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# 中华人民共和国居民身份证法（2011修正）

# Law of the People's Republic of China on Resident Identity Cards (2011 Revision)

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（2003年6月28日第十届全国人民代表大会常务委员会第三次会议通过 2003年6月28日中华人民共和国主席令第四号公布 根据2011年10月29日第十一届全国人民代表大会常务委员会第二十三次会议《关于修改〈中华人民共和国居民身份证法〉的决定》修正）

(Adopted at the 3rd session of the Standing Committee of the 10th National People's Congress on June 28, 2003, promulgated by the Order of the President of the People's Republic of China No. 4 on June 28, 2003, and amended according to the Decision on Revising the Law of the People's Republic of China on Resident Identity Cards adopted at the 23rd session of the Standing Committee of the 11th National People's Congress on October 29, 2011)

第一章 总 则

Chapter 1 General Provisions

第一条   为了证明居住在中华人民共和国境内的公民的身份，保障公民的合法权益，便利公民进行社会活动，维护社会秩序，制定本法。

Article 1 This Law is enacted for the purpose of proving the identities of the citizens residing within the territory of the People's Republic of China, safeguarding their legitimate rights and interests, facilitating their social activities and maintaining public order.

第二条   居住在中华人民共和国境内的年满十六周岁的中国公民，应当依照本法的规定申请领取居民身份证；未满十六周岁的中国公民，可以依照本法的规定申请领取居民身份证。

Article 2 Any Chinese citizen who has reached the age of 16 and who resides within the territory of the People's Republic of China shall, in accordance with the provisions of this Law, apply for the resident identity card; and any Chinese citizen under the age of 16 may, in accordance with the provisions of this Law, apply for resident identity card.

第三条   居民身份证登记的项目包括：姓名、性别、民族、出生日期、常住户口所在地住址、公民身份号码、本人相片、指纹信息、证件的有效期和签发机关。

Article 3 The items to be registered in a resident identity card cover the name, sex, nationality, date of birth, address of permanent residence, citizen's identity number, the bearer's photograph, fingerprint information, term of validity of the card and the issuing authority.

公民身份号码是每个公民唯一的、终身不变的身份代码，由公安机关按照公民身份号码国家标准编制。

The citizen's identity number is the sole and inalterable permanent identity code of a citizen, which is designed by the public security organ according to the national standard for citizens' identity numbers.

公民申请领取、换领、补领居民身份证，应当登记指纹信息。

A citizen shall provide his or her fingerprint information when applying for obtaining, changing or replacing the resident identity card.

第四条   居民身份证使用规范汉字和符合国家标准的数字符号填写。

Article 4 The resident identity card shall be filled out in standard Chinese characters and the number in conformity with the national standard.

民族自治地方的自治机关根据本地区的实际情况，对居民身份证用汉字登记的内容，可以决定同时使用实行区域自治的民族的文字或者选用一种当地通用的文字。

With respect to the items in the resident identity card to be registered in Chinese, the authority of autonomy in a national autonomous area may, in light of the actual conditions of the area, decide to use at the same time the written language of the nationality enjoying regional autonomy or the written language that is commonly used locally.

第五条   十六周岁以上公民的居民身份证的有效期为十年、二十年、长期。十六周岁至二十五周岁的，发给有效期十年的居民身份证；二十六周岁至四十五周岁的，发给有效期二十年的居民身份证；四十六周岁以上的，发给长期有效的居民身份证。

Article 5 The terms of validity of resident identity cards for citizens at or above the age of 16 shall be 10 years, 20 years, or permanent. Those in the 16 to 25 age bracket shall be issued resident identity cards valid for 10 years; those in the 26 to 45 age bracket shall be issued resident identity cards valid for 20 years; and those who are over 46 shall be issued resident identity cards valid permanently.

未满十六周岁的公民，自愿申请领取居民身份证的，发给有效期五年的居民身份证。

Where a citizen under the age of 16 voluntarily applies for the resident identity card, a card valid for five years shall be issued to him.

第六条   居民身份证式样由国务院公安部门制定。居民身份证由公安机关统一制作、发放。

Article 6 The resident identity card shall be designed by the department for public security under the State Council. The resident identity cards shall be uniformly made and issued by public security organs.

居民身份证具备视读与机读两种功能，视读、机读的内容限于本法第三条第一款规定的项目。

The resident identity cards shall be readable both visually and by computer, and the contents read visually and by computer shall be limited to the items prescribed in the first paragraph of Article 3 of this Law.

公安机关及其人民警察对因制作、发放、查验、扣押居民身份证而知悉的公民的个人信息，应当予以保密。

Public security organs and people's police shall keep confidential citizen's personal information gained through making, issuing, examining or seizing resident identity cards.

第二章 申领和发放

Chapter 2 Application and Issue

第七条   公民应当自年满十六周岁之日起三个月内，向常住户口所在地的公安机关申请领取居民身份证。

Article 7 Any citizen shall, within three months from the date he reaches the age of 16, apply to the public security organ at the place of his permanent residence for the resident identity card.

未满十六周岁的公民，由监护人代为申请领取居民身份证。

In the case of a citizen under the age of 16, his guardian shall apply for the resident identity card on his behalf.

第八条   居民身份证由居民常住户口所在地的县级人民政府公安机关签发。

Article 8 A resident identity card shall be signed and issued by the public security organ under the people's government at the county level at the place where a resident's permanent residence is registered.

第九条   香港同胞、澳门同胞、台湾同胞迁入内地定居的，华侨回国定居的，以及外国人、无国籍人在中华人民共和国境内定居并被批准加入或者恢复中华人民共和国国籍的，在办理常住户口登记时，应当依照本法规定申请领取居民身份证。

Article 9 When going through the formalities of permanent residence registration, compatriots from Hong Kong, Macao or Taiwan who move to resettle down on the mainland, or overseas Chinese who return to reside in China, or foreign nationals or stateless persons who reside within the territory of the People's Republic of China and who are naturalized or whose nationality of the People's Republic of China is restored upon approval shall, in accordance with the provisions in this Law, apply for resident identity cards.

第十条   申请领取居民身份证，应当填写《居民身份证申领登记表》，交验居民户口簿。

Article 10 Anyone who applies for the resident identity card shall fill out the Registration Form of Application for Resident Identity Card and present his resident household registration book for examination.

第十一条   国家决定换发新一代居民身份证、居民身份证有效期满、公民姓名变更或者证件严重损坏不能辨认的，公民应当换领新证；居民身份证登记项目出现错误的，公安机关应当及时更正，换发新证；领取新证时，必须交回原证。居民身份证丢失的，应当申请补领。

Article 11 Where the State decides to issue a new generation resident identity cards, the term of validity of a resident identity card expires, a citizen changes his or her name, or the card is so seriously damaged that what is registered is illegible, the bearer shall obtain new card; where the items registered in a resident identity card contain any error, the public security authority shall correct it in a timely manner, and issue a new card; when obtaining the new card, the bearer must turn in the original one. Anyone who loses his resident identity card shall apply for reissue of a card.

未满十六周岁公民的居民身份证有前款情形的，可以申请换领、换发或者补领新证。

Where any of the circumstances mentioned in the preceding paragraph occurs to a citizen under the age of 16 in respect of his resident identity card, he may apply for a new card, for changing the card, or for reissue of a card.

公民办理常住户口迁移手续时，公安机关应当在居民身份证的机读项目中记载公民常住户口所在地住址变动的情况，并告知本人。

When a citizen goes through the formalities of changing his permanent residence registration, the public security organ shall record the change of the address of the citizen's permanent residence under the relevant computer-read item in the resident identity card and inform the citizen himself of the fact.

第十二条   公民申请领取、换领、补领居民身份证，公安机关应当按照规定及时予以办理。公安机关应当自公民提交《居民身份证申领登记表》之日起六十日内发放居民身份证；交通不便的地区，办理时间可以适当延长，但延长的时间不得超过三十日。

Article 12 When a citizen applies for a resident identity card or for changing the card, or for reissue of one, the public security organ shall, in accordance with relevant regulations, handle the matter without delay. The public security organ shall issue the resident identity card within 60 days from the date the citizen submits the Registration Form of Application for resident identity card; for areas where transport facilities are inconvenient, the time limit for handling such matter may be appropriately extended, but the extension may not exceed 30 days.

公民在申请领取、换领、补领居民身份证期间，急需使用居民身份证的，可以申请领取临时居民身份证，公安机关应当按照规定及时予以办理。具体办法由国务院公安部门规定。

Where a citizen is in urgent need of his resident identity card during the period when he applies for the card, or for changing the card, or for reissue of a card, he may apply for a temporary resident identity card, and the public security organ shall, in accordance with relevant regulations, handle the matter without delay. The specific measures shall be formulated by the public security department under the State Council.

第三章 使用和查验

Chapter III Use and Examination

第十三条   公民从事有关活动，需要证明身份的，有权使用居民身份证证明身份，有关单位及其工作人员不得拒绝。

Article 13 Where any citizen is required to prove his identity when engaged in relevant activities, he shall have the right to use his resident identity card for the purpose, and no unit or its staff member concerned may reject it.

有关单位及其工作人员对履行职责或者提供服务过程中获得的居民身份证记载的公民个人信息，应当予以保密。

The relevant entities and their staff shall keep confidential any citizen's personal information stated in his resident identity card which is obtained during the course of performing their duties or providing a service.

第十四条   有下列情形之一的，公民应当出示居民身份证证明身份：

Article 14 Any citizen shall, under any of the following circumstances, produce his resident identity card to prove his identity:

（一）常住户口登记项目变更；

1. changing of the permanent residence registration;

（二）兵役登记；

2. Military service registration;

（三）婚姻登记、收养登记；

3. marriage or adoption registration;

（四）申请办理出境手续；

(IV) Applying for going through the exit formalities;

（五）法律、行政法规规定需要用居民身份证证明身份的其他情形。

(V) other circumstances where, according to the provisions of laws and administrative regulations, the resident identity card is required to prove his identity.

依照本法规定未取得居民身份证的公民，从事前款规定的有关活动，可以使用符合国家规定的其他证明方式证明身份。

Where a citizen who fails to obtain the resident identity card in accordance with the provisions of this Law intends to do what is mentioned in the preceding paragraph, he may prove his identity by any other means which conforms to State regulations.

第十五条   人民警察依法执行职务，遇有下列情形之一的，经出示执法证件，可以查验居民身份证：

Article 15 When performing his duties in accordance with law under any of the following circumstances, a people's policeman may, after producing his law-enforcement papers, examine the resident identity cards:

（一）对有违法犯罪嫌疑的人员，需要查明身份的；

1. when it is necessary to find out the identity of a law-breaker or criminal suspect; or

（二）依法实施现场管制时，需要查明有关人员身份的；

(II) when it is necessary to find out the identities of the persons concerned during on-site control exercised in accordance with law; or

（三）发生严重危害社会治安突发事件时，需要查明现场有关人员身份的；

3. when it is necessary to find out the identities of the relevant persons on the spot in an unexpected incident that seriously endangers public security; or

（四）在火车站、长途汽车站、港口、码头、机场或者在重大活动期间设区的市级人民政府规定的场所，需要查明有关人员身份的；

(IV) when it is necessary to find out the identities of the relevant persons at a railway station, coach station, port, wharf or airport or a place specified by the people's government at the level of city with districts during a major activity; or

（五）法律规定需要查明身份的其他情形。

(V) other circumstances under which it is necessary to find out people's identities, as is required by the provisions of laws.

有前款所列情形之一，拒绝人民警察查验居民身份证的，依照有关法律规定，分别不同情形，采取措施予以处理。

Where a person refuses to have his resident identity card examined by the people's police under any of the circumstances listed in the preceding paragraph, measures shall, on the basis of the different circumstances, be taken to deal with him in accordance with the provisions of relevant laws.

任何组织或者个人不得扣押居民身份证。但是，公安机关依照《中华人民共和国刑事诉讼法》执行监视居住强制措施的情形除外。

No organization or individual may seize any resident identity card. However, exception shall be made where the public security organ executes the enforcement measure for residential surveillance in accordance with the Criminal Procedure Law of the People's Republic of China.

第四章 法律责任

Chapter 4 Legal Liabilities

第十六条   有下列行为之一的，由公安机关给予警告，并处二百元以下罚款，有违法所得的，没收违法所得：

Article 16 Anyone who commits one of the following acts shall be given a disciplinary warning by the public security organ and shall, in addition, be fined not more than RMB 200 yuan, and the illegal gains, if any, shall be confiscated:

（一）使用虚假证明材料骗领居民身份证的；

1. obtaining the resident identity card by using false documents of certification;

（二）出租、出借、转让居民身份证的；

(II) leasing, lending or making over the resident identity card to another person; or

（三）非法扣押他人居民身份证的。

(III) illegally seizing the resident identity card of another person.

第十七条   有下列行为之一的，由公安机关处二百元以上一千元以下罚款，或者处十日以下拘留，有违法所得的，没收违法所得：

Article 17 Anyone who commits one of the following acts shall be imposed by the public security organ a fine of not less than 200 yuan but not more than 1,000 yuan, or shall be detained for not more than 10 days, and the illegal gains, if any, shall be confiscated:

（一）冒用他人居民身份证或者使用骗领的居民身份证的；

1. using another person's resident identity card as his own or a resident identity card obtained by fraudulent means; or

（二）购买、出售、使用伪造、变造的居民身份证的。

2. buying, selling or using falsely made or forged resident identity card.

伪造、变造的居民身份证和骗领的居民身份证，由公安机关予以收缴。

Any resident identity card that is falsely made, or forged, or obtained by fraudulent means shall be forfeited by the public security organ.

第十八条   伪造、变造居民身份证的，依法追究刑事责任。

Article 18 Anyone who falsely makes or forges resident identity cards shall be investigated for criminal responsibility in accordance with law.

有本法第十六条、第十七条所列行为之一，从事犯罪活动的，依法追究刑事责任。

Whoever commits any of the acts listed in Articles 16 and 17 of this Law and engages in criminal activities shall be investigated for criminal responsibility in accordance with law.

第十九条   国家机关或者金融、电信、交通、教育、医疗等单位的工作人员泄露在履行职责或者提供服务过程中获得的居民身份证记载的公民个人信息，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，由公安机关处十日以上十五日以下拘留，并处五千元罚款，有违法所得的，没收违法所得。

Article 19 Where the personnel of a State organ or of an entity of finance, telecommunications, transport, education, medical treatment, etc. divulge any citizen's personal information stated in the resident identity card which is obtained during the performance of their duty or provision of a service, which constitutes a crime, criminal liability shall be investigated in accordance with the law; if no crime is constituted, the public security authority shall detain such personnel for a period ranging from ten days to 15 days, and impose a fine of CNY5,000 thereon and confiscate illegal gains if any.

单位有前款行为，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，由公安机关对其直接负责的主管人员和其他直接责任人员，处十日以上十五日以下拘留，并处十万元以上五十万元以下罚款，有违法所得的，没收违法所得。

Where an entity commits any act specified in the preceding paragraph, which constitutes a crime, such entity is to be criminally prosecuted according to the law; which does not constitute a crime, the public security authority is to detain the in-charge persons bearing direct responsibility and other persons subject to direct liability for a period ranging from ten days to 15 days, and impose a fine of not less than CNY100 ,000 but not more than CNY500,000 and confiscate illegal gains if any.

有前两款行为，对他人造成损害的，依法承担民事责任。

Whoever commits any act specified in the preceding two paragraphs, which causes damage to others, is to bear civil liability legally.

第二十条   人民警察有下列行为之一的，根据情节轻重，依法给予行政处分；构成犯罪的，依法追究刑事责任：

Article 20 Any of the people's police commits one of the following acts shall, according to the seriousness of the circumstances, be given administrative sanctions in accordance with law; and if a crime is constituted, he shall be investigated for criminal responsibility in accordance with law:

（一）利用制作、发放、查验居民身份证的便利，收受他人财物或者谋取其他利益的；

1. by taking advantage of making, issuing or examining resident identity cards, accepting or receiving money or things of value offered by other persons or seeking other benefits;

（二）非法变更公民身份号码，或者在居民身份证上登载本法第三条第一款规定项目以外的信息或者故意登载虚假信息的；

2. illegally changing a citizen's identity number, or registering in the resident identity card information other than the items prescribed in the first paragraph of Article 3 of this Law or intentionally registering false information;

（三）无正当理由不在法定期限内发放居民身份证的；

3. without justifiable reasons, failing to issue resident identity cards within the statutory time limit;

（四）违反规定查验、扣押居民身份证，侵害公民合法权益的；

4. examining or seizing a resident identity card in violation of regulations and thus infringing upon the lawful rights and interests of a citizen; or

（五）泄露因制作、发放、查验、扣押居民身份证而知悉的公民个人信息，侵害公民合法权益的。

(V) divulging a citizen's personal information gained through making, issuing, examining or seizing his resident identity card and thus infringing upon the citizen's lawful rights and interests.

第五章 附 则

Chapter 5 Supplementary Provisions

第二十一条   公民申请领取、换领、补领居民身份证，应当缴纳证件工本费。居民身份证工本费标准，由国务院价格主管部门会同国务院财政部门核定。

Article 21 Where a citizen applies for a residence identity card, or for changing the card, or for reissue of one, he shall pay for the cost of the card. The rate for the cost of a resident identity card shall be determined upon examination by the competent department for pricing under the State Council in conjunction with the department for finance under the State Council.

对城市中领取最低生活保障金的居民、农村中有特殊生活困难的居民，在其初次申请领取和换领居民身份证时，免收工本费。对其他生活确有困难的居民，在其初次申请领取和换领居民身份证时，可以减收工本费。免收和减收工本费的具体办法，由国务院财政部门会同国务院价格主管部门规定。

Urban residents who receive subsistence allowances and rural residents who live in specially straitened circumstance shall be exempted from paying the costs of resident identity cards when they apply for such cards and for changing the cards for the first time. As to the other residents who really have difficulties in making ends meet, the payment of the costs of resident identity cards may be reduced when they apply for the cards and for changing the cards for the first time. The specific measures for exemption and reduction of such payment shall be formulated by the department for finance under the State Council in conjunction with the competent department for pricing under the State Council.

公安机关收取的居民身份证工本费，全部上缴国库。

The payments for the costs of resident identity cards collected by public security organs shall all be turned over to the State Treasury.

第二十二条   现役的人民解放军军人、人民武装警察申请领取和发放居民身份证的具体办法，由国务院和中央军事委员会另行规定。

Article 22 The specific measures for the soldiers of the People's Liberation Army and people's armed policemen in active service to apply for resident identity cards and for issuing such cards shall be separately formulated by the State Council and the Central Military Commission.

第二十三条   本法自2004年1月1日起施行，《中华人民共和国居民身份证条例》同时废止。

Article 23. This Law shall be effective 1 January 2004. The Regulations of the People's Republic of China on Resident Identity Cards shall be repealed simultaneously.

依照《中华人民共和国居民身份证条例》领取的居民身份证，自2013年1月1日起停止使用。依照本法在2012年1月1日以前领取的居民身份证，在其有效期内，继续有效。

Any resident identity card obtained according to the Regulations of the People's Republic of China Concerning resident identity cards shall cease to be used as of 1 January 2013. Any resident identity card obtained according to this Law prior to January 1, 2012, shall remain valid within its term of validity.

国家决定换发新一代居民身份证后，原居民身份证的停止使用日期由国务院决定。

After the State decides to issue a new generation resident identity card, the date on which the original resident identity card becomes obsolete is to be decided by the State Council.