

Standing Committee of People's Republic of China:

The Standing Committee of China is a permanent part of the National People's Congress. And every Congress elects its Standing Committee in its first session. Because of the big size and short sessions of the NPC, a provision for the Standing Committee has been made in the Constitution as a permanent part of the Congress. When the NPC is not in session, Standing Committee performs its functions. In fact, all the powers of the Congress are enjoyed by this Committee.

Composition: The number of members of the Standing Committee is not fixed in the Constitution. It is composed of a Chairman, several vice-chairman, the Secretary General and other members. They are elected by the NPC from its deputies for a five-year term, the same as the NPC term. In the first session of the 13th NPC, 175 members of the 13th NPC Standing Committee were elected, and they have been performing their duties since March 2018.

Functions of the Standing Committee: The functions of the Standing Committee are given in Article 67 of the new Constitution, as follows:

1. Legislative Powers: The Legislative powers of the Standing Committee are:

- [i] To interpret the Constitution and to see it being implemented,
- [ii] To frame and amend laws on the subject outside the jurisdiction of National People's Congress,
- [iii] When the Congress is not in session to amend the laws made by the Congress in such a way that it is in accordance with the basic law framed by the Congress,
- [iv] To interpret the laws.

2. Administrative Functions: The Administrative functions of the Standing Committee are:

- [i] When the Congress is not in session, to amend the National budget and the economic and social plans for development, to inspect them and to approve them,
- [ii] To supervise the functioning of the State Council, Central Military Commission, Supreme People's Court, Supreme People's Procuratorate,
- [iii] To repeal those rules, decisions and orders of the State Council which are against Constitution or Statute,
- [iv] Similarly, to repeal the rules and orders of the Provinces, Autonomous Regions and the Municipal Committees administrated by the centre, if the same are against the Constitution and the Statutes.

3.To make appointments: The Standing Committee can makes the following appointments: [i] The Ministers, Auditor-General, the Secretary-General of the State Council on the recommendation of the Prime Minister and can appoint the Chairman of the Central Military Commission, when the Congress is not in session.
[ii] Can appoints and dismisses the Vice Chairman and Judges of the Supreme People's Court, members of the Judicial Committee, the Chairman of the Military Court on the recommendation of the Chairman of the Supreme People's Court.
[iii] Can appoints and removes the Deputy Procurators-General, the members of the Procuratorial Committee and the Chairman of the Military Procuratoriate on the recommendation of the Procurator-General, and also appoint and dismiss on his recommendation the Chief Procurator of the Provinces, Autonomous Regions and the centrally administered Municipal Committees and
[iv] Can appoints and recalls the Ambassadors of China to the foreign countries.

4.Ratification of Treaties: The Standing Committee approves and rejects the treaties and agreements negotiated with the foreign countries.

5. Miscellaneous functions: The other miscellaneous functions of the Standing Committee are:

- [i] To arrange for the fixation and order of the civil and military officials.
- [ii] Decision for amnesty.
- [iii] In case the Congress is not in session, to declare war if there is foreign aggression or if it is needed for the fulfillment of the requirement of an international treaty and
- [iv] To decide about recruitment in the army and to execute the martial law.