

【Statute Title】 Regulation on the Expropriation of Buildings on State-owned Land and Compensation [Effective]

【法规标题】 国有土地上房屋征收与补偿条例 [现行有效]

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The Regulation on the Expropriation of Buildings on State-owned Land and Compensation, as adopted at the 141st executive meeting of the State Council on January 19, 2011, is hereby issued and shall come into force on the date of issuance.

Premier Wen Jiabao

January 21, 2011

Regulation on the Expropriation of Buildings on State-owned Land and Compensation

国务院令

（第 590 号）

《国有土地上房屋征收与补偿条例》已经 2011 年 1 月 19 日国务院第 141 次常务会议通过，现予公布，自公布之日起施行。

总 理 温家宝

二〇一一年一月二十一日

国有土地上房屋征收与补偿条例

Chapter I General Provisions

第一章 总 则

Article 1 This Regulation is formulated for purposes of regulating the expropriation of buildings on state-owned land and corresponding compensation, maintaining public interests and protecting the legitimate rights and interests of owners of the buildings to be expropriated.

第一条 为了规范国有土地上房屋征收与补偿活动，维护公共利益，保障被征收房屋所有权人的合法权益，制定本条例。

Article 2 Where a building of any entity or individual on state-owned land is expropriated for public interest, the owner of the expropriated building (hereinafter referred to as the “owner”) shall be fairly compensated.

第二条 为了公共利益的需要，征收国有土地上单位、个人的房屋，应当对被征收房屋所有权人（以下称被征收人）给予公平补偿。

Article 3 The principle of “democratic decision-making, due process and open results” shall be followed in the building expropriation and compensation.

第三条 房屋征收与补偿应当遵循决策民主、程序正当、结果公开的原则。

Article 4 The people’s government at the city or county level shall be responsible for the building expropriation and compensation within its administrative region.

The building expropriation department as determined by the people’s government at the city or country level (hereinafter referred to as the “building expropriation department”) shall organize and implement the building expropriation and compensation within its administrative region.

The relevant departments of the people’s government at the city or county level shall, according to the provisions of this Regulation and the division of duties as prescribed by the people’s government at the corresponding level, cooperate with each other to ensure smooth building expropriation and compensation.

第四条 市、县级人民政府负责本行政区域的房屋征收与补偿工作。

市、县级人民政府确定的房屋征收部门（以下称房屋征收部门）组织实施本行政区域的房屋征收与补偿工作。

市、县级人民政府有关部门应当依照本条例的规定和本级人民政府规定的职责分工，互相配合，保障房屋征收与补偿工作的顺利进行。

Article 5 The building expropriation department may designate a building expropriation implementing entity to undertake the specific work on building expropriation and compensation. A building expropriation implementing entity shall not operate for profits.

The building expropriation department shall oversee the building expropriation and compensation activities of a building expropriation implementing entity within the authorized scope, and assume the legal liabilities for the consequences of such activities.

第五条 房屋征收部门可以委托房屋征收实施单位，承担房屋征收与补偿的具体工作。房屋征收实施单位不得以营利为目的。

房屋征收部门对房屋征收实施单位在委托范围内实施的房屋征收与补偿行为负责监督，并对其行为后果承担法律责任。

Article 6 The people’s government at a higher level shall strengthen its oversight of the building expropriation and compensation work of the people’s government at a lower level.

The competent department of housing and urban-rural development under the State Council and those of the people’s governments of provinces, autonomous regions and municipalities directly under the Central Government shall, jointly with the public finance, land and resources,

development and reform and other relevant departments at the corresponding level, strengthen the guidance on the implementation of building expropriation and compensation.

第六条 上级人民政府应当加强对下级人民政府房屋征收与补偿工作的监督。

国务院住房城乡建设主管部门和省、自治区、直辖市人民政府住房城乡建设主管部门应当会同同级财政、国土资源、发展改革等有关部门，加强对房屋征收与补偿实施工作的指导。

Article 7 Any organization or individual shall be entitled to report any violation of this Regulation to the relevant people's government, the building expropriation department or any other relevant department. The relevant people's government, the building expropriation department or any other relevant department receiving a report shall verify and deal with it in a timely manner.

Supervisory organs shall strengthen the supervision of the governments, the relevant departments or entities and their staff participating in the building expropriation and compensation.

第七条 任何组织和个人对违反本条例规定的行为，都有权向有关人民政府、房屋征收部门和其他有关部门举报。接到举报的有关人民政府、房屋征收部门和其他有关部门对举报应当及时核实、处理。

监察机关应当加强对参与房屋征收与补偿工作的政府和有关部门或者单位及其工作人员的监察。

Chapter II Expropriation Decisions

第二章 征收决定

Article 8 Where, for public interests such as safeguarding the national security and promoting the national economic and social development, it is necessary to expropriate a building under any of the following circumstances, the people's government at the city or county level shall make a decision to expropriate the building:

- (1) necessary for national defense and foreign affairs;
- (2) necessary for the construction of energy, transportation, water and other infrastructures as organized and implemented by the government;
- (3) necessary for a public cause such as science and technology, education, culture, health, sports, environment and resource protection, disaster prevention and mitigation, protection of cultural relics, social welfare or municipal utilities as organized and implemented by the government;
- (4) necessary for the construction of a social security housing project as organized and implemented by the government;
- (5) necessary for the rebuilding of an old urban area where dilapidated buildings concentrate and infrastructure lags behind as organized and implemented by the government according to the relevant provisions of the Urban and Rural Planning Law; or
- (6) necessary for any other public interest as prescribed by a law or administrative regulation.

第八条 为了保障国家安全、促进国民经济和社会发展等公共利益的需要，有下列情形之一，确需征收房屋的，由市、县级人民政府作出房屋征收决定：

- (一) 国防和外交的需要；
- (二) 由政府组织实施的能源、交通、水利等基础设施建设的需要；
- (三) 由政府组织实施的科技、教育、文化、卫生、体育、环境和资源保护、防灾减灾、

文物保护、社会福利、市政公用等公共事业的需要；

（四）由政府组织实施的保障性安居工程建设的需要；

（五）由政府依照城乡规划法有关规定组织实施的对危房集中、基础设施落后等地段进行旧城区改建的需要；

（六）法律、行政法规规定的其他公共利益的需要。

Article 9 According to Article 8 of this Regulation, all kinds of construction activities requiring expropriation of buildings shall comply with the national economic and social development plan, overall land use plan, urban and rural plan and special purpose plans. The construction of social security housing projects and the rebuilding of old urban areas shall be incorporated into the annual plan for national economic and social development at the city or county level.

Public opinions shall be extensively solicited in the making of the national economic and social development plan, overall land use plan, urban and rural plan and special purpose plans, and scientific demonstration shall be made.

第九条 依照本条例第八条规定，确需征收房屋的各项建设活动，应当符合国民经济和社会发展规划、土地利用总体规划、城乡规划和专项规划。保障性安居工程建设、旧城区改建，应当纳入市、县级国民经济和社会发展规划。

制定国民经济和社会发展规划、土地利用总体规划、城乡规划和专项规划，应当广泛征求社会公众意见，经过科学论证。

Article 10 The building expropriation department shall draft an expropriation and compensation plan and report it to the people's government at the city or county level.

The people's government at the city or county level shall organize the relevant departments to demonstrate the expropriation and compensation plan and publish it for public opinions. The period for solicitation of public opinions shall be no less than 30 days.

第十条 房屋征收部门拟定征收补偿方案，报市、县级人民政府。

市、县级人民政府应当组织有关部门对征收补偿方案进行论证并予以公布，征求公众意见。征求意见期限不得少于 30 日。

Article 11 The people's government at the city or county level shall publish in a timely manner the public opinions solicited and the amendments made according to the public opinions.

Where buildings need to be expropriated due to the rebuilding of an old urban area, if the majority of the owners consider that the expropriation and compensation plan does not conform to the provisions of this Regulation, the people's government at the city or county level shall organize a hearing attended by the owners and the representatives of the public, and amend the plan according to the results of the hearing.

第十一条 市、县级人民政府应当将征求意见情况和根据公众意见修改的情况及时公布。

因旧城区改建需要征收房屋，多数被征收人认为征收补偿方案不符合本条例规定的，市、县级人民政府应当组织由被征收人和公众代表参加的听证会，并根据听证会情况修改方案。

Article 12 Before making a decision on building expropriation, the people's government at the city or county level shall make a social stability risk assessment according to the relevant provisions, and if the decision involves a large number of owners, it shall be made at the

executive meeting of the government upon discussion.

Before a decision on building expropriation is made, the compensation fees for expropriation shall be ready in full amount, deposited in a special purpose account and used for designated purpose only.

第十二条 市、县级人民政府作出房屋征收决定前，应当按照有关规定进行社会稳定风险评估；房屋征收决定涉及被征收人数量较多的，应当经政府常务会议讨论决定。

作出房屋征收决定前，征收补偿费用应当足额到位、专户存储、专款专用。

Article 13 The people's government at the city or county level shall, after making a decision on building expropriation, announcement it to the public in a timely manner. The announcement shall state the expropriation and compensation plan, rights to administrative reconsideration and administrative lawsuit and other matters.

The people's government at the city or county level and the building expropriation department shall do a good job in the publicity and explanation of building expropriation and compensation.

Where a building is expropriated according to law, the corresponding right to use state-owned land shall be retracted at the same time.

第十三条 市、县级人民政府作出房屋征收决定后应当及时公告。公告应当载明征收补偿方案和行政复议、行政诉讼权利等事项。

市、县级人民政府及房屋征收部门应当做好房屋征收与补偿的宣传、解释工作。

房屋被依法征收的，国有土地使用权同时收回。

Article 14 An owner against a building expropriation decision made by the people's government at the city or county level may apply for administrative reconsideration or file an administrative lawsuit according to law.

第十四条 被征收人对市、县级人民政府作出的房屋征收决定不服的，可以依法申请行政复议，也可以依法提起行政诉讼。

Article 15 The building expropriation department shall organize surveys and registration of the ownership, location, use, construction area, etc. of buildings within the scope of expropriation, and the owners shall provide cooperation. The survey results shall be announced to the owners within the scope of expropriation.

第十五条 房屋征收部门应当对房屋征收范围内房屋的权属、区位、用途、建筑面积等情况组织调查登记，被征收人应当予以配合。调查结果应当在房屋征收范围内向被征收人公布。

Article 16 After the scope of expropriation is determined, acts which lead to an improper increase of compensation fees, such as new construction, expansion or reconstruction of a building or a change of the use of a building within the scope of expropriation, shall be prohibited. For such acts in violation of the relevant provisions, no compensation shall be made.

The building expropriation department shall notify the relevant departments in writing of suspending the handling of relevant formalities for the matters as listed in the preceding paragraph. A written notice on suspending the handling of relevant formalities shall state the period of suspension, which shall be no longer than one year.

第十六条 房屋征收范围确定后，不得在房屋征收范围内实施新建、扩建、改建房

屋和改变房屋用途等不当增加补偿费用的行为；违反规定实施的，不予补偿。

房屋征收部门应当将前款所列事项书面通知有关部门暂停办理相关手续。暂停办理相关手续的书面通知应当载明暂停期限。暂停期限最长不得超过 1 年。

Chapter III Compensation

第三章 补 偿

Article 17 The compensation granted to an owner by the people's government at the city or county level which makes a building expropriation decision shall include:

- (1) compensation for the value of the building expropriated;
- (2) compensation for the relocation or temporary settlement resulting from the building expropriation; and
- (3) compensation for the production or business interruption losses resulting from the building expropriation.

The people's government at the city or county level shall formulate subsidization and incentive measures to give subsidies and incentives to the owners.

第十七条 作出房屋征收决定的市、县级人民政府对被征收人给予的补偿包括：

- (一) 被征收房屋价值的补偿；
- (二) 因征收房屋造成的搬迁、临时安置的补偿；
- (三) 因征收房屋造成的停产停业损失的补偿。

市、县级人民政府应当制定补助和奖励办法，对被征收人给予补助和奖励。

Article 18 In case of expropriation of personal housing, if the owner meets the housing security conditions, the people's government at the city or county level which makes the building expropriation decision shall give priority to providing housing security for him. The specific measures shall be formulated by a province, autonomous region or municipality directly under the Central Government.

第十八条 征收个人住宅，被征收人符合住房保障条件的，作出房屋征收决定的市、县级人民政府应当优先给予住房保障。具体办法由省、自治区、直辖市制定。

Article 19 The compensation for the value of the building expropriated shall not be less than the market price of real estate similar to the building expropriated on the date of announcement of the building expropriation decision. The value of the building expropriated shall be assessed by an eligible real estate price assessment institution according to the assessment measures for building expropriation.

An owner who opposes to the assessed value of the building to be expropriated may apply to the real estate price assessment institution for reassessment. An owner who opposes to the reassessment result may apply to the real estate price assessment expert committee for appraisal.

The administrative department of housing and urban-rural development under the State Council shall formulate the assessment measures for building expropriation, in the process of which the public opinions shall be solicited.

第十九条 对被征收房屋价值的补偿，不得低于房屋征收决定公告之日被征收房屋类似房地产的市场价格。被征收房屋的价值，由具有相应资质的房地产价格评估机构按照房

屋征收评估办法评估确定。

对评估确定的被征收房屋价值有异议的，可以向房地产价格评估机构申请复核评估。对复核结果有异议的，可以向房地产价格评估专家委员会申请鉴定。

房屋征收评估办法由国务院住房城乡建设主管部门制定，制定过程中，应当向社会公开征求意见。

Article 20 The real estate price assessment institution shall be decided by the owners through consultation. If the consultation fails, the institution shall be determined according to the majority's decision, at random or by any other means, and the specific measures shall be formulated by a province, autonomous region or municipality directly under the Central Government.

A real estate price assessment institution shall carry out assessment of buildings to be expropriated in an independent, objective and impartial manner, and no entity or individual shall interfere with it.

第二十条 房地产价格评估机构由被征收人协商选定；协商不成的，通过多数决定、随机选定等方式确定，具体办法由省、自治区、直辖市制定。

房地产价格评估机构应当独立、客观、公正地开展房屋征收评估工作，任何单位和个人不得干预。

Article 21 An owner may choose either monetary compensation or exchange of titles.

If an owner chooses exchange of titles, the people's government at the city or county level shall provide a building for exchange of titles, and calculate and settle with the owner the difference between the value of the expropriated building and the value of the building provided for exchange of titles.

If personal housing is expropriated due to the rebuilding of an old urban area, and an owner chooses exchange of titles in the rebuilt area, the people's government at the city or county level which makes the building expropriation decision shall provide a building in the rebuilt area or in a nearby area.

第二十一条 被征收人可以选择货币补偿，也可以选择房屋产权调换。

被征收人选择房屋产权调换的，市、县级人民政府应当提供用于产权调换的房屋，并与被征收人计算、结清被征收房屋价值与用于产权调换房屋价值的差价。

因旧城区改建征收个人住宅，被征收人选择在改建地段进行房屋产权调换的，作出房屋征收决定的市、县级人民政府应当提供改建地段或者就近地段的房屋。

Article 22 In case of relocation due to building expropriation, the building expropriation department shall pay relocation fees to the owners; and if an owner chooses exchange of titles, the building expropriation department shall, prior to delivery of the building for exchange of titles, pay temporary settlement fees to the owner or provide the owner with a temporary dwelling.

第二十二条 因征收房屋造成搬迁的，房屋征收部门应当向被征收人支付搬迁费；选择房屋产权调换的，产权调换房屋交付前，房屋征收部门应当向被征收人支付临时安置费或者提供周转用房。

Article 23 The compensation for production or business interruption losses resulting from

building expropriation shall be determined on the basis of the proceeds from the building before expropriation, duration of production or business interruption and other factors. The specific measures shall be formulated by a province, autonomous region or municipality directly under the Central Government.

第二十三条 对因征收房屋造成停产停业损失的补偿，根据房屋被征收前的效益、停产停业期限等因素确定。具体办法由省、自治区、直辖市制定。

Article 24 The people's government at the city or county level and the relevant departments thereof shall strengthen according to law the supervision and administration of construction activities, and deal with according to law constructions in violation of the urban and rural plan. The people's government at the city or county level shall, before making a building expropriation decision, organize the relevant departments to survey, confirm and deal with the unregistered buildings within the scope of expropriation. For buildings confirmed to be legal and temporary buildings not exceeding the approved period, compensation shall be made; and for buildings confirmed to be illegal and temporary buildings exceeding the approved period, no compensation shall be made.

第二十四条 市、县级人民政府及其有关部门应当依法加强对建设活动的监督管理，对违反城乡规划进行建设的，依法予以处理。

市、县级人民政府作出房屋征收决定前，应当组织有关部门依法对征收范围内未经登记的建筑进行调查、认定和处理。对认定为合法建筑和未超过批准期限的临时建筑的，应当给予补偿；对认定为违法建筑和超过批准期限的临时建筑的，不予补偿。

Article 25 The building expropriation department and an owner shall, according to this Regulation, enter into a compensation agreement on the method, amount and time of payment of compensation, location and area of the building provided for exchange of titles, relocation fees, temporary settlement fees or temporary dwelling, production or business interruption losses, time limit for relocation, transition manner, transition period and other matters. After a compensation agreement is signed, if one party fails to perform any obligation under the compensation agreement, the other party may file a lawsuit according to law.

第二十五条 房屋征收部门与被征收人依照本条例的规定，就补偿方式、补偿金额和支付期限、用于产权调换房屋的地点和面积、搬迁费、临时安置费或者周转用房、停产停业损失、搬迁期限、过渡方式和过渡期限等事项，订立补偿协议。

补偿协议订立后，一方当事人不履行补偿协议约定的义务的，另一方当事人可以依法提起诉讼。

Article 26 If a compensation agreement cannot be reached by the building expropriation department and an owner within the contracting period as determined in the expropriation and compensation plan, or the owner of the building to be expropriated is unclear, the building expropriation department shall report it to the people's government at the city or county level which makes the building expropriation decision for making a compensation decision under the expropriation and compensation plan in accordance with this Regulation, which shall be announced within the scope of expropriation.

A compensation decision shall be fair, and include the relevant matters in a compensation agreement as prescribed in paragraph 1 of Article 25 of this Regulation.

An owner who disagrees on a compensation decision may apply for administrative reconsideration or file an administrative lawsuit according to law.

第二十六条 房屋征收部门与被征收人在征收补偿方案确定的签约期限内达不成补偿协议，或者被征收房屋所有权人不明确的，由房屋征收部门报请作出房屋征收决定的市、县级人民政府依照本条例的规定，按照征收补偿方案作出补偿决定，并在房屋征收范围内予以公告。

补偿决定应当公平，包括本条例第二十五条第一款规定的有关补偿协议的事项。

被征收人对补偿决定不服的，可以依法申请行政复议，也可以依法提起行政诉讼。

Article 27 Compensation shall be made before relocation in building expropriation.

After the people's government at the city or county level which makes a building expropriation decision compensates an owner, the owner shall complete relocation within the time limit for relocation as agreed on in the compensation agreement or as determined in the compensation decision.

No entity or individual shall force an owner to relocate by violence or threat, by cutting off the supply of water, heating, gas or electricity or road passage in violation of the relevant provisions or by any other illegal means. Construction entities shall be prohibited from involvement in relocation activities.

第二十七条 实施房屋征收应当先补偿、后搬迁。

作出房屋征收决定的市、县级人民政府对被征收人给予补偿后，被征收人应当在补偿协议约定或者补偿决定确定的搬迁期限内完成搬迁。

任何单位和个人不得采取暴力、威胁或者违反规定中断供水、供热、供气、供电和道路通行等非法方式迫使被征收人搬迁。禁止建设单位参与搬迁活动。

Article 28 Where an owner does not apply for administrative reconsideration or file an administrative lawsuit within the statutory time limit and fails to relocate within the time limit as determined in the compensation decision, the people's government at the city or county level which makes the building expropriation decision shall apply to the people's court for enforcement according to law.

Documents on the compensation amount, account number of the related special deposit account, location and area of the building provided for exchange of titles or the temporary dwelling, etc. shall be attached to the written application for enforcement.

第二十八条 被征收人在法定期限内不申请行政复议或者不提起行政诉讼，在补偿决定规定的期限内又不搬迁的，由作出房屋征收决定的市、县级人民政府依法申请人民法院强制执行。

强制执行申请书应当附具补偿金额和专户存储账号、产权调换房屋和周转用房的地点和面积等材料。

Article 29 The building expropriation department shall establish building expropriation and compensation files according to law, and announce the information on division of household and compensation to the owners within the scope of expropriation.

The audit organ shall strengthen the supervision over the management and use of compensation fees for expropriation, and announce the audit results.

第二十九条 房屋征收部门应当依法建立房屋征收补偿档案，并将分户补偿情况在

房屋征收范围内向被征收人公布。

审计机关应当加强对征收补偿费用管理和使用情况的监督，并公布审计结果。

Chapter IV Legal Liability

第四章 法律责任

Article 30 Where, in building expropriation and compensation, any functionary of the people's government at the city or county level or the building expropriation department fails to perform his duties as set out in this Regulation, or abuses his power, neglects his duties, practices favoritism or makes falsification, the people's government at the higher level or at the same level shall order him to make a correction, and circulate a notice of criticism of him; if any loss is caused, he shall be liable for compensation according to law; the directly responsible person and other directly liable persons shall be subject to disciplinary actions according to law; and if a crime is constituted, the offenders shall be subject to criminal liability according to law.

第三十条 市、县级人民政府及房屋征收部门的工作人员在房屋征收与补偿工作中不履行本条例规定的职责，或者滥用职权、玩忽职守、徇私舞弊的，由上级人民政府或者本级人民政府责令改正，通报批评；造成损失的，依法承担赔偿责任；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；构成犯罪的，依法追究刑事责任。

Article 31 Whoever forces an owner to relocate by violence or threat, by cutting off the supply of water, heating, gas or electricity or road passage in violation of relevant provisions or by any other illegal means, causing losses, shall be liable for compensation according to law; and the directly responsible person and other directly liable persons shall be subject to criminal liability according to law if a crime is constituted, be subject to disciplinary actions if no crime is constituted, or be subject to public security administration punishment according to law if a violation of public security administration is constituted.

第三十一条 采取暴力、威胁或者违反规定中断供水、供热、供气、供电和道路通行等非法方式迫使被征收人搬迁，造成损失的，依法承担赔偿责任；对直接负责的主管人员和其他直接责任人员，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，依法给予处分；构成违反治安管理行为的，依法给予治安管理处罚。

Article 32 Whoever obstructs lawful building expropriation and compensation by violence, threat or any other means shall be subject to criminal liability if a crime is constituted; or be subject to public security administration punishment if a violation of public security administration is constituted.

第三十二条 采取暴力、威胁等方法阻碍依法进行的房屋征收与补偿工作，构成犯罪的，依法追究刑事责任；构成违反治安管理行为的，依法给予治安管理处罚。

Article 33 Whoever embezzles, misappropriates, secretly partitions, withholds or defaults compensation fees for expropriation shall be ordered to make a correction, the relevant amount shall be recovered, illegal gains shall be returned within a prescribed time limit, and a notice of criticism or a warning shall be given to the relevant liable entity; if any loss is caused, the violator shall be liable for compensation; and the directly responsible person and other directly liable persons shall be subject to criminal liability according to law if a crime is constituted or be subject

to disciplinary actions according to law if no crime is constituted.

第三十三条 贪污、挪用、私分、截留、拖欠征收补偿费用的，责令改正，追回有关款项，限期退还违法所得，对有关责任单位通报批评、给予警告；造成损失的，依法承担赔偿责任；对直接负责的主管人员和其他直接责任人员，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，依法给予处分。

Article 34 Where a real estate price assessment institution or a real estate valuer provides a false or seriously flawed assessment report, the certificate-issuing organ shall order it or him to make a correction within a prescribed time limit, give a warning to it or him, impose a fine of not less than 50,000 yuan but not more than 200,000 yuan on it or a fine of not less than 10,000 yuan but not more than 30,000 yuan on him, and record it into its or his credit file, and if the circumstances are serious, revoke the qualification certificate or registration certificate; if losses are caused, it or he shall be liable for compensation according to law; and if a crime is constituted, it or he shall be subject to criminal liability according to law.

第三十四条 房地产价格评估机构或者房地产估价师出具虚假或者有重大差错的评估报告的，由发证机关责令限期改正，给予警告，对房地产价格评估机构并处 5 万元以上 20 万元以下罚款，对房地产估价师并处 1 万元以上 3 万元以下罚款，并记入信用档案；情节严重的，吊销资质证书、注册证书；造成损失的，依法承担赔偿责任；构成犯罪的，依法追究刑事责任。

Chapter V Supplementary Provisions

第五章 附 则

Article 35 This Regulation shall come into force on the date of issuance. The Regulation on the Dismantlement of Urban Houses issued by the State Council on June 13, 2001 shall be abolished simultaneously. Projects for which the building demolition and relocation permits have been obtained according to law before the implementation of this Regulation shall continue to be governed by the former provisions, but the government shall not order the relevant departments to conduct forced demolition and relocation.

第三十五条 本条例自公布之日起施行。2001 年 6 月 13 日国务院公布的《城市房屋拆迁管理条例》同时废止。本条例施行前已依法取得房屋拆迁许可证的项目，继续沿用原有的规定办理，但政府不得责成有关部门强制拆迁。

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