人民代表大会常务委员会第三十次会议通过）

(Adopted at the 30th Session of the Standing Committee of the 12th National People's Congress on November 4, 2017)

为了惩治侮辱国歌的犯罪行为，切实维护国歌奏唱、使用的严肃性和国家尊严，在刑法第二百九十九条中增加一款作为第二款，将该条修改为：

In order to punish the crime of desecrating the National Anthem, effectively maintain the seriousness in the playing, singing or use of the National Anthem and national dignity, a paragraph is added as Paragraph 2 to Article 299 of the Criminal Law, which is revised to read:

“在公共场合，故意以焚烧、毁损、涂划、玷污、践踏等方式侮辱中华人民共和国国旗、国徽的，处三年以下有期徒刑、拘役、管制或者剥夺政治权利。

"Whoever desecrates the National Flag or the National Emblem of the People's Republic of China by intentionally burning, mutilating, scrawling on, defiling or trampling upon it in a public place shall be sentenced to fixed-term imprisonment of not more than three years, criminal detention, public surveillance or deprivation of political rights.

“在公共场合，故意篡改中华人民共和国国歌歌词、曲谱，以歪曲、贬损方式奏唱国歌，或者以其他方式侮辱国歌，情节严重的，依照前款的规定处罚。”

"Whoever deliberately tampers with the lyrics or music of the National Anthem of the People's Republic of China, plays or sings the National Anthem in a distorted or disparaged way, or desecrates the National Anthem in other ways in a public place shall, if the circumstances are serious, be punished under the provisions of the preceding paragraph."

本修正案自公布之日起施行。

This Amendment shall come into force as of the date of promulgation.