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Top legislature reviews draft law on gov't powers

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China's top legislature considered for the third time a draft law regulating government mandatory power on Monday, the first of its kind to prevent abuses of administrative power.

The draft administrative mandatory power law was submitted to the Standing Committee of the National People's Congress (NPC), the top legislature, for a third reading.

It had its first reading in December 2005 and second reading in October 2007.

The draft law, once adopted, would mark the completion of the legal framework regarding the administrative authority of government agencies, experts say.

An official with the NPC Law Committee said due to a lack of a unified law, mandatory power was often abused by the government, which had infringed upon public interest.

He said some government departments did not effectively carry out the administrative duty, or the administrative power was abused.

The law would stipulate which government departments could exercise mandatory power, or else departments should apply to the court for a warrant to execute a mandate.

The draft law does not yet state which departments could exercise mandatory powers.

The draft says government departments should attempt to reach reconciliation with people involved in disputes if their interests or public interest were not damaged.

"Government departments should not carry out mandatory power at night or on holidays," it says.

Actions such as "cutting water, electricity, heating or fuel gas supplies" must not be used to force people to yield to power.

Under China's Legislation Law, deliberations on a draft bill cease if it fails to be listed in the top legislature's schedule for two years.

The reading of the law at this legislative session, almost two years from the second reading in October 2007, has kept the draft "active".

(Xinhua News Agency August 25, 2009)

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A: In order to put the protection of giant pandas and other wildlife under the law, the Chinese government put the protection of rare animals and plants into the Constitution.

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