

# Research Guide: Chinese Law

The term “Chinese law” is used in its broader sense in the guide. It includes the laws of the mainland China, Hong Kong SAR, and some materials of the province of Taiwan. This guide covers mostly Chinese law information sources with available English content, and it includes both private and public laws of China. Due to the length of this guide, no specific area of law is discussed in details.

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## **General information about the country & its legal system:**

For those not familiar with the country’s political, economic, social and legal structures, it is good to start the research by reading a brief introduction. Here are some examples:

[Official Government Web site: P.R. China](#): The Chinese official government information portal with full text available in English. Information such as the country’s government structure, news, services, and business policies is available free of charge. This web site also provides access to governmental official publications, including the State Council Gazettes, the government white papers, and work reports.

[World Fact Book—China](#): provides the country’s basic information on topics such as geography, people, government, economy, communications, and etc.

[Library of Congress County Profile—China](#): a 42 page profile prepared by the Library of Congress, describing the country’s basic profile, historical background, geography, society, economy, transportation and telecommunications, government and politics, and etc.

[Wikipedia--China](#): the entry “China” on wikipedia.org has provided a lot of useful information about the country. It should be noted that as a wiki site, wikipedia.org is not the authoritative source for legal scholar.

## **Primary sources:**

[Isinolaw](#): a comprehensive legal database on China, available in Chinese, English and Japanese, providing mostly primary legal materials of mainland China and Hong Kong SAR.

[WestlawCarswell](#): add tabs “Hong Kong” to search case law, civil procedure, and legislations.

[Quicklaw](#) >> Source Directory >> Filter by Country “China” >> Cases, Legislation

China Legislative Information Network System (<http://www.chinalaw.gov.cn/indexEN.jsp>): the Chinese government official law database, available both in Chinese and English. This database provides access to the current laws and regulations, summary of laws, administrative regulations, legal documents, department rules, and judicial interprets.

[www.chinacourt.org](#): sponsored by the Supreme People’s Court of PRC, this Web site provides court news and legal information in English. Approximately 500 statutes and regulations are available on this site, including the [Constitutional law](#), [Civil Procedure law](#), [Contract Law](#), and etc. All information is keyword searchable.

[Hong Kong Legal Information Institute](#) (HKLII): offers free access to Hong Kong current ordinances and regulations, case laws from all levels of courts. The coverage goes back to as early as 1946 for case reports.

[Bilingual Laws Information System](#): a searchable electronic database of the statutes of Hong Kong established and updated by the Department of Justice of the HKSARG.

[Treaties and Law](#): available through the Ministry of Foreign Affairs's official Web site, this Web site provides the official English version of bilateral treaties and agreements which Chinese government has signed. Treaty titles are browsable, and the coverage is not comprehensive. This Web also publishes news on treaties that Chinese government is currently working on.

List of Treaties in Force and Applicable to the Hong Kong SAR: <http://www.legislation.gov.hk/interlaw.htm>, available from Hong Kong government official web site, with full text of most listed treaties, in both English and Chinese. This site is updated frequently.

## Secondary sources:

### 1. Books:

There are many other books published on Chinese law, covering a wide range of topics. Go to [York Library Catalogue](#) and use "Law China" as subject keyword, or browse by call number starting with KNN. Here are some examples:

Reynolds, Thomas H. *Foreign Law: Current Sources of Codes and Legislation in Jurisdictions of the World* (Littleton, CO: F.B. Rothman, 1989). Call number: K38 R49 1989: Vol. 3 has a section for mainland China, Vol. 4 for Hong Kong and Taiwan.

Luo, Wei. *Chinese Law and Legal Research* (Buffalo, N.Y.: W.S. Hein, 2005). Call number: KNQ47 L86 2005

*Halsbury's Laws of Hong Kong*, call number: DIG N54.

Chow, Daniel. *The Legal Systems of the People's Republic of China in a Nutshell* (St. Paul, MN: Thomson/West, 2003). Call number: KNQ70 C498 2003

Hsu, Stephen. *Understanding China's Legal System: essays in honor of Jerome A. Cohen* (New York: New York University Press, 2003). Call number: KNQ74 U54 2003.

Use [WorldCat](#) to search books available at libraries other than York. Use keyword "law China" as a subject term or a descriptor in advanced search. To specify the subject, add word such as *tax, business, family*, and etc. together with "law China" to search. If you need a particular title that is not available at York libraries, the law library can obtain it for you through our [Inter-Library Loan \(RACER\)](#) services.

### 2. Articles:

Generally, there are two types of sources to search articles on Chinese law. One is English language Chinese legal information sources. The other is to search general journal article indexes (for example, [LegalTrac](#)) by using "China" as one of the keywords. Here are some examples:

[Westlaw](#) >> Westlaw International >> World Journals & World News:

Journals being indexed and related to Chinese law include:

Chinese Journal of International Law  
Columbia Journal of Asian Law  
Asian Pacific Law & Policy Journal  
Asian Pacific American Law Journal  
Asian Law Journal

[Quicklaw](#) >> Source Directory >> Filter by country "China" >> Legal Journals, Commentary (Halsbury's Laws of Hong Kong), Legal Indices & Tables

For articles not available through York Libraries, members of the Osgoode community can order it through [Inter-Library Loan \(RACER\)](#).

### 3. Current Awareness:

Tracking legal news, monitoring legal blogs, and join a law listserv are all methods to obtain current information on a legal topic. Here are some examples:

[People's Daily Online](#): major Chinese news reporter. It provides all types of governmental, legal, economic news of China. All contents are available in English.

China law blog (<http://www.chinalawblog.com>): written by two international lawyers who practice in the field of Chinese business law. This blog therefore, focuses on business law in China.

[China Law Prof Blog](#): this blog, edited by a law professor at George Washington University Law School, is a member of the Law Professor Blogs Network. The topics are generally legal news, all fields of Chinese law, and sometimes Chinese law related job postings.

China Law Reporter (<http://www.abanet.org/dch/committee.cfm?com=IC860000>): a monthly newsletter published by American Bar Association China Committee. The newsletter widely covers recent developments, short summaries of recent China law and regulations, a list of newly published articles and books on China law, and job opportunities.

### **Internet Resources:**

There are increasing amount of legal materials available free from the Internet. However, being cautious is recommended when using such web sources. Always pay attention to the authority and currency when referring to any web sources. Here are some good Internet resources selected according to their content quality, authenticity, and currency.

AsianLii: [www.asianlii.org](http://www.asianlii.org): Free access to legal information from 27 countries and territories in Asia, including mainland China, Hong Kong SAR, Macau, and Taiwan. Most sources are in English: some are in local languages.

[China Civil and Commercial Law web site](#): this site has been created and maintained by a group of civil and commercial law scholars in China. It covers statutes and legislations, international treaties, news, discussions, and some articles on the topic of civil and commercial law. The site has its English version, although not all contents are available in English.

[Library of Congress: Law Guide—China](#): lists of Web sources on Chinese law, including constitution, executive, judicial, legislative, legal guides, and general sources.

The Library of Congress >> Global Gateway >> Portals to the World >> [China](#): another portal for Chinese legal information through the Library of Congress web site.

[WorldLII China page](#): lists a group of online sources and databases on Chinese law topics, covering mostly primary sources and some news sites.

[Yale Law School—The China Law Center](#): this site not only provides the development of the center but also include valuable information on doing legal research on Chinese law in its [resources](#).

### **Other Research Guides on the Internet:**

GlobaLex: [Finding Chinese Law on the Internet](#), by Joan Liu. This research guide not only briefly interprets Chinese legal system and legal information system, but also provides a comprehensive list of Chinese Online legal resources with professional evaluations.

LLRX: [A Complete Research Guide to the Laws of the People's Republic of China](#) (PRC), by Wei Luo and Joan Liu, 2003. This guide is prepared by librarians from NYU and Washington University Law Library.

LLRX: [Judicial Information of the People's Republic of China: A Survey](#), by Zhai Jianxiong, associate research librarian from China's National Library.

### **Legal Citation:**

Standard legal citation styles have not been developed in Chinese legal scholarship. [Global Studies Law Review](#) by Washington University School of Law has made some suggestions on how to cite foreign legal materials including Chinese materials. Here is the link for citation guides of a list of countries: <http://law.wustl.edu/WUGSLR/index.asp?ID=5513>.

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