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# 中华人民共和国残疾人保障法（2018修正）

# Law of the People's Republic of China on Protection of Disabled Persons (2018 Revision)

中华人民共和国残疾人保障法

Law of the People's Republic of China on Protection of the Disabled

（1990年12月28日第七届全国人民代表大会常务委员会第十七次会议通过　2008年4月24日第十一届全国人民代表大会常务委员会第二次会议修订　根据2018年10月26日第十三届全国人民代表大会常务委员会第六次会议《关于修改〈中华人民共和国野生动物保护法〉等十五部法律的决定》修正）

(Adopted at the 17th Session of the Standing Committee of the Seventh National People's Congress on December 28, 1990; revised at the Second Session of the Standing Committee of the 11th National People's Congress on April 24, 2008; and revised according to the Decision of the Standing Committee of the National People's Congress on Revising Fifteen Laws including the Law of the People's Republic of China on the Protection of Wildlife at the Sixth Session of the Standing Committee of the 13th National People's Congress on October 26, 2018)

第一章 总 则

Chapter 1 General Provisions

第一条   为了维护残疾人的合法权益，发展残疾人事业，保障残疾人平等地充分参与社会生活，共享社会物质文化成果，根据宪法，制定本法。

Article 1 This Law is formulated in accordance with the Constitution for the purposes of protecting the lawful rights and interests of, and developing undertakings for, disabled persons, and ensuring their equal and full participation in social life and their share of the material and cultural wealth of the society.

第二条   残疾人是指在心理、生理、人体结构上，某种组织、功能丧失或者不正常，全部或者部分丧失以正常方式从事某种活动能力的人。

Article 2 A disabled person refers to one who suffers from abnormalities or loss of a certain organ or function, psychologically or physiologically, or in anatomical structure and who has lost wholly or in part the ability to engage in activities in a normal way.

残疾人包括视力残疾、听力残疾、言语残疾、肢体残疾、智力残疾、精神残疾、多重残疾和其他残疾的人。

Persons with disabilities include those with visual, hearing, speech, physical, mental, mental, multiple and other disabilities.

残疾标准由国务院规定。

The criteria for classification of disabilities shall be established by the State Council.

第三条   残疾人在政治、经济、文化、社会和家庭生活等方面享有同其他公民平等的权利。

Article 3 Disabled persons shall enjoy equal rights with other citizens in political, economic, cultural and social fields, in family life and other aspects.

残疾人的公民权利和人格尊严受法律保护。

The civil rights and personal dignity of disabled persons are protected by law.

禁止基于残疾的歧视。禁止侮辱、侵害残疾人。禁止通过大众传播媒介或者其他方式贬低损害残疾人人格。

Discrimination based on disability is prohibited. Insulting and infringing upon disabled persons shall be prohibited. It is prohibited to derogate the personal dignity of disabled persons through mass media or by other means.

第四条   国家采取辅助方法和扶持措施，对残疾人给予特别扶助，减轻或者消除残疾影响和外界障碍，保障残疾人权利的实现。

Article 4 The State shall provide disabled persons with special assistance by adopting supplementary methods and supportive measures with a view to alleviating or eliminating the effects of their disabilities and external barriers and ensuring the realization of their rights.

第五条   县级以上人民政府应当将残疾人事业纳入国民经济和社会发展规划，加强领导，综合协调，并将残疾人事业经费列入财政预算，建立稳定的经费保障机制。

Article 5 The people's governments at and above the county level shall incorporate undertakings for disabled persons into the national economic and social development plan, strengthen their leadership, conduct overall coordination and incorporate the operating funds for undertakings for disabled persons into the fiscal budget so as to establish a stable operating fund guarantee mechanism.

国务院制定中国残疾人事业发展纲要，县级以上地方人民政府根据中国残疾人事业发展纲要，制定本行政区域的残疾人事业发展规划和年度计划，使残疾人事业与经济、社会协调发展。

The State Council shall work out an outline for the development of undertakings of disabled persons in China, while local people's governments at and above the county level shall, according to the outline for the development of undertakings of disabled persons in China, work out programs and annual plans on the development of undertakings for disabled persons within their respective administrative areas with a view to ensuring that undertakings for disabled persons develop in coordination with economic and social progress.

县级以上人民政府负责残疾人工作的机构，负责组织、协调、指导、督促有关部门做好残疾人事业的工作。

The institutions responsible for the work for the disabled under the people's governments at the county level or above shall be responsible for organizing, coordinating, guiding and urging the departments concerned in the work of undertakings for the disabled.

各级人民政府和有关部门，应当密切联系残疾人，听取残疾人的意见，按照各自的职责，做好残疾人工作。

The people's governments at various levels and the departments concerned shall keep in close contact with disabled persons, solicit their opinions and fulfil their respective duties in the work for disabled persons.

第六条   国家采取措施，保障残疾人依照法律规定，通过各种途径和形式，管理国家事务，管理经济和文化事业，管理社会事务。

Article 6 The state shall take measures to ensure that disabled persons participate in the administration of the state affairs, economy, cultural undertakings and social affairs through various channels and in various forms in accordance with the law.

制定法律、法规、规章和公共政策，对涉及残疾人权益和残疾人事业的重大问题，应当听取残疾人和残疾人组织的意见。

In the formulation of laws, regulations, rules and public policies, the opinions of disabled persons and their organizations shall be solicited on major issues involving the rights and interests of disabled persons and undertakings for disabled persons.

残疾人和残疾人组织有权向各级国家机关提出残疾人权益保障、残疾人事业发展等方面的意见和建议。

Disabled persons and their organizations have the right to express their opinions and offer suggestions to the state organs at various levels on the protection of the rights and interests of disabled persons, development of undertakings for disabled persons, etc.

第七条   全社会应当发扬人道主义精神，理解、尊重、关心、帮助残疾人，支持残疾人事业。

Article 7 The whole society should display humanitarianism, understand, respect, care for and assist people with disabilities and support the work for disabled persons.

国家鼓励社会组织和个人为残疾人提供捐助和服务。

The State encourages social organizations and individuals to provide the disabled with donations, assistance and service.

国家机关、社会团体、企业事业单位和城乡基层群众性自治组织，应当做好所属范围内的残疾人工作。

State organs, social organizations, enterprises, public institutions and urban and rural organizations at grassroots level shall do their work for the disabled well, as is within their responsibility.

从事残疾人工作的国家工作人员和其他人员，应当依法履行职责，努力为残疾人服务。

State functionaries and other personnel engaged in the work for the disabled should work hard to fulfil their duties in accordance with the law in serving the disabled.

第八条   中国残疾人联合会及其地方组织，代表残疾人的共同利益，维护残疾人的合法权益，团结教育残疾人，为残疾人服务。

Article 8 The China Disabled Persons' Federation (CDPF) and its local branches shall represent the common interests of disabled persons, protect their lawful rights and interests, unite, educate and provide service to disabled persons.

中国残疾人联合会及其地方组织依照法律、法规、章程或者接受政府委托，开展残疾人工作，动员社会力量，发展残疾人事业。

The CDPF and its local branches shall conduct the work for the disabled and mobilize social forces in developing undertakings for the disabled in accordance with laws, regulations and articles of association or government commissioned.

第九条   残疾人的扶养人必须对残疾人履行扶养义务。

Article 9 Legal fosterers of disabled persons must fulfil their duties toward their charge.

残疾人的监护人必须履行监护职责，尊重被监护人的意愿，维护被监护人的合法权益。

Guardians of disabled persons must fulfil their duties of guardianship, respect the will and protect the lawful rights and interests of their charge.

残疾人的亲属、监护人应当鼓励和帮助残疾人增强自立能力。

Family members and guardians of disabled persons should encourage and assist disabled persons to enhance their capability of self-reliance.

禁止对残疾人实施家庭暴力，禁止虐待、遗弃残疾人。

It is prohibited to commit domestic violence against, maltreat or abandon the disabled.

第十条   国家鼓励残疾人自尊、自信、自强、自立，为社会主义建设贡献力量。

Article 10 The State encourages disabled persons to have a sense of self-respect, self-confidence, self-exertion and self-reliance and make contributions to the socialist construction.

残疾人应当遵守法律、法规，履行应尽的义务，遵守公共秩序，尊重社会公德。

The disabled shall abide by laws and regulations, perform obligations that they should, observe public order and respect social morality.

第十一条   国家有计划地开展残疾预防工作，加强对残疾预防工作的领导，宣传、普及母婴保健和预防残疾的知识，建立健全出生缺陷预防和早期发现、早期治疗机制，针对遗传、疾病、药物、事故、灾害、环境污染和其他致残因素，组织和动员社会力量，采取措施，预防残疾的发生，减轻残疾程度。

Article 11 The State shall undertake, in a planned way, the work of disability prevention, strengthen leadership in this regard, publicize and popularize the knowledge of maternal and infant health care and disability prevention, establish and improve the mechanism for prevention, early detection and early treatment of birth defects, and in response to disability-causing factors such as heredity, diseases, drugs, accidents, calamity and environmental pollution, adopt measures by organizing and mobilizing social forces to prevent the occurrence and alleviate the degree of disabilities.

国家建立健全残疾人统计调查制度，开展残疾人状况的统计调查和分析。

The state shall establish and improve the statistical investigation system for disabled persons so as to conduct statistical investigation and analysis of the status of disabled persons.

第十二条   国家和社会对残疾军人、因公致残人员以及其他为维护国家和人民利益致残的人员实行特别保障，给予抚恤和优待。

Article 12 The State and society shall provide special assurance, treatment and pension to disabled servicemen and persons disabled while on duty or for protecting the interests of the State and people.

第十三条   对在社会主义建设中做出显著成绩的残疾人，对维护残疾人合法权益、发展残疾人事业、为残疾人服务做出显著成绩的单位和个人，各级人民政府和有关部门给予表彰和奖励。

Article 13 Governments and departments at various levels shall commend and award those disabled persons who make notable achievements in socialist construction and those units or individuals who make remarkable contributions to safeguarding the lawful rights and interests of, promoting undertakings for, and providing service to, disabled persons.

第十四条   每年5月的第三个星期日为全国助残日。

Article 14 The third Sunday of May each year is the National Day for Helping the Disabled.

第二章 康 复

Chapter Two Rehabilitation

第十五条   国家保障残疾人享有康复服务的权利。

Article 15 The State protects the right of the disabled to enjoy rehabilitation service.

各级人民政府和有关部门应当采取措施，为残疾人康复创造条件，建立和完善残疾人康复服务体系，并分阶段实施重点康复项目，帮助残疾人恢复或者补偿功能，增强其参与社会生活的能力。

The people's governments at all levels and the departments concerned shall adopt measures to create favorable conditions for the rehabilitation of the disabled, establish and improve the rehabilitation service system for the disabled, and carry out key rehabilitation projects in phases, so as to help the disabled regain normal functions or compensate for lost functions and enhance their ability to participate in social life.

第十六条   康复工作应当从实际出发，将现代康复技术与我国传统康复技术相结合；以社区康复为基础，康复机构为骨干，残疾人家庭为依托；以实用、易行、受益广的康复内容为重点，优先开展残疾儿童抢救性治疗和康复；发展符合康复要求的科学技术，鼓励自主创新，加强康复新技术的研究、开发和应用，为残疾人提供有效的康复服务。

Article 16 The work of rehabilitation shall, proceeding from the actual conditions, combine modern rehabilitation techniques with traditional techniques of our country, with rehabilitation in the community as the basis and rehabilitation agencies as the backbone and relying on the families of the disabled for support. Emphasis shall be laid on rehabilitation projects which are practical, easy to realize and widely beneficial, and priority shall be given to the work of salvage treatment and rehabilitation of disabled children. Efforts shall also be made to develop science and technology conforming to the requirements of rehabilitation, encourage self-innovation, strengthen the research, exploration and application of new rehabilitation technologies so as to provide the disabled with effective rehabilitation service.

第十七条   各级人民政府鼓励和扶持社会力量兴办残疾人康复机构。

Article 17 The people's governments at all levels shall encourage and support social forces to set up rehabilitation institutions for disabled persons.

地方各级人民政府和有关部门，应当组织和指导城乡社区服务组织、医疗预防保健机构、残疾人组织、残疾人家庭和其他社会力量，开展社区康复工作。

The people's governments and departments concerned at all levels shall organize and guide urban and rural community service organizations, medical prevention and health care institutions, organizations and families of disabled persons and other social forces in carrying out community-based rehabilitation work.

残疾人教育机构、福利性单位和其他为残疾人服务的机构，应当创造条件，开展康复训练活动。

Departments of education, welfare units and other service organizations for disabled persons shall create conditions for rehabilitation training activities.

残疾人在专业人员的指导和有关工作人员、志愿工作者及亲属的帮助下，应当努力进行功能、自理能力和劳动技能的训练。

Disabled persons, with guidance from professional personnel and help from relevant staff, volunteers and family members, should actively take part in training programmes for functional recovery, and acquiring self-care ability and work skills.

第十八条   地方各级人民政府和有关部门应当根据需要有计划地在医疗机构设立康复医学科室，举办残疾人康复机构，开展康复医疗与训练、人员培训、技术指导、科学研究等工作。

Article 18 The people's governments at all levels and the departments concerned shall, as needed, establish in a planned way medical rehabilitation departments in hospitals, set up rehabilitation agencies for the disabled and carry out clinical practice and training, personnel training, technical guidance and scientific research in the field of rehabilitation.

第十九条   医学院校和其他有关院校应当有计划地开设康复课程，设置相关专业，培养各类康复专业人才。

Article 19 Medical colleges and schools and other relevant educational institutes shall, in a planned way, offer courses and specialties on rehabilitation so as to train various kinds of special personnel for rehabilitation work.

政府和社会采取多种形式对从事康复工作的人员进行技术培训；向残疾人、残疾人亲属、有关工作人员和志愿工作者普及康复知识，传授康复方法。

The government and the society shall provide various forms of technical training for personnel engaged in rehabilitation work, popularize knowledge of rehabilitation among disabled persons, their family members, relevant staff and volunteers and teach them methods of rehabilitation.

第二十条   政府有关部门应当组织和扶持残疾人康复器械、辅助器具的研制、生产、供应、维修服务。

Article 20 Governmental departments concerned shall organize and support the research, production, supply and maintenance of rehabilitation appliances and auxiliary facilities for disabled persons.

第三章 教 育

Chapter 3 Education

第二十一条   国家保障残疾人享有平等接受教育的权利。

Article 21 The State protects the equal right of the disabled to education.

各级人民政府应当将残疾人教育作为国家教育事业的组成部分，统一规划，加强领导，为残疾人接受教育创造条件。

The people's governments at all levels shall make education of disabled persons a component of the State educational program, include it in their overall planning and strengthen leadership in this respect and create conditions for disabled persons to receive education.

政府、社会、学校应当采取有效措施，解决残疾儿童、少年就学存在的实际困难，帮助其完成义务教育。

The government, society and schools shall take effective measures to solve the actual difficulties in the schooling of disabled children and adolescents, and help them finish their compulsory education.

各级人民政府对接受义务教育的残疾学生、贫困残疾人家庭的学生提供免费教科书，并给予寄宿生活费等费用补助；对接受义务教育以外其他教育的残疾学生、贫困残疾人家庭的学生按照国家有关规定给予资助。

The people's governments at all levels shall provide free textbooks to disabled students and students from poor families of disabled persons receiving compulsory education and give them living allowances and other subsidies for their residence on campus, and in accordance with the relevant provisions of the State, provide aids to disabled students and students from poor families of disabled persons who receive education other than the compulsory education.

第二十二条   残疾人教育，实行普及与提高相结合、以普及为重点的方针，保障义务教育，着重发展职业教育，积极开展学前教育，逐步发展高级中等以上教育。

Article 22 The principle of combining popularization with quality enhancement and laying an emphasis on popularization shall be followed in the education of disabled persons. Priority shall be given to compulsory education and vocational and technical education, while efforts shall be made to carry out preschool education and gradually develop education at and above the senior middle school level.

第二十三条   残疾人教育应当根据残疾人的身心特性和需要，按照下列要求实施：

Article 23 The education of disabled persons shall be carried out on the basis of their physical and psychological features and needs, and shall meet the following requirements:

（一）在进行思想教育、文化教育的同时，加强身心补偿和职业教育；

1. Strengthening physical and psychological compensation and vocational and technical training while providing ideological and cultural education;

（二）依据残疾类别和接受能力，采取普通教育方式或者特殊教育方式；

2. Adopting normal or special methods of education according to different categories of disability and varied abilities of response;

（三）特殊教育的课程设置、教材、教学方法、入学和在校年龄，可以有适度弹性。

(III) The curricula, teaching materials and methods for special education and the age requirement for admission and schooling may be determined with appropriate flexibility.

第二十四条   县级以上人民政府应当根据残疾人的数量、分布状况和残疾类别等因素，合理设置残疾人教育机构，并鼓励社会力量办学、捐资助学。

Article 24 The people's governments at and above the county level shall, on the basis of the number, distribution, disability categories and other factors of disabled persons, reasonably set up educational institutions for disabled persons, and encourage social forces to run schools and donate funds for schools.

第二十五条   普通教育机构对具有接受普通教育能力的残疾人实施教育，并为其学习提供便利和帮助。

Article 25 Ordinary educational institutions shall provide education to the disabled who are able to respond to ordinary education and offer convenience and assistance for their study.

普通小学、初级中等学校，必须招收能适应其学习生活的残疾儿童、少年入学；普通高级中等学校、中等职业学校和高等学校，必须招收符合国家规定的录取要求的残疾考生入学，不得因其残疾而拒绝招收；拒绝招收的，当事人或者其亲属、监护人可以要求有关部门处理，有关部门应当责令该学校招收。

Ordinary primary schools and junior middle schools must admit disabled children or juveniles who are able to adapt themselves to life and study there; ordinary senior middle schools, secondary vocational schools and institutions of higher learning must admit disabled students who meet the state admission requirements and shall not deny their admission for their disabilities; in case of such denial, the disabled student, his/her family members or guardian may appeal to the relevant authorities for disposition. The relevant authorities shall instruct the school concerned to accept the student.

普通幼儿教育机构应当接收能适应其生活的残疾幼儿。

Ordinary institutions of preschool education shall admit disabled children who are able to adapt themselves to the life there.

第二十六条   残疾幼儿教育机构、普通幼儿教育机构附设的残疾儿童班、特殊教育机构的学前班、残疾儿童福利机构、残疾儿童家庭，对残疾儿童实施学前教育。

Article 26 Preschool education institutions for disabled children, classes for disabled children attached to ordinary Preschool education institutions, preschool classes of special education institutions, welfare institutions for disabled children and families of disabled children shall be responsible for preschool education of disabled children.

初级中等以下特殊教育机构和普通教育机构附设的特殊教育班，对不具有接受普通教育能力的残疾儿童、少年实施义务教育。

Special educational agencies at or below junior middle school level and special classes attached to ordinary educational agencies shall be responsible for the implementation of compulsory education for disabled children and juveniles who are not able to respond to ordinary education.

高级中等以上特殊教育机构、普通教育机构附设的特殊教育班和残疾人职业教育机构，对符合条件的残疾人实施高级中等以上文化教育、职业教育。

Special educational agencies at or above senior middle school level and special education classes attached to ordinary educational agencies as well as agencies of vocational education for disabled persons shall be responsible for providing cultural education at or above senior middle school level and vocational education for eligible disabled persons.

提供特殊教育的机构应当具备适合残疾人学习、康复、生活特点的场所和设施。

Agencies providing special education shall have places and facilities commensurate with the features of the disabled in their study, rehabilitation and living.

第二十七条   政府有关部门、残疾人所在单位和有关社会组织应当对残疾人开展扫除文盲、职业培训、创业培训和其他成人教育，鼓励残疾人自学成才。

Article 27 Governmental departments concerned, units where disabled persons work and social organizations concerned shall carry out anti-illiteracy education, vocational training, entrepreneurship training and other forms of adult education for disabled persons and encourage them to tap their talents through self-studies.

第二十八条   国家有计划地举办各级各类特殊教育师范院校、专业，在普通师范院校附设特殊教育班，培养、培训特殊教育师资。普通师范院校开设特殊教育课程或者讲授有关内容，使普通教师掌握必要的特殊教育知识。

Article 28 The State shall systematically set up various forms of normal schools and specialties for special education at different levels and special education classes attached to ordinary normal schools to educate and train teaching staff for special education. Ordinary normal colleges and universities shall offer courses or lectures on special education so that ordinary teachers may have the necessary knowledge of special education.

特殊教育教师和手语翻译，享受特殊教育津贴。

Special education teachers and sign language interpreters enjoy special education allowances.

第二十九条   政府有关部门应当组织和扶持盲文、手语的研究和应用，特殊教育教材的编写和出版，特殊教育教学用具及其他辅助用品的研制、生产和供应。

Article 29 Governmental departments concerned shall organize and support the research and application of braille and sign language, the compilation, writing and publication of special education teaching materials and the research, production and supply of teaching apparatus and other auxiliary facilities for special education.

第四章 劳动就业

Chapter 4 Employment

第三十条   国家保障残疾人劳动的权利。

Article 30 The State shall guarantee disabled persons' right to work.

各级人民政府应当对残疾人劳动就业统筹规划，为残疾人创造劳动就业条件。

People's governments at various levels shall formulate overall plans for employment of disabled persons and create conditions for their employment.

第三十一条   残疾人劳动就业，实行集中与分散相结合的方针，采取优惠政策和扶持保护措施，通过多渠道、多层次、多种形式，使残疾人劳动就业逐步普及、稳定、合理。

Article 31 Employment of disabled persons shall follow the principle of combining collective arrangement with individual arrangement. Preferential policies and measures of support and protection shall be adopted with a view to gradually popularizing, stabilizing and rationalizing employment of disabled persons through multiple channels, at various levels and in a variety of forms.

第三十二条   政府和社会举办残疾人福利企业、盲人按摩机构和其他福利性单位，集中安排残疾人就业。

Article 32 The government and the society shall set up welfare enterprises for the disabled, blind massage agencies and other entities of welfare nature as a way of providing concentrated employment for the disabled.

第三十三条   国家实行按比例安排残疾人就业制度。

Article 33 The State implements a ratio-based employment arrangement system for the disabled.

国家机关、社会团体、企业事业单位、民办非企业单位应当按照规定的比例安排残疾人就业，并为其选择适当的工种和岗位。达不到规定比例的，按照国家有关规定履行保障残疾人就业义务。国家鼓励用人单位超过规定比例安排残疾人就业。

State organs, social organizations, enterprises, public institutions and private non-enterprise entities shall employ a certain proportion of disabled persons in appropriate types of jobs and posts. Those organizations who fail to reach the required employment ratio shall fulfill their obligations of guaranteeing employment of disabled persons in accordance with relevant state regulations. The State encourages employers to employ higher proportion of the disabled than required.

残疾人就业的具体办法由国务院规定。

The specific measures for the employment of disabled persons shall be formulated by the State Council.

第三十四条   国家鼓励和扶持残疾人自主择业、自主创业。

Article 34 The state shall encourage and assist disabled persons to get employed or self-employed independently.

第三十五条   地方各级人民政府和农村基层组织，应当组织和扶持农村残疾人从事种植业、养殖业、手工业和其他形式的生产劳动。

Article 35 Local people's governments at various levels and rural grassroots organizations shall organize and support disabled persons in rural areas to engage in crop planting, animal breeding, handicraft industry and other forms of production.

第三十六条   国家对安排残疾人就业达到、超过规定比例或者集中安排残疾人就业的用人单位和从事个体经营的残疾人，依法给予税收优惠，并在生产、经营、技术、资金、物资、场地等方面给予扶持。国家对从事个体经营的残疾人，免除行政事业性收费。

Article 36 The State implements preferential tax policies for employers who have reached or exceeded the required ratio for employment of the disabled or provide concentrative employment for the disabled and the self-employed disabled, and assist them in production, management, technology, capital, materials supply, working sites, etc. The state exempts self-employed disabled persons from administrative fees.

县级以上地方人民政府及其有关部门应当确定适合残疾人生产、经营的产品、项目，优先安排残疾人福利性单位生产或者经营，并根据残疾人福利性单位的生产特点确定某些产品由其专产。

Local people's governments at or above county level and departments concerned shall determine the types of products or projects suitable for production or operation by disabled persons, give priority to the production or operation by welfare enterprises for disabled persons and determine which products are to be produced exclusively by such enterprises.

政府采购，在同等条件下应当优先购买残疾人福利性单位的产品或者服务。

Government procurement shall give preference to the products or services provided by welfare enterprises for disabled persons.

地方各级人民政府应当开发适合残疾人就业的公益性岗位。

The people's governments at all levels shall create public welfare jobs suitable for disabled persons.

对申请从事个体经营的残疾人，有关部门应当优先核发营业执照。

Departments concerned shall, in issuing business licenses, give priority to disabled persons who apply for licenses as self-employed workers or businessmen.

对从事各类生产劳动的农村残疾人，有关部门应当在生产服务、技术指导、农用物资供应、农副产品购销和信贷等方面，给予帮助。

Departments concerned shall provide assistance to disabled persons engaged in various kinds of labour in rural areas by way of production services, technical guidance, supply of materials for agricultural use, purchase and sale of farm and sideline products and loans.

第三十七条   政府有关部门设立的公共就业服务机构，应当为残疾人免费提供就业服务。

Article 37 Public employment service institutions set up by government departments concerned shall provide service for disabled persons free of charge.

残疾人联合会举办的残疾人就业服务机构，应当组织开展免费的职业指导、职业介绍和职业培训，为残疾人就业和用人单位招用残疾人提供服务和帮助。

Employment service agencies for the disabled set up by CDPF shall offer free profession guidance, profession introduction and occupational training to help the disabled get employed and assist employers to recruit the disabled.

第三十八条   国家保护残疾人福利性单位的财产所有权和经营自主权，其合法权益不受侵犯。

Article 38 The State protects the property ownership and the managerial decision-making power of welfare enterprises for disabled persons, whose lawful rights and interests shall not be violated.

在职工的招用、转正、晋级、职称评定、劳动报酬、生活福利、休息休假、社会保险等方面，不得歧视残疾人。

No discrimination shall be practised against disabled persons in employment, status regularization, promotion, determining technical or professional titles, payment for labour, welfare, rest days and holidays, social insurance or in other aspects.

残疾职工所在单位应当根据残疾职工的特点，提供适当的劳动条件和劳动保护，并根据实际需要对劳动场所、劳动设备和生活设施进行改造。

Enterprises and institutions where disabled persons work shall provide the disabled workers with appropriate working conditions and labor protection in light of their special needs and make appropriate modifications to the working place, equipment and living facilities.

国家采取措施，保障盲人保健和医疗按摩人员从业的合法权益。

The state shall take measures to protect the lawful rights of employment of blind health care workers and medical massage workers.

第三十九条   残疾职工所在单位应当对残疾职工进行岗位技术培训，提高其劳动技能和技术水平。

Article 39 Enterprises and institutions where disabled persons work shall provide in-service technical training to disabled employees with a view to upgrading their skills and techniques.

第四十条   任何单位和个人不得以暴力、威胁或者非法限制人身自由的手段强迫残疾人劳动。

Article 40 No entity or individual may force the disabled to work by resorting to violence, intimidation or illegal restriction of personal freedom.

第五章 文化生活

Chapter 5 Cultural Life

第四十一条   国家保障残疾人享有平等参与文化生活的权利。

Article 41 The State protects the equal right of disabled persons to participate in cultural life.

各级人民政府和有关部门鼓励、帮助残疾人参加各种文化、体育、娱乐活动，积极创造条件，丰富残疾人精神文化生活。

The people's governments and departments concerned at all levels shall encourage and assist disabled persons to participate in various cultural, sports and recreational activities and make efforts to enrich the spiritual and cultural life of disabled persons.

第四十二条   残疾人文化、体育、娱乐活动应当面向基层，融于社会公共文化生活，适应各类残疾人的不同特点和需要，使残疾人广泛参与。

Article 42 Cultural, sports and recreative activities for disabled persons should be directed at grassroots levels, integrated in public cultural life and geared to the different characteristics and needs of different categories of disabled persons with a view to bringing about extensive participation.

第四十三条   政府和社会采取下列措施，丰富残疾人的精神文化生活：

Article 43 The government and society shall adopt the following measures to enrich the spiritual and cultural life of disabled persons:

（一）通过广播、电影、电视、报刊、图书、网络等形式，及时宣传报道残疾人的工作、生活等情况，为残疾人服务；

1. Timely publicize the work and life of disabled persons through radio, film, television, press and periodicals, books, internet and other media in the interests of disabled persons;

（二）组织和扶持盲文读物、盲人有声读物及其他残疾人读物的编写和出版，根据盲人的实际需要，在公共图书馆设立盲文读物、盲人有声读物图书室；

(II) Organizing and supporting the compilation, writing and publication of Braille books, audio materials for blind persons and other reading materials for disabled persons; setting up reading rooms of Braille books and audio materials for blind persons in public libraries;

（三）开办电视手语节目，开办残疾人专题广播栏目，推进电视栏目、影视作品加配字幕、解说；

(III) Offering TV programs in sign language, setting up special broadcasting programs for disabled persons and promoting subtitles or narrations in movies and TV programs.

（四）组织和扶持残疾人开展群众性文化、体育、娱乐活动，举办特殊艺术演出和残疾人体育运动会，参加国际性比赛和交流；

(IV) Organizing and supporting disabled persons to participate in mass cultural, sports and recreation activities, hold special art performances, and participate in international sports games and exchanges; and

（五）文化、体育、娱乐和其他公共活动场所，为残疾人提供方便和照顾。有计划地兴办残疾人活动场所。

(V) Providing facilities and accommodations for disabled persons at places of cultural, sports, recreation and other public activities. A disabled person's activity place shall be set up in a planned way.

第四十四条   政府和社会鼓励、帮助残疾人从事文学、艺术、教育、科学、技术和其他有益于人民的创造性劳动。

Article 44 The state and society shall encourage and assist disabled persons to engage in creative work beneficial to the people, such as in literature, art, education, science and technology.

第四十五条   政府和社会促进残疾人与其他公民之间的相互理解和交流，宣传残疾人事业和扶助残疾人的事迹，弘扬残疾人自强不息的精神，倡导团结、友爱、互助的社会风尚。

Article 45 The state and society shall promote mutual understanding and exchanges between disabled persons and their fellow-citizens, publicize undertakings for disabled persons and deeds of assisting disabled persons, promulgate the unyielding spirit of disabled persons and foster a social environment of unity, fraternity and mutual assistance.

第六章 社会保障

Chapter 6 Social Security

第四十六条   国家保障残疾人享有各项社会保障的权利。

Article 46 The State protects the right of the disabled to social security.

政府和社会采取措施，完善对残疾人的社会保障，保障和改善残疾人的生活。

The government and the society shall take measures to improve the social security system for the disabled, guarantee and improve the life of the disabled.

第四十七条   残疾人及其所在单位应当按照国家有关规定参加社会保险。

Article 47 The disabled and their employers shall be covered by social insurance in accordance with the relevant regulations of the State.

残疾人所在城乡基层群众性自治组织、残疾人家庭，应当鼓励、帮助残疾人参加社会保险。

Urban and rural grassroots mass organizations of self-government and families of disabled persons should encourage and assist disabled persons to join social insurance.

对生活确有困难的残疾人，按照国家有关规定给予社会保险补贴。

Social insurance subsidies shall be granted to disabled persons with considerable difficulties in life.

第四十八条   各级人民政府对生活确有困难的残疾人，通过多种渠道给予生活、教育、住房和其他社会救助。

Article 48 The people's governments at all levels shall, through various channels, provide life, education, housing and other social aids to the disabled with real difficulties in life.

县级以上地方人民政府对享受最低生活保障待遇后生活仍有特别困难的残疾人家庭，应当采取其他措施保障其基本生活。

For the families of the disabled which still have special difficulties in life after receiving subsistence allowances, the people's governments at the county level or above shall take other measures to guarantee their basic living conditions.

各级人民政府对贫困残疾人的基本医疗、康复服务、必要的辅助器具的配置和更换，应当按照规定给予救助。

The people's governments at all levels shall, in accordance with the relevant regulations, provide aids for disabled persons suffering from poverty in their basic medical care, rehabilitation service, equipment and replacement of necessary assistive devices.

对生活不能自理的残疾人，地方各级人民政府应当根据情况给予护理补贴。

The people's governments at all levels shall, on the basis of the specific situation, grant nursing subsidies to disabled persons who cannot take care of themselves in their daily life.

第四十九条   地方各级人民政府对无劳动能力、无扶养人或者扶养人不具有扶养能力、无生活来源的残疾人，按照规定予以供养。

Article 49 The people's governments at all levels shall, in accordance with the relevant regulations, foster the disabled without work capabilities, fosterer or financial resource and the disabled whose fosterer has no fostering capabilities.

国家鼓励和扶持社会力量举办残疾人供养、托养机构。

The State encourages and supports social forces to set up nursing homes or care centers for disabled persons.

残疾人供养、托养机构及其工作人员不得侮辱、虐待、遗弃残疾人。

The nursing homes or care centers for disabled persons and the working staff thereof shall not insult, maltreat or abandon disabled persons.

第五十条   县级以上人民政府对残疾人搭乘公共交通工具，应当根据实际情况给予便利和优惠。残疾人可以免费携带随身必备的辅助器具。

Article 50 People's governments at or above the county level shall, in light of actual conditions, provide the disabled with convenience and preferential treatment in taking public transport vehicles. Disabled persons may carry on board their necessary assistive devices free of charge.

盲人持有效证件免费乘坐市内公共汽车、电车、地铁、渡船等公共交通工具。盲人读物邮件免费寄递。

Blind persons may, with valid documentations, take local buses, trolleybuses, subways and ferries free of charge. Free delivery of Blind Books by mail.

国家鼓励和支持提供电信、广播电视服务的单位对盲人、听力残疾人、言语残疾人给予优惠。

The State encourages and supports the entities providing telecommunication, radio and television services to give preferential treatments to persons with visual, hearing and speech disabilities.

各级人民政府应当逐步增加对残疾人的其他照顾和扶助。

The people's governments at all levels shall step by step increase their care and support for the disabled.

第五十一条   政府有关部门和残疾人组织应当建立和完善社会各界为残疾人捐助和服务的渠道，鼓励和支持发展残疾人慈善事业，开展志愿者助残等公益活动。

Article 51 Government departments concerned and organizations of the disabled shall establish and improve the channels for people from all sectors of society to provide the disabled with donations and service, encourage and support the development of charity programs for the disabled, organize public-interest activities such as the volunteered campaign of helping the disabled.

第七章 无障碍环境

Chapter 7 Accessibility

第五十二条   国家和社会应当采取措施，逐步完善无障碍设施，推进信息交流无障碍，为残疾人平等参与社会生活创造无障碍环境。

Article 52 The State and society shall take measures to gradually improve barrier-free facilities, promote barrier-free information exchanges, so as to create a barrier-free environment for disabled persons' equal participation in social life.

各级人民政府应当对无障碍环境建设进行统筹规划，综合协调，加强监督管理。

The people's governments at all levels shall make overall planning and comprehensive coordination on the construction of barrier-free environment, and strengthen supervision and administration.

第五十三条   无障碍设施的建设和改造，应当符合残疾人的实际需要。

Article 53 Barrier-free facilities shall be constructed or renovated according to the actual needs of the disabled.

新建、改建和扩建建筑物、道路、交通设施等，应当符合国家有关无障碍设施工程建设标准。

New construction, alteration and expansion of buildings, roads and transportation facilities shall comply with the standards on barrier-free constructions of the State.

各级人民政府和有关部门应当按照国家无障碍设施工程建设规定，逐步推进已建成设施的改造，优先推进与残疾人日常工作、生活密切相关的公共服务设施的改造。

The people's governments at all levels and the departments concerned shall, in accordance with the provisions of the State on construction of barrier-free facilities, gradually promote the renovation of existing facilities, and give priority to the renovation of public service facilities closely related to the daily work and life of the disabled.

对无障碍设施应当及时维修和保护。

Barrier-free facilities shall be timely maintained and protected.

第五十四条   国家采取措施，为残疾人信息交流无障碍创造条件。

Article 54 The State shall take measures to create conditions for the barrier-free information exchanges of the disabled.

各级人民政府和有关部门应当采取措施，为残疾人获取公共信息提供便利。

The people's governments and departments concerned at all levels shall take measures to facilitate the disabled in obtaining public information.

国家和社会研制、开发适合残疾人使用的信息交流技术和产品。

The State and society shall develop information exchange technologies and products suitable for disabled persons.

国家举办的各类升学考试、职业资格考试和任职考试，有盲人参加的，应当为盲人提供盲文试卷、电子试卷或者由专门的工作人员予以协助。

In all kinds of entrance examinations, professional qualification examinations and vocational examinations held by the State with the participation of blind persons, Braille examination papers, electronic examination papers, or assistance from special staff shall be provided to blind persons.

第五十五条   公共服务机构和公共场所应当创造条件，为残疾人提供语音和文字提示、手语、盲文等信息交流服务，并提供优先服务和辅助性服务。

Article 55 Public service agencies and public places shall create conditions to provide the disabled with voice or text prompts, sign language, braille and other information exchange services, and provide them with preferential and auxiliary services.

公共交通工具应当逐步达到无障碍设施的要求。有条件的公共停车场应当为残疾人设置专用停车位。

Public transport vehicles shall gradually meet the barrier-free requirements. Public parking lots where conditions permit shall offer special parking spaces for the disabled.

第五十六条   组织选举的部门应当为残疾人参加选举提供便利；有条件的，应当为盲人提供盲文选票。

Article 56 Election organizers shall provide convenience for disabled persons to participate in elections, and if possible, provide Braille ballot papers to blind persons.

第五十七条   国家鼓励和扶持无障碍辅助设备、无障碍交通工具的研制和开发。

Article 57 The State encourages and supports the research and development of barrier-free assistive devices and barrier-free transportation facilities.

第五十八条   盲人携带导盲犬出入公共场所，应当遵守国家有关规定。

Article 58 The blind shall abide by the relevant regulations of the State when entering public places with guide dogs.

第八章 法律责任

Chapter 8 Legal Liabilities

第五十九条   残疾人的合法权益受到侵害的，可以向残疾人组织投诉，残疾人组织应当维护残疾人的合法权益，有权要求有关部门或者单位查处。有关部门或者单位应当依法查处，并予以答复。

Article 59 Where the lawful rights and interests of disabled persons are violated, the persons involved may appeal to the organizations of disabled persons; such organizations shall safeguard the lawful rights and interests of disabled persons and have the right to appeal to the competent authorities for disposition. The relevant department or unit shall investigate and deal with the case according to law, and give a reply.

残疾人组织对残疾人通过诉讼维护其合法权益需要帮助的，应当给予支持。

The organizations of disabled persons shall support disabled persons in their need of help to protect their lawful rights and interests through lawsuits.

残疾人组织对侵害特定残疾人群体利益的行为，有权要求有关部门依法查处。

An organization of the disabled has the right to request the competent authorities to investigate into and punish the activities infringing upon the interests of specific groups of the disabled.

第六十条   残疾人的合法权益受到侵害的，有权要求有关部门依法处理，或者依法向仲裁机构申请仲裁，或者依法向人民法院提起诉讼。

Article 60 Any disabled person whose lawful rights and interests are infringed has the right to appeal to the competent authorities for disposition, or apply to an arbitration agency for arbitration, or file a lawsuit with the people's court in accordance with the law.

对有经济困难或者其他原因确需法律援助或者司法救助的残疾人，当地法律援助机构或者人民法院应当给予帮助，依法为其提供法律援助或者司法救助。

For the disabled persons in need of legal aid or judicial relief due to financial difficulties or other reasons, local legal aid institutions or the people's court shall offer help by providing them with legal aid or judicial relief in accordance with law.

第六十一条   违反本法规定，对侵害残疾人权益行为的申诉、控告、检举，推诿、拖延、压制不予查处，或者对提出申诉、控告、检举的人进行打击报复的，由其所在单位、主管部门或者上级机关责令改正，并依法对直接负责的主管人员和其他直接责任人员给予处分。

Article 61 Whoever, in violation of this Law evades, delays or suppresses the investigation and handling of a complaint, charge or exposure regarding an infringement upon the rights and interests of a disabled person, will be ordered by his employer, the competent authority or the authority at the higher level to make correction, and the person directly in charge and others directly liable will be given sanctions in accordance with the law.

国家工作人员未依法履行职责，对侵害残疾人权益的行为未及时制止或者未给予受害残疾人必要帮助，造成严重后果的，由其所在单位或者上级机关依法对直接负责的主管人员和其他直接责任人员给予处分。

Where a government employee fails to perform his/her duties in accordance with the law, fails to stop any infringement upon the rights and interests of a disabled person, or fails to provide necessary help for a disabled person whose rights and interests are infringed, leading to a serious consequence, the entity where he/she works or the authority at the higher level shall impose sanctions against the director directly in charge and others directly liable in accordance with the law.

第六十二条   违反本法规定，通过大众传播媒介或者其他方式贬低损害残疾人人格的，由文化、广播电视、电影、新闻出版或者其他有关主管部门依据各自的职权责令改正，并依法给予行政处罚。

Article 62 Whoever, in violation of this Law, derogates the personal dignity of a disabled person through mass media or by other means, will be ordered to make correction by the competent departments in charge of culture, radio and television, film, press and publication or others within their respective functions and powers and given administrative sanctions in accordance with the law.

第六十三条   违反本法规定，有关教育机构拒不接收残疾学生入学，或者在国家规定的录取要求以外附加条件限制残疾学生就学的，由有关主管部门责令改正，并依法对直接负责的主管人员和其他直接责任人员给予处分。

Article 63 Where an educational institution, in violation of this Law, refuses to admit a disabled student or impose extra requirements other than the admission requirements prescribed by the State to restrict the admission of a disabled student, the competent department shall order it to rectify, and impose sanctions against the person who is directly in charge and others who are directly liable in accordance with the law.

第六十四条   违反本法规定，在职工的招用等方面歧视残疾人的，由有关主管部门责令改正；残疾人劳动者可以依法向人民法院提起诉讼。

Article 64 Whoever practices discrimination upon disabled persons in recruitment in violation of this Law shall be ordered by the competent authorities to make correction; the disabled laborers concerned may institute lawsuits at the people's courts in accordance with law.

第六十五条   违反本法规定，供养、托养机构及其工作人员侮辱、虐待、遗弃残疾人的，对直接负责的主管人员和其他直接责任人员依法给予处分；构成违反治安管理行为的，依法给予行政处罚。

Article 65 Where a foster or caring agency or any of its staff, in violation of this Law, insults, maltreats or abandons a disabled person, the director who is directly in charge and others who are directly liable shall be given sanctions in accordance with the law; if the circumstance constitutes violation of public security administration, administrative sanctions shall be given in accordance with the law.

第六十六条   违反本法规定，新建、改建和扩建建筑物、道路、交通设施，不符合国家有关无障碍设施工程建设标准，或者对无障碍设施未进行及时维修和保护造成后果的，由有关主管部门依法处理。

Article 66 If, in violation of the provisions of this Law, any newly constructed, renovated or expanded building, road or transport facility does not conform to the standards for the construction of barrier-free facilities, or any barrier-free facility has not been maintained and protected in a timely manner, resulting in negative consequences, the competent department shall handle the case in accordance with the law.

第六十七条   违反本法规定，侵害残疾人的合法权益，其他法律、法规规定行政处罚的，从其规定；造成财产损失或者其他损害的，依法承担民事责任；构成犯罪的，依法追究刑事责任。

Article 67 Whoever, in violation of this Law, infringes upon the lawful rights and interests of the disabled, will be imposed administrative penalties if other laws and regulations so stipulated. In the case of any property loss or other damage, the offender shall bear civil liability according to law; if the case constitutes a crime, the offender shall be investigated for criminal liability according to law.

第九章 附 则

Chapter 9 Supplementary Provisions

第六十八条   本法自2008年7月1日起施行。

Article 68 This Law shall go into effect as of July 1, 2008.