|  |  |  |
| --- | --- | --- |
| 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 | ：  : | 2005.10.25  2005.10.25 |
| 生效日期  Effective Date | ：  : | 2005.10.25  2005.10.25 |
| 时效性  Effectiveness | ：  : | 现行有效  Current |
| 文号  No. | ：  : | 主席令第四十一号  Presidential Decree No. 41 |

# 中华人民共和国外国中央银行财产司法强制措施豁免法

# Law of the People's Republic of China on Judicial Immunity from Compulsory Measures Concerning the Property of Foreign Central Banks

中华人民共和国主席令第四十一号

Order of the President No.41

《中华人民共和国外国中央银行财产司法强制措施豁免法》已由中华人民共和国第十届全国人民代表大会常务委员会第十八次会议于2005年10月25日通过，现予公布，自公布之日起施行。

The Law of the People's Republic of China on Judicial Immunity from Compulsory Measures Concerning the Property of Foreign Central Banks, adopted at the 18th Meeting of the Standing Committee of the Tenth National People's Congress of the People's Republic of China on October 25, 2005, is hereby promulgated and shall go into effect as of the date of promulgation.

中华人民共和国主席 胡锦涛

President Hu Jintao

2005年10月25日

October 25, 2005

中华人民共和国外国中央银行财产司法强制措施豁免法

Law of the People's Republic of China on Judicial Immunity from Compulsory Measures Concerning the Property of Foreign Central Banks

（2005年10月25日第十届全国人民代表大会常务委员会第十八次会议通过）

(Adopted at the 18th Meeting of the Standing Committee of the Tenth National People's Congress on October 25, 2005)

第一条   中华人民共和国对外国中央银行财产给予财产保全和执行的司法强制措施的豁免；但是，外国中央银行或者其所属国政府书面放弃豁免的或者指定用于财产保全和执行的财产除外。

Article 1 The People's Republic of China grants to the property of a foreign central bank the exemption of judicial enforcement in property preservation and enforcement, except for property on which the foreign central bank or its governments gives up exemption in writing, or property that is specially used in property preservation and enforcement.

第二条   本法所称外国中央银行，是指外国的和区域经济一体化组织的中央银行或者履行中央银行职能的金融管理机构。

Article 2 For the purposes of this Law, a foreign central bank means the central bank of a foreign country and of a regional economic integration organization, or the financial administration institution performing the functions of a central bank.

本法所称外国中央银行财产，是指外国中央银行的现金、票据、银行存款、有价证券、外汇储备、黄金储备以及该银行的不动产和其他财产。

The "properties of a foreign central bank" as mentioned in the present Law refers to the cash, bills, bank deposits, securities, foreign exchange reserves and gold reserves, as well as real estate and other properties of the said bank.

第三条   外国不给予中华人民共和国中央银行或者中华人民共和国特别行政区金融管理机构的财产以豁免，或者所给予的豁免低于本法的规定的，中华人民共和国根据对等原则办理。

Article 3 In case a foreign country does not grant the exemption to the properties of the central bank of the People's Republic of China or the properties of financial administrative organs of special administrative regions of the People's Republic of China, or grants the exemption that is lower than that as prescribed in the present Law, the People's Republic of China shall handle the matter in accordance with the principle of reciprocity.

第四条   本法自公布之日起施行。

Article 4 This Law shall go into effect as of the date of promulgation.