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# 全国人民代表大会常务委员会关于《中华人民共和国刑法》第三百八十四条第一款的解释

# Interpretation of the Standing Committee of the National People's Congress on Paragraph 1 of Article 384 of the Criminal Law of the People's Republic of China

全国人民代表大会常务委员会关于《中华人民共和国刑法》第三百八十四条第一款的解释（2002年4月28日第九届全国人民代表大会常务委员会第二十七次会议通过）

(Adopted at the 27th Meeting of the Standing Committee of the Ninth National People's Congress on 28 April 2002)

全国人民代表大会常务委员会讨论了刑法第三百八十四条第一款规定的国家工作人员利用职务上的便利，挪用公款“归个人使用”的含义问题，解释如下：

Having discussed the implication of a State functionary who, taking advantage of his position, misappropriates public funds "for his own use" as prescribed in the first paragraph of Article 384 of the Criminal Law, the Standing Committee of National People's Congress gives the interpretation as follows:

有下列情形之一的，属于挪用公款“归个人使用”：

Any of the following circumstances shall be deemed as misappropriation of public funds "for personal use":

（一）将公款供本人、亲友或者其他自然人使用的；

1. providing public funds to himself, his relatives or friends or to other natural persons for use;

（二）以个人名义将公款供其他单位使用的；

2. providing public funds in his own name to other units for use;

（三）个人决定以单位名义将公款供其他单位使用，谋取个人利益的。

(III) deciding himself in the name of his unit to provide public funds to other units for use, in order to obtain personal benefits in return.

现予公告。

It is hereby announced.