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Regulations on Open Government Information of the

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Passed: Wednesday, January 17, 2007

Issuer: State Council

The following is a translation prepared by The China Law Center, Yale Law School, of the Regulations of the

Chinese text was retrieved from the Xinhua Web site on April 24, 2007.

People's Republic of China on Open Government Information, issued by the State Council on April 5, 2007. The

中文版

Regulations of the People's Republic of China on Open Government Information (Adopted by the State Council on April 5, 2007; Effective May 1, 2008) Chapter I. General Principles

Article 1. In order to ensure that citizens, legal persons and other organizations obtain government information in accordance with the law, enhance transparency of the work of government, promote administration in accordance

with the law, and bring into full play the role of government information in serving the people's production and livelihood and their economic and social activities, these Regulations are hereby formulated.

Article 2. "Government information" referred to in these Regulations means information made or obtained by administrative agencies in the course of exercising their responsibilities and recorded and stored in a given form.

Article 3. The people's governments at all levels should strengthen the organization and leadership of open government information work. The General Office of the State Council shall be the national department in charge of open government information work. It shall be responsible for promoting, guiding, coordinating and supervising open government information

work throughout the whole country. The general offices of local people's governments at the county level and above or other departments in charge of open government work designated by the local people's governments at the county level and above shall be responsible for promoting, guiding, coordinating and supervising open government information work within their

respective administrative areas. Article 4. The people's government at all levels and the departments of the people's governments at the county

level and above should establish and perfect systems for open government information work for their respective administrative agencies and designate an office (hereafter referred to as the "office for open government information work") to be responsible for the daily work of open government information for their respective administrative agencies. The specific functions of the office for open government information work are:

1) To undertake specific open government information matters for that administrative agency;

2) To maintain and update government information disclosed by that administrative agency; 3) To organize for that administrative agency the compilation of an open government information guide, open government information catalogue and annual reports on open government information work; 4) To conduct examinations for secrecy of government information to be disclosed; and 5) To carry out other responsibilities related to open government information stipulated by that administrative

agency. Article 5. When disclosing government information, administrative agencies should observe the principles of justice, fairness, and convenience to the people.

Article 6. Administrative agencies should disclose government information promptly and accurately. When administrative agencies discover false or incomplete information that affects or might affect social stability and

disturbs the social management order, they should release, within their scope of responsibility, accurate government information to clarify the situation. Article 7. Administrative agencies should establish and perfect a coordination mechanism for releasing government information. When releasing government information that involves other administrative agencies, an administrative agency should communicate and confirm with the administrative agencies concerned to ensure the government information released is accurate and consistent.

If the government information to be released by administrative agencies needs to be approved in accordance with relevant state regulations, it may not be released without being approved. Article 8. The government information disclosed by administrative agencies may not endanger state security, public security, economic security and social stability. Chapter II. The Scope of Disclosure

Article 9. Administrative agencies should disclose on their own initiative government information that satisfies any

one of the following basic criteria:

2) Information that needs to be extensively known or participated in by the general public; 3) Information that shows the structure, function and working procedures of and other matters relating to the administrative agency; and 4) Other information that should be disclosed on the administrative agency's own initiative according to laws, regulations and relevant state provisions. Article 10. People's governments at the county level and above and their departments should determine the

1) Information that involves the vital interests of citizens, legal persons or other organizations;

3) Statistical information on national economic and social development;

4) Reports on financial budgets and final accounts;

events;

and drugs, and product quality.

the following contents:

information:

primary residences;

concrete content of the government information to be disclosed on their own initiative within their scope of responsibility in accordance with the provisions of Article 9 of these Regulations, and emphasize disclosure of the following government information: 1) Administrative regulations, rules, and regulatory documents; 2) Plans for national economic and social development, plans for specific projects, plans for regional development and related policies;

5) Items subject to an administrative fee and the legal basis and standards therefor; 6) Catalogues of the government's centralized procurement projects, their standards and their implementation; 7) Matters subject to administrative licensing and their legal bases, conditions, quantities, procedures and deadlines and catalogues of all the materials that need to be submitted when applying for the administrative licensing, and the handling thereof; 8) Information on the approval and implementation of major construction projects; 9) Policies and measures on such matters as poverty assistance, education, medical care, social security and job creation and their actual implementation;

10) Emergency plans for, early warning information concerning, and counter measures against sudden public

11) Information on the supervision and inspection of environmental protection, public health, safe production, food

Article 11. The government information to be emphasized for disclosure by the people's governments at the level

of cities divided into districts and the county level people's governments and their departments should also include

1) Important and major matters in urban and rural construction and management; 2) Information on the construction of social and public interest institutions; 3) Information on land requisition or land appropriation, household demolition and resettlement, and the distribution and use of compensation or subsidy funds relating thereto; and 4) Information on the management, usage and distribution of social donations in funds and in kind for emergency and disaster relief, special care for families of martyrs and military service personnel, and assistance to poverty stricken and low income families. Article 12. People's governments at the township (town) level should determine the concrete content of the

government information to be disclosed on their own initiative within their scope of responsibility in accordance

with the provisions of Article 9 of these Regulations, and emphasize disclosure of the following government

2) Information on fiscal income and expenses and the management and use of various specialized funds;

3) Overall township (town) land use plans and information on the verification of land to be used by farmers for their

4) Information on land requisition or land appropriation, household demolition and resettlement, and the distribution

1) Information on the implementation of rural work policies of the state;

Secrets and other laws, regulations and relevant state provisions.

persons and other organizations to obtain government information.

summary of the information contents and the date of creation of the information.

the methods and channels for obtaining that government information;

disclosed on their own initiative in a timely manner.

government information on the requester's behalf.

and supplement the request.

requests on-the-spot to the extent possible.

days.

Paragraph 2 of this Article.

organizations or individuals.

department of the State Council in charge of financial affairs.

Chapter VI. Supervision and Safeguards

open government information work.

open government information;

6) Other items that need to be reported.

pursued in accordance with the law:

3) Collecting fees in violation of provisions;

Chapter V. Supplementary Regulations

competent departments or offices of the State Council.

中华人民共和国政府信息公开条例

第一章 总

Article 38. These Regulations shall go into effect as of May 1, 2008.

府信息对人民群众生产、生活和经济社会活动的服务作用、制定本条例。

*第三条* 各级人民政府应当加强对政府信息公开工作的组织领导。

行政机关进行沟通、确认,保证行政机关发布的政府信息准确一致。

第二章 公开的范围

行政机关发布政府信息依照国家有关规定需要批准的,未经批准不得发布。

*第九条* 行政机关对符合下列基本要求之一的政府信息应当主动公开:

(三) 反映本行政机关机构设置、职能、办事程序等情况的;

(四)其他依照法律、法规和国家有关规定应当主动公开的。

(二)国民经济和社会发展规划、专项规划、区域规划及相关政策;

(九) 扶贫、教育、医疗、社会保障、促进就业等方面的政策、措施及其实施情况;

(十一)环境保护、公共卫生、安全生产、食品药品、产品质量的监督检查情况。

(一) 涉及公民、法人或者其他组织切身利益的;

(二) 需要社会公众广泛知晓或者参与的;

息的具体内容,并重点公开下列政府信息:

(一) 行政法规、规章和规范性文件;

(八)重大建设项目的批准和实施情况;

(八)执行计划生育政策的情况。

政府部门申请获取相关政府信息。

拟公开的政府信息进行审查。

第三章 公开的方式和程序

律、法规对政府信息公开的期限另有规定的,从其规定。

工作部门确定。

规定。

可以公开的信息内容。

(三)政府信息公开的收费及减免情况;

(一) 不依法履行政府信息公开义务的;

第五章 附 则

管部门或者机构制定。

About

(六)其他需要报告的事项。

(四)因政府信息公开申请行政复议、提起行政诉讼的情况;

(五)政府信息公开工作存在的主要问题及改进情况;

*第八条* 行政机关公开政府信息,不得危及国家安全、公共安全、经济安全和社会稳定。

agencies.

seeing, administrative agencies should provide them with necessary assistance.

information.

and use of compensation or subsidy funds therefor;

5) Information on township (town) credits and debts, fund raising and labor levies; 6) Information on the distribution of social donations in funds and in kind for emergency and disaster relief, special care for families of martyrs and military service personnel, and assistance to poverty stricken and low income families; 7) Information on contracting, leasing and auctioning of township and town collectively owned enterprises and other township and town economic entities; and 8) Information on implementation of the family planning policy. Article 13. In addition to government information disclosed by administrative agencies on their own initiative

provided for in Articles 9, 10, 11 and 12, citizens, legal persons or other organizations may, based on the special

requests departments of the State Council, local people's governments at all levels and departments under local

Prior to disclosing government information, administrative agencies should examine the government information to be disclosed in accordance with the provisions of the Law of the People's Republic of China on Safeguarding State

needs of such matters as their own production, livelihood and scientific and technological research, also file

*Article 14.* Administrative agencies should establish and perfect mechanisms to examine for secrecy the

government information to be released, and clarify the examination procedures and responsibilities.

people's governments at the county level and above to obtain relevant government information.

secrecy at the same level as the administrative agency. Administrative agencies may not disclose government information that involves state secrets, commercial secrets or individual privacy. However, government information involving commercial secrets or individual privacy may be disclosed by administrative agencies with the consent of the rightholder(s) or if administrative agencies believe that non-disclosure might give rise to a major impact on the public interest. Chapter III. Methods of and Procedures for Disclosure Article 15. Government information to be disclosed on administrative agencies' own initiative should be disclosed

by means of government gazettes, government websites, press conferences, as well as through newspapers and

Article 16. The people's governments at all levels should set up government information reading places in the state archives and public libraries and install appropriate facilities and equipment to make it convenient for citizens, legal

other publications, radio, television and other methods that make it convenient for the public to be informed.

Administrative agencies may set up, as needed, places and facilities such as public reading rooms, materials

request stations, information bulletin boards, and electronic information screens to disclose government

Administrative agencies should provide the state archives and public libraries with government information

When an administrative agency is unable to determine if certain government information may be disclosed, it should submit the matter for determination to relevant departments in charge or departments for safeguarding

Article 17. Administrative agencies shall be responsible for disclosing government information that they have made. Administrative agencies that store government information obtained from citizens, legal persons or other organizations shall be responsible for disclosing it. If laws or regulations have different provisions on the scope of authorization to disclose government information, those provisions shall be followed. Article 18. Government information to be disclosed on administrative agencies' own initiative should be disclosed within 20 business days from the date the information is formed or changed. If laws or regulations have different provisions on the time period for disclosing government information, those provisions shall be followed.

1) The name of the individual or organization making the request and the method of contact; 2) A description of the government information requested to be disclosed; and 3) Requirements as to the format in which the requested government information is to be supplied. Article 21 Administrative agencies shall reply to requests for open government information respectively in accordance with the following circumstances:

information content that may be disclosed. Article 23. If an administrative agency believes that the requested government information involves commercial secrets or individual privacy the disclosure of which might infringe upon the lawful rights and interests of a third party, it should write to the third party to seek its opinion. If the third party does not agree to have the information disclosed, the information may not be disclosed. However, if the administrative agency believes that nondisclosure might have a major influence on the public interest, it should disclose the information and notify the third party in writing of the content of the government information they have decided to disclose and the reasons therefor.

receiving a request. If an extension of the time limit for replying to a request is needed, the agreement of the responsible person in charge of the office for open government information work should be obtained and the

If the requested government information involves the rights and interests of a third party, the time needed by

Article 25. When citizens, legal persons or other organizations request administrative agencies to provide

information, they should show valid identification certificates or certifying documents.

government information about themselves such as taxes and fee payments, social security and medical care

by an administrative agency concerning them is not recorded accurately, they have the right to request the

administrative agency to correct the information. If the administrative agency does not have the authority to make the correction, the case should be transferred to the administrative agency that does have such authority, and the requester shall be so informed. Article 26. When providing government information on request, administrative agencies shall provide the information in the format requested by the requesters. If it is impossible to provide the information in the format requested by the requesters, administrative agencies may provide the information through making arrangements for the requesters to read the relevant documents, providing photocopies or using other appropriate methods. Article 27. When disclosing government information on request, administrative agencies may not collect any fees except they may collect cost-based fees for the cost of searching, photocopying, postage and the like.

Administrative agencies may not provide government information as a compensated service through any

fee may be reduced or exempted after an application for such reduction or exemption is submitted by the

If citizens requesting disclosure of government information have trouble reading or obstacles to hearing and

Article 29. People's governments at all levels should establish and perfect inspection, social appraisal and

accountability systems for open government information work to carry out periodic inspection and appraisal of

The standards for fees collected by administrative agencies to cover such costs as for searching, photocopying and postage shall be made by the department of the State Council in charge of pricing in consultation with the

*Article 31.* Administrative agencies at all levels should publish their annual reports on open government information work before March 31 each year. Article 32. The annual report on open government information work should include the following contents: 1) Information on disclosing government information on the administrative agency's own initiative; 2) Information on disclosing government information public upon request and of requests for government information that are denied:

Regulations, a secrecy examination mechanism for releasing government information, the supervision agency or the administrative agency at the next higher level shall order that administrative agency to correct the situation. If the circumstances are serious, administrative penalties shall be imposed in accordance with the law on the principal responsible person(s) of that administrative agency. Article 35. If an administrative agency violates the provisions of these Regulations and has engaged in any one of the following behaviors, the supervision agency or the administrative agency at the next higher level shall order

1) Failure to fulfill, in accordance with the law, open government information obligations;

authorized by laws or regulations to exercise the functions of managing public affairs.

4) Providing government information as a paid service through other organizations or individuals;

family planning, water supply, electricity supply, gas supply, heating, environmental protection and public

government information and the catalogue of open government information;

5) Disclosing government information that should not be disclosed; and

6) Other actions that violate the provisions of these Regulations.

《中华人民共和国政府信息公开条例》已经2007年1月17日国务院第165次常务会议通过、现予公布、自2008年5月 1日起施行。 总理温家宝 二00七年四月五日 中华人民共和国政府信息公开条例 新华网北京4月24日电

中华人民共和国政府信息公开条例(全文)

新华网北京4月24日电中华人民共和国国务院令

第492号

(三) 国民经济和社会发展统计信息; (四) 财政预算、决算报告; (五)行政事业性收费的项目、依据、标准; (六) 政府集中采购项目的目录、标准及实施情况;

(十) 突发公共事件的应急预案、预警信息及应对情况;

容, 并重点公开下列政府信息: (一) 贯彻落实国家关于农村工作政策的情况; (二) 财政收支、各类专项资金的管理和使用情况; (三) 乡(镇) 土地利用总体规划、宅基地使用的审核情况; (四) 征收或者征用土地、房屋拆迁及其补偿、补助费用的发放、使用情况; (五)乡(镇)的债权债务、筹资筹劳情况; (六) 抢险救灾、优抚、救济、社会捐助等款物的发放情况; (七) 乡镇集体企业及其他乡镇经济实体承包、租赁、拍卖等情况;

*第十五条* 行政机关应当将主动公开的政府信息,通过政府公报、政府网站、新闻发布会以及报刊、广播、电视等 便于公众知晓的方式公开。 *第十六条* 各级人民政府应当在国家档案馆、公共图书馆设置政府信息查阅场所,并配备相应的设施、设备,为公 民、法人或者其他组织获取政府信息提供便利。 行政机关可以根据需要设立公共查阅室、资料索取点、信息公告栏、电子信息屏等场所、设施,公开政府信息。 行政机关应当及时向国家档案馆、公共图书馆提供主动公开的政府信息。 *第十七条* 行政机关制作的政府信息,由制作该政府信息的行政机关负责公开;行政机关从公民、法人或者其他组

第十四条 行政机关应当建立健全政府信息发布保密审查机制,明确审查的程序和责任。

(一)属于公开范围的,应当告知申请人获取该政府信息的方式和途径; (二)属于不予公开范围的,应当告知申请人并说明理由; (三)依法不属于本行政机关公开或者该政府信息不存在的,应当告知申请人,对能够确定该政府信息的公开机关 的,应当告知申请人该行政机关的名称、联系方式; (四)申请内容不明确的,应当告知申请人作出更改、补充。

影响的,应当予以公开,并将决定公开的政府信息内容和理由书面通知第三方。

*第二十四条* 行政机关收到政府信息公开申请,能够当场答复的,应当当场予以答复。

*第二十五条* 公民、法人或者其他组织向行政机关申请提供与其自身相关的税费缴纳、社会保障、医疗卫生等政府 信息的,应当出示有效身份证件或者证明文件。 公民、法人或者其他组织有证据证明行政机关提供的与其自身相关的政府信息记录不准确的,有权要求该行政机关 予以更正。该行政机关无权更正的,应当转送有权更正的行政机关处理,并告知申请人。 *第二十六条* 行政机关依申请公开政府信息,应当按照申请人要求的形式予以提供;无法按照申请人要求的形式提 供的,可以通过安排申请人查阅相关资料、提供复制件或者其他适当形式提供。 第二十七条 行政机关依申请提供政府信息,除可以收取检索、复制、邮寄等成本费用外,不得收取其他费用。行 政机关不得通过其他组织、个人以有偿服务方式提供政府信息。

息公开工作机构负责人同意,并告知申请人,延长答复的期限最长不得超过15个工作日。 申请公开的政府信息涉及第三方权益的,行政机关征求第三方意见所需时间不计算在本条第二款规定的期限内。

信息公开工作进行考核、评议。 *第三十条* 政府信息公开工作主管部门和监察机关负责对行政机关政府信息公开的实施情况进行监督检查。 *第三十一条* 各级行政机关应当在每年3月31日前公布本行政机关的政府信息公开工作年度报告。 *第三十二条* 政府信息公开工作年度报告应当包括下列内容: (一)行政机关主动公开政府信息的情况; (二) 行政机关依申请公开政府信息和不予公开政府信息的情况;

*第三十三条* 公民、法人或者其他组织认为行政机关不依法履行政府信息公开义务的,可以向上级行政机关、监察 机关或者政府信息公开工作主管部门举报。收到举报的机关应当予以调查处理。 公民、法人或者其他组织认为行政机关在政府信息公开工作中的具体行政行为侵犯其合法权益的,可以依法申请行 政复议或者提起行政诉讼。 *第三十四条* 行政机关违反本条例的规定,未建立健全政府信息发布保密审查机制的,由监察机关、上一级行政机 关责令改正;情节严重的,对行政机关主要负责人依法给予处分。 *第三十五条* 行政机关违反本条例的规定,有下列情形之一的,由监察机关、上一级行政机关责令改正;情节严重 的,对行政机关直接负责的主管人员和其他直接责任人员依法给予处分;构成犯罪的,依法追究刑事责任:

(六)违反本条例规定的其他行为。 *第三十六条* 法律、法规授权的具有管理公共事务职能的组织公开政府信息的活动,适用本条例。

Article 24. After receiving requests for open government information, administrative agencies should reply to the If an on-the-spot reply is not possible, administrative agencies should provide a reply within 15 business days from requester notified. The maximum extension of the time limit for replying to a request may not exceed 15 business administrative agencies to seek the opinion of the third party shall not be counted against the time limit provided in If citizens, legal persons or other organizations have evidence showing that the government information provided *Article 28.* If a citizen requesting disclosure of government information truly has economic difficulties, the relevant requester and verified and approved by the responsible person of the office for open government information work. Article 30. The departments in charge of open government information work and the supervision agencies shall be responsible for supervising and inspecting the implementation of open government information by administrative

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that administrative agency to correct the situation. If the circumstances are serious, administrative penalties shall be imposed in accordance with the law on person(s) directly in charge of the administrative agency, as well as other persons who are directly responsible. If the behavior constitutes a crime, criminal responsibility shall be 2) Failure to timely update the contents of government information that has been disclosed, the guide to open Article 36. These Regulations shall apply to open government information activities of organizations that are Article 37. Disclosing information that is made or obtained in the course of providing public services by public enterprises and institutions that are closely related to the people's interests such as education, medical care, transportation shall be done with reference to these Regulations. The specific measures shall be formulated by 第一条 为了保障公民、法人和其他组织依法获取政府信息,提高政府工作的透明度,促进依法行政,充分发挥政 *第二条* 本条例所称政府信息,是指行政机关在履行职责过程中制作或者获取的,以一定形式记录、保存的信息。 *第七条* 行政机关应当建立健全政府信息发布协调机制。行政机关发布政府信息涉及其他行政机关的,应当与有关

*第十三条* 除本条例第九条、第十条、第十一条、第十二条规定的行政机关主动公开的政府信息外,公民、法人或 者其他组织还可以根据自身生产、生活、科研等特殊需要,向国务院部门、地方各级人民政府及县级以上地方人民 行政机关在公开政府信息前,应当依照《中华人民共和国保守国家秘密法》以及其他法律、法规和国家有关规定对 行政机关对政府信息不能确定是否可以公开时,应当依照法律、法规和国家有关规定报有关主管部门或者同级保密。 行政机关不得公开涉及国家秘密、商业秘密、个人隐私的政府信息。但是,经权利人同意公开或者行政机关认为不 公开可能对公共利益造成重大影响的涉及商业秘密、个人隐私的政府信息,可以予以公开。

*第十八条* 属于主动公开范围的政府信息,应当自该政府信息形成或者变更之日起 2 0 个工作日内予以公开。法

*第十条* 县级以上各级人民政府及其部门应当依照本条例第九条的规定,在各自职责范围内确定主动公开的政府信 (七)行政许可的事项、依据、条件、数量、程序、期限以及申请行政许可需要提交的全部材料目录及办理情况;

*第二十二条* 申请公开的政府信息中含有不应当公开的内容,但是能够作区分处理的,行政机关应当向申请人提供 *第二十三条* 行政机关认为申请公开的政府信息涉及商业秘密、个人隐私,公开后可能损害第三方合法权益的,应 当书面征求第三方的意见;第三方不同意公开的, 不得公开。但是,行政机关认为不公开可能对公共利益造成重大 行政机关不能当场答复的,应当自收到申请之日起15个工作日内予以答复;如需延长答复期限的,应当经政府信息。

**Publications** 

Accessibility | Feeds | Privacy Policy | Stay Connected Issues

Hearings & Media Center Roundtables

Article 19. Administrative agencies should compile and publish open government information guides and catalogues of open government information, and update them in a timely manner. Open government information guides should include such contents as the types of government information, the system of cataloguing, the methods for obtaining information, and the name, office address, office hours, contact telephone number, fax number and e-mail address of the office for open government information work. Open government information catalogues should include such contents as an index, the name of the information, a Article 20. Citizens, legal persons or other organizations should file requests with government agencies to obtain government information in accordance with Article 13 of these Regulations in written form (including digital and electronic forms). In the event that it is truly difficult for a requester to submit a request in written form, the requester may do so orally and the administrative agency accepting the request shall fill out the request for open Requests for open government information should include the following contents: 1) If the requested government information falls within the scope of disclosure, the requester should be informed of 2) If the requested government information does not fall into the scope of disclosure, the requester should be informed that such information cannot be disclosed, together with an explanation of the reasons; 3) If, in accordance with the law, the requested government information should not be disclosed by that administrative agency or the requested government information does not exist, the requester should be informed of the situation and, if the agency that has the obligation to disclose that government information can be determined, the requester should be informed of the name of that administrative agency and the method to contact 4) If the content of the requested government information is not clear, the requester should be notified to amend Article 22. If the requested government information contains some contents that should not be disclosed but that can be handled through differentiation, the administrative agency should provide the requester with that

3) Information on fee collection and fee reductions and exemptions concerning open government information; 4) Information on applications for administrative reconsideration and filing of administrative lawsuits in respect of 5) The main problems existing in open government information work and the information on improvements thereof; Article 33. If citizens, legal persons or other organizations believe an administrative agency has failed to fulfill, in accordance with the law, its obligations in respect of open government information, they may report it to the higher level administrative agency, the supervision agency or the department in charge of open government information. The agency that receives the report should investigate and handle it. If citizens, legal persons or other organizations believe a specific administrative action of an administrative agency in its open government information work has infringed their lawful rights and interests, they may, in accordance with the law, apply for administrative reconsideration or file an administrative lawsuit. Article 34. If an administrative agency fails to establish and perfect, in violation of the provisions of these

国务院办公厅是全国政府信息公开工作的主管部门,负责推进、指导、协调、监督全国的政府信息公开工作。 县级以上地方人民政府办公厅(室)或者县级以上地方人民政府确定的其他政府信息公开工作主管部门负责推进、 指导、协调、监督本行政区域的政府信息公开工作。 第四条 各级人民政府及县级以上人民政府部门应当建立健全本行政机关的政府信息公开工作制度,并指定机构 (以下统称政府信息公开工作机构)负责本行政机关政府信息公开的日常工作。 政府信息公开工作机构的具体职责是: (一) 具体承办本行政机关的政府信息公开事宜; (二)维护和更新本行政机关公开的政府信息; (三)组织编制本行政机关的政府信息公开指南、政府信息公开目录和政府信息公开工作年度报告; (四)对拟公开的政府信息进行保密审查; (五) 本行政机关规定的与政府信息公开有关的其他职责。 *第五条* 行政机关公开政府信息,应当遵循公正、公平、便民的原则。 *第六条* 行政机关应当及时、准确地公开政府信息。行政机关发现影响或者可能影响社会稳定、扰乱社会管理秩序。 的虚假或者不完整信息的,应当在其职责范围内发布准确的政府信息予以澄清。

*第十一条* 设区的市级人民政府、县级人民政府及其部门重点公开的政府信息还应当包括下列内容: (一) 城乡建设和管理的重大事项; (二) 社会公益事业建设情况; (三)征收或者征用土地、房屋拆迁及其补偿、补助费用的发放、使用情况; (四)抢险救灾、优抚、救济、社会捐助等款物的管理、使用和分配情况。 第十二条 乡(镇)人民政府应当依照本条例第九条的规定,在其职责范围内确定主动公开的政府信息的具体内

*第十九条* 行政机关应当编制、公布政府信息公开指南和政府信息公开目录,并及时更新。 政府信息公开指南,应当包括政府信息的分类、编排体系、获取方式,政府信息公开工作机构的名称、办公地址、 办公时间、联系电话、传真号码、电子邮箱等内容。 政府信息公开目录,应当包括政府信息的索引、名称、内容概述、生成日期等内容。 *第二十条* 公民、法人或者其他组织依照本条例第十三条规定向行政机关申请获取政府信息的,应当采用书面形式 (包括数据电文形式);采用书面形式确有困难的,申请人可以口头提出,由受理该申请的行政机关代为填写政府 信息公开申请。 政府信息公开申请应当包括下列内容: (一) 申请人的姓名或者名称、联系方式; (二)申请公开的政府信息的内容描述; (三)申请公开的政府信息的形式要求。 *第二十一条* 对申请公开的政府信息,行政机关根据下列情况分别作出答复:

织获取的政府信息,由保存该政府信息的行政机关负责公开。法律、法规对政府信息公开的权限另有规定的,从其

行政机关收取检索、复制、邮寄等成本费用的标准由国务院价格主管部门会同国务院财政部门制定。 *第二十八条* 申请公开政府信息的公民确有经济困难的,经本人申请、政府信息公开工作机构负责人审核同意,可 以减免相关费用。 申请公开政府信息的公民存在阅读困难或者视听障碍的,行政机关应当为其提供必要的帮助。 第四章 监督和保障 *第二十九条* 各级人民政府应当建立健全政府信息公开工作考核制度、社会评议制度和责任追究制度,定期对政府

(二)不及时更新公开的政府信息内容、政府信息公开指南和政府信息公开目录的; (三)违反规定收取费用的; (四)通过其他组织、个人以有偿服务方式提供政府信息的; (五)公开不应当公开的政府信息的; *第三十七条* 教育、医疗卫生、计划生育、供水、供电、供气、供热、环保、公共交通等与人民群众利益密切相关的 公共企事业单位在提供社会公共服务过程中制作、获取的信息的公开,参照本条例执行,具体办法由国务院有关主 第三十八条本条例自2008年5月1日起施行。