

取缔非法民间组织暂行办法

(2000年4月10日民政部令第21号发布)

第一条 为了维护社会稳定和国家安全,根据《社会团体登记管理条例》和《民办非企业单位登记管理暂行条例》及有关规定,制定本办法。

第二条 具有下列情形之一的属于非法民间组织:
(一) 未经批准,擅自开展社会团体筹备活动的;
(二) 未经登记,擅自以社会团体或者民办非企业单位名义进行活动的;
(三) 被撤销登记后继续以社会团体或者民办非企业单位名义进行活动的。

第三条 社会团体和民办非企业单位登记管理机关(以下统称登记管理机关)负责对非法民间组织进行调查,收集有关证据,依法作出取缔决定,没收其非法财产。

第四条 取缔非法民间组织,由违法行为发生地的登记管理机关负责。

涉及两个以上同级登记管理机关的非法民间组织的取缔,由它们的共同上级登记管理机关负责,或者指定相关登记管理机关予以取缔。

对跨省(自治区、直辖市)活动的非法民间组织,由国务院民政部门负责取缔,或者指定相关登记管理机关予以取缔。

第五条 对非法民间组织,登记管理机关一经发现,应当及时进行调查,涉及有关部门职能的,应当及时

Provisional Measures on Banning Illegal NGOs Ministry of Civil Affairs Decree No. 21, April 10, 2000

I. In order to maintain social stability and national security, these measures are formulated according to "Regulations for the Registration and Management of Social Organizations" and "Regulations for the Registration and Management of Civil Non-enterprise Units".

II. Non-governmental organizations are considered illegal if they fall into one of the following categories:
(A) those that carry out preparatory activities to establish Social Organizations without authorization;
(B) those that do not register and, without authorization, carry out activities in the name of Social Organizations or Civil Non-enterprise Units;
(C) those that have had their registration revoked but continue to carry out activities in the name of Social Organizations or Civil Non-enterprise Units.

III. Authorities responsible for the registration and management of Social Organizations and Civil Non-enterprise Units (hereinafter referred to as registration and management authorities) are responsible for investigating illegal non-governmental organizations, collecting relevant evidence, deciding to ban an organization according to law, and confiscating the illegal assets.

IV. The banning of illegal non-governmental organizations should be carried out by the registration and management authorities in the locality where the illegal acts took place.

If more than two illegal non-governmental organizations are being banned by registration and management authorities at the same level, then responsibility for banning these organizations lies with their common higher-level registration and management authority, or should be assigned to the relevant registration and management authorities.

For illegal activities of non-governmental organizations that span provinces (autonomous regions and municipalities), the responsibility for banning them rests with the Ministry of Civil Affairs, or should be assigned to the relevant registration and management authorities

