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# 中华人民共和国中国人民银行法（2003修正）

# Law of the People's Republic of China on the People's Bank of China (Revised in 2003)

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(1995年3月18日第八届全国人民代表大会第三次会议通过 根据2003年12月27日第十届全国人民代表大会常务委员会第六次会议《关于修改〈中华人民共和国中国人民银行法〉的决定》修正）

(Adopted at the 3rd session of the 8th National People 's Congress on March 18, 1995, and amended according to the Decision on Amending the Law of the People's Republic of China on the People's Bank of China adopted at the 6th session of the Standing Committee of the 10th National People's Congress on December 27, 2003)

第一章 总则

Chapter 1 General Provisions

第一条   为了确立中国人民银行的地位，明确其职责，保证国家货币政策的正确制定和执行，建立和完善中央银行宏观调控体系，维护金融稳定，制定本法。

Article 1. This Law is formulated for the purposes of defining the status of the People's Bank of China, clarifying its functions, ensuring proper formulation and implementation of State monetary policies, establishing and improving upon the macro-control system of the central bank and safeguarding of financial stability.

第二条   中国人民银行是中华人民共和国的中央银行。

Article 2 The People's Bank of China shall be the central bank of the People's Republic of China.

中国人民银行在国务院领导下，制定和执行货币政策，防范和化解金融风险，维护金融稳定。

The People's Bank of China shall, under the leadership of the State Council, formulate and implement monetary policies, prevent and eliminate financial risks, and maintain financial stability.

第三条   货币政策目标是保持货币币值的稳定，并以此促进经济增长。

Article 3 The aim of monetary policies is to maintain the stability of the value of the currency and thereby promote economic growth.

第四条   中国人民银行履行下列职责：

Article 4 The People's Bank of China shall perform the following functions:

（一）发布与履行其职责有关的命令和规章；

1. to promulgate and carry out the orders and regulations related to its functions and responsibilities;

（二）依法制定和执行货币政策；

2. formulate and implement monetary policies in accordance with the law;

（三）发行人民币，管理人民币流通；

(III) to issue Renminbi (RMB) and control its circulation;

（四）监督管理银行间同业拆借市场和银行间债券市场；

(IV) to supervise and administer the inter-bank lending market and the inter-bank bond market;

（五）实施外汇管理，监督管理银行间外汇市场；

(V) Conducting administration on foreign exchange, and supervising inter-bank foreign exchange market;

（六）监督管理黄金市场；

(VI) to supervise and administer the gold market;

（七）持有、管理、经营国家外汇储备、黄金储备；

(VII) to hold, administer and manage the state foreign exchange reserve and gold reserve;

（八）经理国库；

(VIII) Managing the state treasury;

（九）维护支付、清算系统的正常运行；

(IX) to maintain the normal operation of the systems for payments and settlements of accounts;

（十）指导、部署金融业反洗钱工作，负责反洗钱的资金监测；

(X) Guiding and arranging the anti-money laundering work in the financial industry, taking charge of capital surveillance and measurement over anti-money laundering;

（十一）负责金融业的统计、调查、分析和预测；

(XI) be responsible for statistics, investigation, analysis and forecasting for the banking industry;

（十二）作为国家的中央银行，从事有关的国际金融活动；

(XII) to engage in relevant international financial activities in its capacity as the central bank of the State; and

（十三）国务院规定的其他职责。

(XIII) other functions as prescribed by the State Council.

中国人民银行为执行货币政策，可以依照本法第四章的有关规定从事金融业务活动。

In order to implement monetary policies, the People's Bank of China may carry out financial operations in accordance with the relevant provisions of Chapter IV of this Law.

第五条   中国人民银行就年度货币供应量、利率、汇率和国务院规定的其他重要事项作出的决定，报国务院批准后执行。

Article 5 The People's Bank of China shall report its decisions to the State Council for approval concerning the annual money supply, interest rates, foreign exchange rates and other important matters specified by the State Council before they are implemented.

中国人民银行就前款规定以外的其他有关货币政策事项作出决定后，即予执行，并报国务院备案。

The People's Bank of China shall immediately implement decisions on monetary policies for matters other than those specified in the preceding paragraph, and report them to the State Council for the record.

第六条   中国人民银行应当向全国人民代表大会常务委员会提出有关货币政策情况和金融业运行情况的工作报告。

Article 6 The People's Bank of China shall submit work reports to the Standing Committee of the National People's Congress on matters concerning monetary policies and the operations of the financial industry.

第七条   中国人民银行在国务院领导下依法独立执行货币政策，履行职责，开展业务，不受地方政府、各级政府部门、社会团体和个人的干涉。

Article 7 The People's Bank of China shall, under the leadership of the State Council, independently implement monetary policies, perform its functions and carry out its operations according to law and be free from intervention by local governments, government departments at various levels, public organizations or individuals.

第八条   中国人民银行的全部资本由国家出资，属于国家所有。

Article 8 All capital of the People's Bank of China is invested by the State and owned by the State.

第九条   国务院建立金融监督管理协调机制，具体办法由国务院规定。

Article 9 The State Council shall establish a coordinating mechanism for financial supervision and administration. The specific measures shall be formulated by the State Council.

第二章 组织机构

Chapter 2 Organizational Structure

第十条   中国人民银行设行长一人，副行长若干人。

Article 10 The People's Bank of China shall have a Governor and a certain number of Deputy Governors.

中国人民银行行长的人选，根据国务院总理的提名，由全国人民代表大会决定；全国人民代表大会闭会期间，由全国人民代表大会常务委员会决定，由中华人民共和国主席任免。中国人民银行副行长由国务院总理任免。

The candidate for the Governor of the People's Bank of China shall be nominated by the Premier of the State Council and decided by the National People 's Congress; when the National People's Congress is not in session, decided by the Standing Committee of the National People's Congress and appointed or removed by the President of the People's Republic of China. The deputy governors of the People's Bank of China shall be appointed or removed by the Premier of the State Council.

第十一条   中国人民银行实行行长负责制。行长领导中国人民银行的工作，副行长协助行长工作。

Article 11 The People's Bank of China shall practice a system wherein the Governor shall assume overall responsibility. The Governor shall direct the work of PBC and the Deputy Governors shall assist the Governor in his or her work.

第十二条   中国人民银行设立货币政策委员会。货币政策委员会的职责、组成和工作程序，由国务院规定，报全国人民代表大会常务委员会备案。

Article 12 The People's Bank of China shall establish a monetary policy committee. The functions, composition and working procedures of the monetary policy committee shall be stipulated by the State Council and reported to the Standing Committee of the National People's Congress for records.

中国人民银行货币政策委员会应当在国家宏观调控、货币政策制定和调整中，发挥重要作用。

The monetary policy committee of the People's Bank of China shall play an important role in the State macro -control, formulation and adjustment of monetary policies.

第十三条   中国人民银行根据履行职责的需要设立分支机构，作为中国人民银行的派出机构。中国人民银行对分支机构实行统一领导和管理。

Article 13 The People's Bank of China shall, for the purpose of performing its functions, establish its branches as its representative organs. The People's Bank of China shall implement unified leadership and administration of its branches.

中国人民银行的分支机构根据中国人民银行的授权，维护本辖区的金融稳定，承办有关业务。

The branches of the People's Bank of China shall, as authorized by the People's Bank of China, maintain the financial stability of their respective jurisdictions and handle relevant business operations.

第十四条   中国人民银行的行长、副行长及其他工作人员应当恪尽职守，不得滥用职权、徇私舞弊，不得在任何金融机构、企业、基金会兼职。

Article 14 The governor, deputy governors and other staff of the People's Bank of China shall scrupulously abide by their duties; they may not abuse their power or conduct malpractice for private ends and they may not assume concurrent posts in any other banking institutions, enterprises or foundations.

第十五条   中国人民银行的行长、副行长及其他工作人员，应当依法保守国家秘密，并有责任为与履行其职责有关的金融机构及当事人保守秘密。

Article 15 The Governor, Deputy Governors and other staff members of the People's Bank of China shall safeguard State secrets according to law and be obligated to safeguard the secrets of the banking institutions and parties concerned with their performance of duties.

第三章 人民币

Chapter 3 Renminbi or RMB

第十六条   中华人民共和国的法定货币是人民币。以人民币支付中华人民共和国境内的一切公共的和私人的债务，任何单位和个人不得拒收。

Article 16 The legal tender of the People's Republic of China is Renminbi (RMB). Renminbi shall be used for repaying all public or private debts according to its face value within the territory of the People's Republic of China and not be whatsoever rejected by any organization or individual.

第十七条   人民币的单位为元，人民币辅币单位为角、分。

Article 17 The basic unit of Renminbi is the yuan and the units of fractional currency of Renminbi are the jiao and the fen.

第十八条   人民币由中国人民银行统一印制、发行。

Article 18 Renminbi shall be printed, minted and issued solely by the People's Bank of China.

中国人民银行发行新版人民币，应当将发行时间、面额、图案、式样、规格予以公告。

The People's Bank of China shall make public announcement of the date, face values, designs, patterns and specifications of a new Renminbi issue.

第十九条   禁止伪造、变造人民币。禁止出售、购买伪造、变造的人民币。禁止运输、持有、使用伪造、变造的人民币。禁止故意毁损人民币。禁止在宣传品、出版物或者其他商品上非法使用人民币图样。

Article 19 It is prohibited to counterfeit or alter Renminbi. Sale or purchase of counterfeit or altered Renminbi shall be prohibited. It is prohibited to transport, hold or use counterfeit or altered Renminbi. Vandalism of the Renminbi is prohibited. It is prohibited to illegally use the patterns of Renminbi in propaganda materials, publications or other commodities.

第二十条   任何单位和个人不得印制、发售代币票券，以代替人民币在市场上流通。

Article 20 No entity or individual may print or sell promissory notes as substitutes for Renminbi to circulate on the market.

第二十一条   残缺、污损的人民币，按照中国人民银行的规定兑换，并由中国人民银行负责收回、销毁。

Article 21 The damaged or soiled Renminbi shall be exchanged in accordance with the regulations of the People's Bank of China, which shall also be responsible to recall and destroy such Renminbi.

第二十二条   中国人民银行设立人民币发行库，在其分支机构设立分支库。分支库调拨人民币发行基金，应当按照上级库的调拨命令办理。任何单位和个人不得违反规定，动用发行基金。

Article 22 The People's Bank of China shall establish a Renminbi issue treasury and its branches shall establish subsidiary issue treasuries. The subsidiary issue treasuries shall, in allocating a Renminbi issue fund, act on the order of allocation from their superior treasury. No unit or individual may use the issue fund in violation of regulations.

第四章 业务

Chapter 4 Business

第二十三条   中国人民银行为执行货币政策，可以运用下列货币政策工具：

Article 23 PBC may use the following instruments to implement its monetary policies:

（一）要求银行业金融机构按照规定的比例交存存款准备金；

1. to require a banking financial institution to place a deposit reserve at a prescribed ratio;

（二）确定中央银行基准利率；

2. To fix the base interest rates for the central bank;

（三）为在中国人民银行开立账户的银行业金融机构办理再贴现；

(III) to handle the rediscount for the financial institutions of banking industry that have opened accounts in the People's Bank of China;

（四）向商业银行提供贷款；

(IV) provision of loans to commercial banks;

（五）在公开市场上买卖国债、其他政府债券和金融债券及外汇；

(V) to deal in State bonds, other government bonds, and financial bonds and foreign exchange on the open market; and

（六）国务院确定的其他货币政策工具。

(VI) Other monetary policy instruments determined by the State Council.

中国人民银行为执行货币政策，运用前款所列货币政策工具时，可以规定具体的条件和程序。

When applying the monetary policy instruments set forth in the preceding paragraph to implement monetary policies, the People's Bank of China may work out specific conditions and procedures.

第二十四条   中国人民银行依照法律、行政法规的规定经理国库。

Article 24 The People's Bank of China shall manage the State treasury in accordance with laws and administrative rules and regulations.

第二十五条   中国人民银行可以代理国务院财政部门向各金融机构组织发行、兑付国债和其他政府债券。

Article 25 The People's Bank of China may, on behalf of the financial department under the State Council, issue to banking institutions, and honor State bonds and other government bonds.

第二十六条   中国人民银行可以根据需要，为银行业金融机构开立账户，但不得对银行业金融机构的账户透支。

Article 26 The People's Bank of China may open accounts for financial institutions of the banking industry as needed, but may not allow them to overdraw.

第二十七条   中国人民银行应当组织或者协助组织银行业金融机构相互之间的清算系统，协调银行业金融机构相互之间的清算事项，提供清算服务。具体办法由中国人民银行制定。

Article 27 The People's Bank of China shall organize or assist in organizing banking financial institutions in settling inter-institutional accounts, coordinating such activities and providing such services. The specific measures shall be formulated by the People's Bank of China.

中国人民银行会同国务院银行业监督管理机构制定支付结算规则。

The People's Bank of China shall, jointly with the banking regulatory authorities of the State Council, formulate the rules on payment and settlement.

第二十八条   中国人民银行根据执行货币政策的需要，可以决定对商业银行贷款的数额、期限、利率和方式，但贷款的期限不得超过一年。

Article 28 The People's Bank of China may, as required by the implementation of monetary policies, determine the amounts, term, interest rates and forms of loans extended to commercial banks, however, the maximum term of loans shall not exceed one year.

第二十九条   中国人民银行不得对政府财政透支，不得直接认购、包销国债和其他政府债券。

Article 29 The People's Bank of China may not make an overdraft for the government, and may not directly subscribe or underwrite State bonds or other government bonds.

第三十条   中国人民银行不得向地方政府、各级政府部门提供贷款，不得向非银行金融机构以及其他单位和个人提供贷款，但国务院决定中国人民银行可以向特定的非银行金融机构提供贷款的除外。

Article 30 The People's Bank of China may not provide loans to the local governments or governmental departments at various levels, to non-banking institutions, other units or individuals, with the exception of the specific non-banking institutions as decided by the State Council.

中国人民银行不得向任何单位和个人提供担保。

The People's Bank of China may not provide guaranty for any unit or individual.

第五章 金融监督管理

Chapter 5 Financial Supervision and Control

第三十一条   中国人民银行依法监测金融市场的运行情况，对金融市场实施宏观调控，促进其协调发展。

Article 31 The People's Bank of China shall, in accordance with law, monitor the operation of financial markets, conduct macro-control of such markets and promote their coordinated development.

第三十二条   中国人民银行有权对金融机构以及其他单位和个人的下列行为进行检查监督：

Article 32 The People's Bank of China shall have the power to inspect and supervise the following acts of the financial institutions, other units and individuals:

（一）执行有关存款准备金管理规定的行为；

1. Acts of implementing related provisions regarding the management of reserve against deposit.

（二）与中国人民银行特种贷款有关的行为；

2. Acts relating to the special loans of the People's Bank of China;

（三）执行有关人民币管理规定的行为；

(III) Acts of performing the provisions regarding Renminbi control;

（四）执行有关银行间同业拆借市场、银行间债券市场管理规定的行为；

4. Acts of performing related provisions regarding the management of the inter-bank borrowing or lending markets and the inter-bank bonds markets;

（五）执行有关外汇管理规定的行为；

(V) implementation of the regulations for control of foreign exchange;

（六）执行有关黄金管理规定的行为；

(VI) implementation of the regulations for control of gold;

（七）代理中国人民银行经理国库的行为；

(VII) Acts on behalf of the PBC of managing the state treasury;

（八）执行有关清算管理规定的行为；

(VIII) Acts of implementing relevant provisions regarding settlement management;

（九）执行有关反洗钱规定的行为。

(IX) Acts of performing related provisions regarding anti-money laundering.

前款所称中国人民银行特种贷款，是指国务院决定的由中国人民银行向金融机构发放的用于特定目的的贷款。

The special loans mentioned in the preceding paragraph of this Article refer to the loans granted by the People's Bank of China to financial institutions for special purposes as determined by the State Council.

第三十三条   中国人民银行根据执行货币政策和维护金融稳定的需要，可以建议国务院银行业监督管理机构对银行业金融机构进行检查监督。国务院银行业监督管理机构应当自收到建议之日起三十日内予以回复。

Article 33. The People's Bank of China may recommend that the banking supervision and administration authority of the State Council carry out inspection and supervision of financial institutions within the banking industry in accordance with the requirements for implementation of monetary policies and maintenance of financial stability. The banking regulatory authority of the State Council shall reply within 30 days from receipt of the recommendation.

第三十四条   当银行业金融机构出现支付困难，可能引发金融风险时，为了维护金融稳定，中国人民银行经国务院批准，有权对银行业金融机构进行检查监督。

Article 34 When financial institutions of the banking industry have difficulties in making payment that may trigger off financial risks, the People's Bank of China shall, with a view to maintaining financial stability, have the power to inspect and supervise the financial institutions of the banking industry with the approval of the State Council.

第三十五条   中国人民银行根据履行职责的需要，有权要求银行业金融机构报送必要的资产负债表、利润表以及其他财务会计、统计报表和资料。

Article 35 The People's Bank of China shall, according to the needs to perform its duties, have the power to demand the financial institutions of the banking industry to submit the necessary balance sheets, profit statements and other financial, accounting and statistical reports and materials.

中国人民银行应当和国务院银行业监督管理机构、国务院其他金融监督管理机构建立监督管理信息共享机制。

The People's Bank of China, the banking regulatory authority under the State Council and other financial regulatory authorities under the State Council shall establish a mechanism to share supervisory information.

第三十六条   中国人民银行负责统一编制全国金融统计数据、报表，并按照国家有关规定予以公布。

Article 36 The People's Bank of China shall be responsible for compiling unified statistics and accounting statements from the national banking system and shall publish them in accordance with relevant regulations of the State.

第三十七条   中国人民银行应当建立、健全本系统的稽核、检查制度，加强内部的监督管理。

Article 37 The People's Bank of China shall establish and perfect systems for its own examination and inspection and strengthen its own supervision and administration.

第六章 财务会计

Chapter 6 Financial Affairs and Accounting

第三十八条   中国人民银行实行独立的财务预算管理制度。

Article 38 The People's Bank of China shall exercise independent control over its financial budget.

中国人民银行的预算经国务院财政部门审核后，纳入中央预算，接受国务院财政部门的预算执行监督。

The budget of PBC shall be incorporated in the central budget after it has been examined and verified by the financial department of the State Council.

第三十九条   中国人民银行每一会计年度的收入减除该年度支出，并按照国务院财政部门核定的比例提取总准备金后的净利润，全部上缴中央财政。

Article 39 The People's Bank of China shall, after withdrawing funds for its general reserve at a proportion determined by the financial department under the State Council, turn over to the State treasury the entire net profit remaining from its income in an accounting year minus its expenditures in the same period.

中国人民银行的亏损由中央财政拨款弥补。

Losses sustained by PBC shall be made up by appropriations from the State treasury.

第四十条   中国人民银行的财务收支和会计事务，应当执行法律、行政法规和国家统一的财务、会计制度，接受国务院审计机关和财政部门依法分别进行的审计和监督。

Article 40 The financial receipts and expenditures and accounting affairs of the People's Bank of China shall be governed by laws, administrative regulations and unified State financial and accounting systems and be subject to the auditing and supervision conducted, in accordance with law, separately by the audit institution and the financial department under the State Council.

第四十一条   中国人民银行应当于每一会计年度结束后的三个月内，编制资产负债表、损益表和相关的财务会计报表，并编制年度报告，按照国家有关规定予以公布。

Article 41 The People's Bank of China shall, within three months after the end of every accounting year, complete balance sheets of its assets, statements of profit and loss and relevant financial and accounting reports, prepare its annual report and publish them in accordance with relevant regulations of the State.

中国人民银行的会计年度自公历１月１日起至１２月３１日止。

The fiscal year of the People's Bank of China begins on the first of January and ends on the thirty-first of December of the Gregorian calendar.

第七章 法律责任

Chapter 7 Legal Liabilities

第四十二条   伪造、变造人民币，出售伪造、变造的人民币，或者明知是伪造、变造的人民币而运输，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，由公安机关处十五日以下拘留、一万元以下罚款。

Article 42 Anyone who counterfeits or alters Renminbi, sells counterfeit or altered Renminbi or knowingly transports counterfeit or altered Renminbi, which is serious enough to constitute a crime, shall be investigated for criminal responsibility in accordance with law; if the case is not serious enough to constitute a crime, he shall be put by a public security organ in detention of not more than 15 days and imposed with a fine of not more than 10,000 yuan.

第四十三条   购买伪造、变造的人民币或者明知是伪造、变造的人民币而持有、使用，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，由公安机关处十五日以下拘留、一万元以下罚款。

Article 43 Anyone who buys counterfeit or altered Renminbi or knowingly holds or uses counterfeit or altered or illegally printed or minted Renminbi shall, if the case constitutes a crime, be investigated for criminal responsibilities or, if the case does not constitute a crime, be punished by the public security organ with a detention of no more than 15 days and a fine of no more than RMB 10,000.

第四十四条   在宣传品、出版物或者其他商品上非法使用人民币图样的，中国人民银行应当责令改正，并销毁非法使用的人民币图样，没收违法所得，并处五万元以下罚款。

Article 44 If anyone illegally uses the patterns of Renminbi in propaganda materials, publications or other commodities, the People's Bank of China shall order him to set it right and shall destroy the illegally used patterns of Renminbi, confiscate the illegal gains and impose a fine of not more than 50,000 yuan.

第四十五条   印制、发售代币票券，以代替人民币在市场上流通的，中国人民银行应当责令停止违法行为，并处二十万元以下罚款。

Article 45 In the event that anyone prints or sells promissory notes as substitutes for Renminbi for circulation on the open market, PBC shall order to cease the illegal practice and impose a fine of no more than RMB 200,000.

第四十六条   本法第三十二条所列行为违反有关规定，有关法律、行政法规有处罚规定的，依照其规定给予处罚；有关法律、行政法规未作处罚规定的，由中国人民银行区别不同情形给予警告，没收违法所得，违法所得五十万元以上的，并处违法所得一倍以上五倍以下罚款；没有违法所得或者违法所得不足五十万元的，处五十万元以上二百万元以下罚款；对负有直接责任的董事、高级管理人员和其他直接责任人员给予警告，处五万元以上五十万元以下罚款；构成犯罪的，依法追究刑事责任。

Article 46. Persons guilty of violation of relevant regulations in the course of undertaking any of the activities stipulated in Article 32 shall be subject to penalties stipulated by the relevant laws and administrative regulations. Where the relevant laws and administrative regulations do not stipulate penalties, the People's Bank of China shall issue a warning based on the circumstances and confiscate the illegal income. Where the amount of illegal income is RMB500,000 or more, a fine ranging from 2 to 5 times the amount of illegal income shall be imposed. Where there is no illegal income or the amount of illegal income is less than RMB500,000, a fine ranging from RMB500,000 to RMB2 million shall be imposed. The directors and senior management personnel and other personnel who are directly responsible shall be issued a warning and be subject to a fine ranging from RMB50,000 to RMB500,000. Where the case constitutes a crime, criminal liability shall be pursued in accordance with laws.

第四十七条   当事人对行政处罚不服的，可以依照《中华人民共和国行政诉讼法》的规定提起行政诉讼。

Article 47. A party which disagrees with an administrative penalty may initiate administrative litigation in accordance with the Administrative Litigation Law of the People's Republic of China.

第四十八条   中国人民银行有下列行为之一的，对负有直接责任的主管人员和其他直接责任人员，依法给予行政处分；构成犯罪的，依法追究刑事责任：

Article 48 If the People's Bank of China commits any of the following acts, the persons directly in charge and other persons directly responsible for the offense shall be subject to administrative sanctions according to law; if the case constitutes a crime, the offenders shall be investigated for criminal responsibility according to law:

（一）违反本法第三十条第一款的规定提供贷款的；

1. to provide a loan in violation of the provisions in the first paragraph of Article 30;

（二）对单位和个人提供担保的；

(II) provision of guarantee to an entity or individual; or

（三）擅自动用发行基金的。

(III) use the issue fund without authorization.

有前款所列行为之一，造成损失的，负有直接责任的主管人员和其他直接责任人员应当承担部分或者全部赔偿责任。

If any of the acts specified in the preceding paragraph causes losses, the persons directly in charge and other persons directly responsible for the offense shall be partially or wholly liable for the losses.

第四十九条   地方政府、各级政府部门、社会团体和个人强令中国人民银行及其工作人员违反本法第三十条的规定提供贷款或者担保的，对负有直接责任的主管人员和其他直接责任人员，依法给予行政处分；构成犯罪的，依法追究刑事责任；造成损失的，应当承担部分或者全部赔偿责任。

Article 49 Where any local government or government department at any level, public organization or individual forcibly demands the People's Bank of China or any of its staff members to provide a loan or a guaranty in violation of the provisions in Article 30 of this Law, the persons directly in charge and other persons who are directly responsible for the offense shall be subject to administrative sanctions in accordance with the law; if the case constitutes a crime, the offenders shall be investigated for criminal responsibility according to law; if losses are caused, the offenders shall be partially or wholly liable for the losses.

第五十条   中国人民银行的工作人员泄露国家秘密或者所知悉的商业秘密，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，依法给予行政处分。

Article 50 If any staff member of the People's Bank of China divulges State secrets or the business secrets he knows, which is serious enough to constitute a crime, he shall be investigated for criminal responsibility according to law; if the case is not serious enough to constitute a crime, he shall be subject to administrative sanction according to law.

第五十一条   中国人民银行的工作人员贪污受贿、徇私舞弊、滥用职权、玩忽职守，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，依法给予行政处分。

Article 51. Personnel of the People's Bank of China guilty of embezzlement or bribery, favouritism or other irregularities, abuse of authority or dereliction of duties shall be prosecuted for criminal liability in accordance with laws where the case constitutes a criminal offence. Administrative sanctions shall be imposed in accordance with laws where the case does not constitute a criminal offence.

第八章 附则

Chapter 8 Supplementary Provisions

第五十二条   本法所称银行业金融机构，是指在中华人民共和国境内设立的商业银行、城市信用合作社、农村信用合作社等吸收公众存款的金融机构以及政策性银行。

Article 52 For the purposes of this Law, the term "banking financial institutions" shall mean financial institutions established in the People's Republic of China that take deposits from the general public, including, among others, commercial banks, urban credit cooperatives and rural credit cooperatives, and policy banks.

在中华人民共和国境内设立的金融资产管理公司、信托投资公司、财务公司、金融租赁公司以及经国务院银行业监督管理机构批准设立的其他金融机构，适用本法对银行业金融机构的规定。

The provisions of this Law pertaining to banking institutions apply to the financial asset management companies, trust and investment companies, finance companies, and financial leasing companies established in the People's Republic of China and other financial institutions established with the approval of the banking regulatory authority under the State Council.

第五十三条   本法自公布之日起施行。

Article 53 This Law shall go into effect as of the date of promulgation.