Index

administrative laws 142, 144–5, 147, 152, 156–7, 191, 311
Administration of Tax Collection (2011) 154–5
Article 34 153
Article 63 154
Article 82 154
Administrative License Law
Article 69 325
Interpretation of Supreme People’s Court and Supreme People’s Procuratorate on Several Issues concerning Application of Law in Criminal Cases of Tax Evasion and Tax Dodging (1992) 152
Law of Administrative Penalty
Article 22 158
Article 26 156
Article 28 161
Article 61 158–9
Article 62 159
Law of People’s Republic of China on Administration of Tax Collection (2001) 152
liabilities 155
administrative 155, 159
criminal 155, 158–9, 161–2
penalties 155–7
protective rules 161
sanctions 154
Advertising Law 289
Article 2 287–8
Article 27 284–5
Afghanistan
Operation Enduring Freedom (2001–14) 141
All-China Civil Affairs Conference 17
All-China Judicial Conference 17
All-China Federation for Trade Unions
Standing Committee of 11
All-China Personnel Allocation Conference 25
All-China Public Security Conference (1951)
Fourth Plenary Session 15
All-Country Public Security Work
High-Level Cadre Conference 24
All-System Taiwan Democratic Self-Government League
Central Committee of 11
anti-terrorism legislation 120–21, 125–8, 135–6
domestic 135
emergency reactions 131–2
expansion of focus into additional criminal activity 123–5
post-9/11 122–5
proposed development of 133–6
focus on human rights 135–6
interaction with criminal/other laws 140–41
severity 137–40
shortcomings 132
Arctic Council 352
members of 357
Arctic Ocean 356–7
Alpha–Mendeleev Ridge 347
Amerasia Basin 347
Canada Basin 347, 349
Makarov Basin 347
Amundsen Basin 347
Baffin Bay 337
Barents Sea 337, 345–6
Loop Hole 346, 349
Beaufort Sea 337
Chukchi Sea 337
coastlines in 337–8
continental shelf of 342–7
East Siberian Sea 337
Gakkel Ridge 347–8
Greenland Sea 337
Hudson Bay 337
Kara Sea 337
Laptev Sea 337
Lomonosov Ridge 345, 347–8, 353
Nansen Basin 347
national sovereignty in 337
potential construction of legal system for 351–5
rights claims in 337–8, 350–51
Aristotle 41–2
Asia-Pacific Economic Cooperation (APEC)
Informal Economic Leaders’ Meeting 141
Australia
anti-terrorism legislation of 123
Freedom of Information Act (1982) 58
Baidu 271, 283–4, 286, 294
personnel of 294
PPC service of 288–9, 299
Beijing Golden-Bridge Intellectual Property Agency Co., Ltd 294
Beijing Shisanba Legend Medical Cosmetic Hospital v. Baidu Online Network Technology Co., Ltd (‘Shisanba’) 286, 294
Beijing Wolisen Information Technology Co., Ltd v. 800App Software Technology Co., Ltd (‘Wolisen’) 285, 294
Belgium
taxation of financial transactions in 65
Blizzard Entertainment
World of Warcraft 260
End of User Agreement 265
Bo Yibo
Director of Finance Department 20
Bolsheviks 40
bonds 65, 68–9
convertible 82
corporate 116, 119
stripped 68
zero coupon 68
Bragg v. Linden Research 271
Breivik, Anders Behring 138
Canada 345, 348, 352
anti-terrorism legislation of 123
coastline of 337
continental shelf of 349
national sovereignty in Arctic Ocean 337
Canada Green Valley (International) Investment Company 323
capital 87, 107, 109–10
fixed 254
management 116
Central Military Commission 27, 134
Central Military Commission Public Security Bureau 12
Chen v. Shanghai Municipal Bureau of Planning and Land Administration (SMBPLA) 49
interpretation for information-in-process in 55
request for documents in 50
Chen Boda
role in drafting of Constitution 21
Chen Jinkun 12
Chen Maopeng v. Baidu Online Network Technology Co., Ltd (‘Chen Maopeng’) 291, 294
Chen Shaoyu (Wang Ming)
Vice Director of Political Legal Committee 9–10
Chen Qihuan 11
Chen Yangshan
Vice Secretary of Ministry of Justice’s Party Leading Group 31
China, Imperial
Qing Era (1644–1911) 1
China, People’s Republic of (PRC) 1, 107, 223, 277, 283
Beidaihe 35
Beijing 21, 62
Central People’s Government of 7–8, 14, 16–18
Administration Council Committee 22
Central People’s Government Office 17
<table>
<thead>
<tr>
<th>Article/Section</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Water Works Ministry</td>
<td></td>
</tr>
<tr>
<td>East China Military Political Committee Water Works Ministry</td>
<td></td>
</tr>
<tr>
<td>Civil Affairs Bureau 7</td>
<td></td>
</tr>
<tr>
<td>Civil Affairs Ministry 22</td>
<td></td>
</tr>
<tr>
<td>Constitution of (1954) 22, 26, 29, 34</td>
<td></td>
</tr>
<tr>
<td>provisions of 15–16</td>
<td></td>
</tr>
<tr>
<td>redrafting of 13, 21</td>
<td></td>
</tr>
<tr>
<td>economy of 35</td>
<td></td>
</tr>
<tr>
<td>founding of (1949) 3, 5, 9, 28</td>
<td></td>
</tr>
<tr>
<td>General Political Office 13</td>
<td></td>
</tr>
<tr>
<td>Hong Kong 37</td>
<td></td>
</tr>
<tr>
<td>Internal Affairs Bureau 10–11, 29</td>
<td></td>
</tr>
<tr>
<td>judicial system of 28–9</td>
<td></td>
</tr>
<tr>
<td>Criminal Procedure Law 41</td>
<td></td>
</tr>
<tr>
<td>People’s Court Organization Law 22, 26</td>
<td></td>
</tr>
<tr>
<td>People’s Procuracy Organization Law 22, 26</td>
<td></td>
</tr>
<tr>
<td>People’s Tribunals 23</td>
<td></td>
</tr>
<tr>
<td>Regulations on Arrest and Detention 26</td>
<td></td>
</tr>
<tr>
<td>use of Peasants’ Associations in 23</td>
<td></td>
</tr>
<tr>
<td>Macao 37</td>
<td></td>
</tr>
<tr>
<td>Ministry of Agriculture 53</td>
<td></td>
</tr>
<tr>
<td>Ministry of Civil Affairs 12</td>
<td></td>
</tr>
<tr>
<td>Ministry of Finance</td>
<td></td>
</tr>
<tr>
<td>Party Leading Group 29</td>
<td></td>
</tr>
<tr>
<td>Ministry of Health 245</td>
<td></td>
</tr>
<tr>
<td>amendment of Raw Milk standard (2010) 52–3</td>
<td></td>
</tr>
<tr>
<td>Ministry of Justice 7, 11–12, 14–15, 17, 22–4, 26, 29–31, 41, 245</td>
<td></td>
</tr>
<tr>
<td>Leading Group 31</td>
<td></td>
</tr>
<tr>
<td>People’s Revolutionary Military Committee 6</td>
<td></td>
</tr>
<tr>
<td>Public Security Bureau 7, 12–13, 18, 22–3, 33, 62</td>
<td></td>
</tr>
<tr>
<td>East China Security Bureau 33–4</td>
<td></td>
</tr>
<tr>
<td>Party Leading Group 15</td>
<td></td>
</tr>
<tr>
<td>South Central Public Security Bureau 34</td>
<td></td>
</tr>
<tr>
<td>use in judicial system 24</td>
<td></td>
</tr>
<tr>
<td>Shanghai 283</td>
<td></td>
</tr>
<tr>
<td>Supreme People’s Court 6–7, 10, 12–14, 26, 29–30, 37–40, 93, 113, 281–2, 303, 321–5, 333</td>
<td></td>
</tr>
<tr>
<td>‘Explanations on Several Questions about Applying Guarantee Law’ (2000) 111</td>
<td></td>
</tr>
<tr>
<td>Interpretation of the Supreme People’s Court on Issues Concerning the Application of Law for the Trial of Cases of Dispute over Contracts on Undertaking Construction Projects 312</td>
<td></td>
</tr>
<tr>
<td>Interpretation of the Supreme People’s Court on Problems regarding the Ascertainment of Compensation Liability for Emotional Damages in Civil Torts 277</td>
<td></td>
</tr>
<tr>
<td>Interpretation of the Supreme People’s Court on Several Issues about the ‘Trial of Cases Concerning the Right of Reputation 277</td>
<td></td>
</tr>
<tr>
<td>Interpretation on Certain Issues Concerning the Application of Contract Law of the People’s Republic of China (I/II) 265–6, 305, 310–12, 315, 329–31, 333–4</td>
<td></td>
</tr>
<tr>
<td>Party Leading Group 14, 16</td>
<td></td>
</tr>
<tr>
<td>Supreme Procuracy Office 6–7, 10–11, 13–14, 17, 22, 29, 31</td>
<td></td>
</tr>
<tr>
<td>Party Leading Group 16</td>
<td></td>
</tr>
<tr>
<td>Xinjiang 129</td>
<td></td>
</tr>
<tr>
<td>Yunnan Province</td>
<td></td>
</tr>
<tr>
<td>Qiaojia County 62</td>
<td></td>
</tr>
<tr>
<td>China, Republic of</td>
<td></td>
</tr>
<tr>
<td>Fujian Province</td>
<td></td>
</tr>
<tr>
<td>Xiamen 8</td>
<td></td>
</tr>
<tr>
<td>Hubei Province</td>
<td></td>
</tr>
<tr>
<td>Huaihua Prefecture 8</td>
<td></td>
</tr>
<tr>
<td>Hunan Province</td>
<td></td>
</tr>
<tr>
<td>Baoqing 8</td>
<td></td>
</tr>
<tr>
<td>Hengyang 8</td>
<td></td>
</tr>
<tr>
<td>Huaihua 8</td>
<td></td>
</tr>
</tbody>
</table>
j, judicial system of
Judicial Yuan 26
Procurement Yuan 26
Shaanxi–Gansu–Ningxia
High Court 4
Yan’an 4
Xinjiang 8
China Banking Regulatory
Commission (CBRC) 93, 97–8
issuing of ‘Risk Caution’ (2011)
99–101, 113, 117
China Democratic League 37
China Insurance Regulatory
Commission (CIRC) 97
China Party for the Public Interest
Central Standing Committee of 11
China Political Consultative
Conference
first meeting of (1949) 5
China Securities Regulatory
Commission (CSRC) 97
use in regulating investment
crowdfunding 102
Chinese Civil Law
General Provisions of
Article 129 201
Chinese Civil War (1927–36/1946–50)
Huaihai Campaign 27
Northern Front 8
Pingjin Campaign 28
Siege of Taiyuan (1949) 28
Chinese Communist Party (CCP) 2–3,
5–6
Administration Council Committee
14, 16–17
202nd Politics and Law
Conference 15
General Party Leading Group
14, 17
members of 8
Party Leading Group 16
Political Legal Affairs Committee
9–10
Political Legal Committee 7
‘Report Regarding Several
Amendments to the
Tax System and Their
Implementation Period’
(1952) 20
Sub-Committees of 18
Beijing Municipal Party Committee
9, 20
Central Agricultural Work Bureau
39
Central Bureau for Large
Administrative Regions
elimination of (1954) 33
Central Committee 2, 4, 9–11,
13–14, 16–20, 22, 26, 28, 30, 32,
38–9, 134
East China Bureau 27
Legal Committee 5, 31–2, 34, 38
Legal Problem Research
Committee 5
North China Bureau 28
North China Society Bureau 12
Political Legal Committee 32
Report Regarding the Central
People’s Procuracy Office
Four Regulations (1950) 23
Secretariat 30, 36
Social Bureau 4, 12
Central Finance and Trade Work
Bureau 39
Central Group of Politics and Law
37–8
Central Organization Department
9, 30, 33
Central Plains Bureau 27
Henan–Anhui–Jiangsu
sub-bureau 27
Central Politiburo of 9, 21, 31, 33,
36, 38
Standing Committee of 36, 38
Central Propaganda Department 30,
33, 39
Central United Front Bureau 39
Committee on Large Administrative
Regions
elimination of (1954) 33
Committe Secretariat 33
Foreign Affairs Office 33
Hebei–Shandong–Henan District
Party Committee 27
Military Personnel Political
Department
Anti-Espionage Department 4
members of 8–9, 11, 13
North Jiangsu Work Committee 27
Index

‘Party Governing Politics and Law’ 5
‘Party Governing Public Security’ 3
Party Leading Groups 15–16
Party School 33
Pingjin Municipal Committee 28
Policy Research Office 33
Political Consultative Committee 3
Political Legal Committees 6–7, 16, 22, 25, 33
Party Leading Group
Sub-Committee 14–16, 19
Politics and Law Committee 17
‘Main Duties of Politics and Law
Work in 1954’ 15
Shandong Sub-Bureau 20
Women’s League 3
Youth League 3
Chinese Communist Revolution (1949) 35
Chinese Peasants and Workers Party 9, 11
Chinese Tort Liability Law
Article 6 201–4
civil law 90, 144–5, 147, 175, 178, 181, 187, 191–2, 194–5, 216–17, 220–22, 275–6, 335–6
behaviour types in 196
flexible illegal monism 207–8, 212–14, 221
general 207–8, 211–14
punishable 208, 212–13
liability 200–201
tort 200–202, 206–7
relation with criminal law 217–18
shortcomings of 275–6
Civil Procedure Law 112
Article 4 111
Article 23 111
Commercial Bank Law
Article 3 100
commercial law 144–5, 147
Commission on the Limits of the
Continental Shelf (CLCS) 341, 344, 348, 350
continental shelf delimitation
application system 344–7, 354
Scientific and Technical Guidelines 341
Communist Party of the Soviet Union
(CPSU) 1
Central Committee of 35
Plenary Session 35
Presidium 34
Contract Law of the People’s Republic
of China 265, 269, 272, 335
Article 8 304–5, 332
Article 39 267
Article 40 270
Article 41 268
Article 42 330
Article 42(3) 329–30
Article 44(2) 304, 306–9, 311–12, 314, 333, 335
Article 52(5) 306–9, 311–13, 335
Article 53 270
Article 54 270
credit 94–5, 99–100, 115–17, 205, 321
quality 76
rating 107
rights of creditors 106, 109–10, 263
risk 70, 72–4, 76, 100, 117
Credit Ease
lending model of 109–10
Criminal Code/Law of China 93, 132–3, 142–3, 153, 199
Amendment III 121, 123–5, 130–31, 139
Amendment VII 160
Amendment VIII 126–7, 137
Article 4 115
Article 13 149, 198
Article 17 132
Article 37 128, 155
Article 93 153
Article 96 117
Article 120 121–2
Article 127 124
Article 155(3) 151
Article 176 113–15
Article 179 146
Article 201 153
Article 201(4) 160
Article 223 150–51
Article 225 117
Article 276A 142
Article 291 124
Article 382(1) 154
Article 399(2) 151

Jichun Shi - 9781784715816
Downloaded from Elgar Online at 02/03/2019 10:49:01PM
via free access
Article 402 159
Chapter IX 159
anti-terrorism 120–22, 125, 129–30, 132–5, 141
behaviour types in 195–6
criminal responsibility 149–50
flexible illegal monism 209–10, 214, 221
illegality in 193–6, 198–200, 204–5, 212, 216, 221
general 195, 197, 209
punishable 196, 209
liability 158
limitations of 190
relation with civil law 217–18
standard for transfer of ownership 205–6
theory of 192–3
legal/illegalk behaviours 192–3
Cultural Revolution (1966–76) 4, 40

Dachiyoshi, Minobe 321, 325–6
debt 65, 72, 80, 87, 112
financing 69
fixed rate 79
floating rate 79
instruments 74, 81
long-term 68
Democratic Party
members of 8
Deng Deyong 62
Deng Xiaoping 40
General Secretary 37–8
Deng Yingchao 10
Deng Zhihui 35
Denmark 345, 348, 352
coastline of 337
continental shelf delimitation
application of 344
national sovereignty in Arctic Ocean 337, 344

Ding v. Shanghai Huangpu District
Bureau of Housing Subsidizing and Administration (SHDBHSA)
requests for documents in 54–5
division theory of accomplice 165
asymmetry of information and knowledge 224–6
communication relationships 239–46
limitations of legal system 247–8
difficult in externalizing of risk/loss caused by medical behaviours 226–7
fault liability 239–30, 249–50
legal handling 229–32
control in 230–33
marketization 250–51
medical insurance systems 251–4
non-price competition 248–50
rigidity of medical fault liability 227–9
trust in 231–6
development of 236–7
red envelopes 237–8
Dong Biwu 6–7, 15–17, 31, 37
development of Political Legal Committee 15, 22
Director of Political Legal Committee 9
President of Supreme Court 30
Secretary of Political Legal Party Leading Sub-Group Cadre Conference 14, 17

East Turkistan 123, 129
terrorist activity in 129
economic substance doctrine 64–7, 73, 75–7
limitations of 90–91
taxation of financial transactions based on 65, 69, 89–91
Eighth Route Army 27
Ellsworth, John 272
Ellsworth, Justin
death of (2004) 272
Engels, Friedrich 40
Environment and Resources Protection Act 151
equity 65, 69, 74, 80–81, 85, 87
securities 76
swap 75, 79, 81
tax 66, 79
Ethnic Affairs Commission 11–12
Ethnic Affairs Committee 19
Index

Etzioni, Amitai 230
European Court of Justice
use of E-commerce Directive in PPC cases 302
European Union (EU) 283
 Council 122
exclusive economic zones (EEZ) 338–9

Facebook 275
Fairfield, Joshua 257
Fin Hay Realty Co. v. United States 80–81
financial innovation 77, 79, 83, 89–90, 92, 98
 aims of 68–9
foreign practices 94
transactions 64
variants of
 creation of instruments 82
recombination of pre-existing products 82
reconstruction of existing instruments 82
financial liberalization 89
Finland
 health care system of 252
national sovereignty in Arctic Ocean 337
First Five-Year Plan (1953–7) 26
Flood Control and Drought Relief Headquarters 62
France 302
French Civil Code
 Article 1382 202
 Article 1383 202
 Friedman, Milton 249
 Fumiaki, Uchida 169

General Administration of Quality Supervision (AQSIQ) 151–2
General Principles of the Civil Law of the People's Republic of China (GPCL)
 Article 29 263
 Article 48 263
 Article 75 263
 Gergen, Mark 68
 Germany 207, 277, 326
 Administrative Procedural Law
 Article 48 326

Article 49 326
 anti-terrorism legislation of 123
 Civil Code 262, 308, 311
 Article 83 326
 Article 134 311–12
criminal law of 188, 195
Federal Administrative Court
 327
Federal Court of Justice 276
Federal Supreme Court 311
Fiscal Code
 Article 42 66
Multimedia Law 302
tort law of 203
Giddens, Anthony 239, 241
Goffman, Erving 239
Google, Inc. 288–9, 294
Google AdWords 288–90
 Standard Contract 299
Great Leap Forward (1958–61) 35
Greece
 Civil Code of 277
Greenland 337, 344
Gross, Edward 230
Guomindang
 All-System Revolutionary Committee 11
Liujiashu Military Unit 8
 Revolutionary Committee of 11
territory controlled by 8
Haideng Master 277
Hangzhou Rongdu 109
 lending model of 110
Haruo, Nishihara 200
Hayek, Friedrich August 230
Hebei Taihung Huaxin Building Materials Co., Ltd 310
Health Insurance Association of America 228
Hickson, G.B. 242
Hiko, Sone
 Base of Science of Criminal Law 193–4
Hiroshi, Suekawa 205
theory of independent act of real right 205
Hirsh, Günter 208
Hong Kong Green Valley Investment Company 323
Hong Kong Green Valley Investment
Company v. Canada Green Valley
(International) Investment
Company 322–3
Hu Jintao 141
Hu Qiaomu
role in drafting of Constitution 21
Hu Shi 1
Huang Qixiang 11

Iceland 343
coastline of
continental shelf delimitation
application of 344
national sovereignty in Arctic Ocean
337, 344
Ilulissat Declaration (2008) 355

Implementation Regulation of Law
of Examination of Exported and
Imported Commodities
Article 33 158
Article 49 157–8

Implementing Rules of Foreign
Enterprise Law of the People's
Republic of China
Article 22 332

India
anti-terrorism legislation of 123
information-in-process 43–5, 47
administrative decisions as 54, 57
definitions of 61–3
formal 60–61
informal 62
exemptions 44–5, 49, 57, 60
interpretations of 47–53
international equivalents 58–9
transparency 57–8
use of tenses in 52
views on information disclosure
53–5
interest 65, 69, 72, 81, 85, 89, 109–16,
118
rates of 68, 75, 107
control 94
taxing of 80
zero-70–71

International Court of Justice (ICJ)
348, 354
International Maritime Organization
357

Iraq
Anbar 272

Italy
anti-terrorism legislation of 123, 139
taxation of financial transactions
in 65

Japan 169, 225–6, 248
Act on Access to Information Held
by Administrative Organs
(1999) 58
civil laws of 220
Court of Final Appeal 321
Criminal Law 195
Article 35 194
Article 260 220
illegality in 195, 221
flexible illegal monism in 208
military of 27
Ministry of Defence 2
Supreme Court 166, 219–20
Jiang Xiaoyan 277
Jiang Yong 11

John Ellsworth v. Yahoo 272
joint offences 164–5, 186–7, 190
division theory of accomplice 172
omission 164–8, 171–4, 178, 180,
183, 189–90
causal relationship of 171–5,
179–85
cooprincipal theory 166
different causal process theory
171–2
division theory of duty 170–71
geneneral principle theory 165–9
guarantor’s obligation 175–6,
185–6
legal obligations 186–8
nonstandard 175–84, 187–9
obligation offender theory 166–7
principle accomplice theory
169–70
substantive explanation of
principal behaviour 180–81
share perpetration 166

Kaganovich, Lazar 35
KaiKaiDai 109
Ke Qingshi 36
Kessler, Daniel P. 228
Khrushchev, Nikolai
  opposition to 34–5
Korea 35
Korean War (1950–53) 19, 25–6
kuai 15
Kung, Otani 171

LambdaMOO 274
Lan Gongwu 11
Law for Licensing the Medical Practitioner 225
Law of Succession 272, 279–80
  amendments of 257, 279
  Article 3 281
  Article 7 273
  inheritability of contract debts 269
  Article 39 61
Law of the People’s Republic of China on Protection of Consumer Rights and Interests 265
legal relations 142–3
  confirmation 143–4
  liability 145
  protective 144
  regulation 146
legalism 224
Lenin, Vladimir 40
Leninism 12
  concept of 40–41
Li Bo 294
Li Fuchun 36
Li Hong 193
Li Jingquan 36
Li Liuru 10
Li Muan 10
Li Renren 11
Li Weihan 10
  Secretary of Ethnic Affairs Committee 19
Li Xiannian 35–6
Li Xuefeng
  Eighth Party Congress Secretariat
  Secretary 38
Liang Qichao 1
Liao Chengzhi 10
LiDa Real Estate Development
  Company of Luzhou City v. Land and Resources Bureau of Luzhou City 328
Lin Biao 36
  Chief Frontline Headquarters Secretary 28
Lin Zhongyi 11
Liu Geping 10
Liu Shaoqi 29–30
  role in design of Central CCP departments 30
  visit to USSR (1949) 11
Luhmann, Niklas 231–2
Luo Ronghuan 10, 15
  Director of Public Security Bureau 18–19, 22
  Director of Supreme Procuracy Office 13
  Party Leading Group Secretary 14
Luo Ruiqing 10
  Director of Public Security Bureau 31, 38
  First Political and Legal Office
  Director of State Council 22

Malenkov, Georgy 35
Mao Zedong 2, 5–6, 8, 18–21, 27–9, 35–7
  ‘8 Verses’ 21, 29, 36
  announcement of formation of Chinese Central People’s Government (1949) 7–8
  Chairman of Central People’s Government 7, 18
  General Chairman of Central Politburo 40
  role in design of Central CCP departments 30
  role in drafting of Constitution 21
  marginal law 300
  Hand Formula 300
  marine/maritime law 337–8, 343–4
  Agreement on Maritime Demarcation and Cooperation 349
  continental shelves 338–40, 344, 348
delimitation applications 344
delimitation standards 341–2, 346–7, 354, 356–7
  outer 340–42, 344, 346
  International Seabed Area 353
Principle of Equidistance/Special Circumstances 348–9
Mandatory Rules on Ships Operating in Arctic Waters 357
Marx, Karl 40
Marxism-Leninism 40
McClellan, Mark B. 228
Measures on the Administration of Securities Companies Article 9 310
Meng v. Shanghai Hongkou District Bureau of Urban Planning Administration (SHDBUPA) 50
interpretation for information-in-process in 48, 51, 53
requests for documents in 47–8
Meng Qingshu 5
Mikoyan, Anastas 34
Mollering, Guido 231
Molotov, Vyacheslav 35
Mongolia 12
Moore’s Law 259
MSN Space 278
Nanning Conference (1958) 36
National Party Congress Eighth (1956) 34, 38
Fifth Plenary Session of 36
Political Report 26
Second Plenary Session of 36
Eleventh
Fifth Plenary Session of 40
Second (1959) 35
Seventh (1945) 13–14
Second Plenum of 5
National People’s Congress (NPC) First (1954)
adoption of Constitution 21
Circular Regarding Establishing and Adjusting the Central and Local Administrative Organs of the Country and Relevant Issues (1954) 22
Standing Committee 130, 310
Decision on Strengthening the Related Working Issues of Anti-terrorism (2011) 125, 130, 132–3
passage of Amendment VIII of Criminal Law (2011) 126
National Soviet Party Congress Twentieth (1956) 34
Netease 260
Terms and Conditions for Netease Pass Service 264–5
Netherlands Civil Code of 277
New Fengrong Personal Limited Company v. Cadbury Property Development Limited Company 332
New Fourth Army of Central China 27
New Zealand taxation of financial transactions in 65
Noriyuki, Nishida 165, 167, 171, 181
North China Field Army 28
Norway 348
coastline of 337
continental shelf delimitation application of 344–6, 355
national sovereignty in Arctic Ocean 337, 344
Utøya Massacre (2011) 138
Nuuk Declaration (1991) 355
Ordinance on Protection of the Right to Network Dissemination of Information Article 23 285, 293, 300–301
Organisation for Economic Co-operation and Development (OECD) 68, 86
P2P 109
P2P lending 92–4, 99–101
investment crowdfunding 98–9, 106
proposed regulation of 101–5
online lending 106–7
legal procedures 107–11
Qingdao Model 111–13
with mortgage/guarantee 109–11
without mortgage/guarantee 107–8
online loans 113, 119
criminal risk of alienation 118–19
potential as illegal absorption of public deposits 113–14
potential use in fraud activity 115–18
Index

<p>| Proposed regulation of 92–3, 96 |
| Consumer protection bureaus 97–8 |
| Registration centres 95 |
| Role of transparency 95 |
| Use of Howey test 96 |
| Pay-Per-Click (PPC) 283–4, 287–8, 291–2, 294 |
| As commercial advertising 286, 288–9 |
| Examples of 287–8 |
| Legal nature of 284–7, 290 |
| Service Provider 283–5, 287–9, 292–3, 295–6, 300, 302–3 |
| Obligations of 290–91 |
| Proactive duty of examination 298–9 |
| Role in maintaining market order 296 |
| Use of Internet keywords 290–95, 299, 301–3 |
| Peasant’s Association 23 |
| Peng Zemin |
| Vice Director of Political Legal Committee 9 |
| Peng Zhen 2–4, 12, 14–15 |
| Political offices held by 9, 14, 37–8, 40 |
| People’s Bank of China 130 |
| People’s Comrade Federation |
| Central Standing Committee of 11 |
| People’s Daily, The 20 |
| People’s Liberation Army (PLA) |
| Cadre Corps of 13 |
| Police Law 127 |
| Portugal |
| Civil Code of 277 |
| Healthcare system of 252 |
| Pound, Roscoe 229 |
| PPDAI 107 |
| Property Law of the People’s Republic of China 313, 315–18 |
| Article 9 205–6 |
| Article 180 263 |
| Qi Jianrong 294 |
| Qingdao Wusetu Mortgage Service Co. Ltd 112 |
| Qingdao Zhibosoft 297 |
| Real estate 205–6 |
| Mortgage 100 |
| Registration of 313–18 |
| Transfer orders 219 |
| Red Brigades 139 |
| Regulation for Chinese Zuotang Inquiry Clinic 225 |
| Regulation for Medical Institution Disinfecting Technology 225 |
| Regulation for the Clinical Application of Medical Technology 225 |
| Regulation on the Implementation of the Law of the People’s Republic of China on Bid Invitation and Bidding (2011) 150 |
| Article 39 150 |
| Article 40 150 |
| Article 41 150 |
| Regulations on Disclosure of Information Held by the Government of the People’s Republic of China (Regulations on DIHG) 43, 45, 55, 57, 63 |
| Article 1 57 |
| Article 8 44 |
| Article 10 47–8, 59 |
| Article 14 43–4 |
| Municipal variations of 45, 56, 59 |
| Shortcomings of 59 |
| Republic of Ireland |
| Taxation of financial transactions in 65 |
| River, Yangtze 8 |
| Roxin, Kraus 167–9, 187, 189 |
| Concept of compulsory offender 185 |
| Views on illegal monism 207 |
| Russian Federation 344, 346, 348 |
| Coastline of 337 |
| Continental shelf delimitation application of 344–5, 355 |
| Continental shelf of 344 |
| Duma 345 |
| Federal Anti-Terrorism Act 134, 137 |
| Ryo, Ida 220 |
| Sai Fuding 10–11 |
| Schmitz, Paula 68 |
| Second Life 274 |
| User agreement of 271 |
| Second World War (1939–45) 2 |</p>
<table>
<thead>
<tr>
<th>Index</th>
<th>371</th>
</tr>
</thead>
<tbody>
<tr>
<td>legislation 77–8, 82–4, 86–7</td>
<td>Suppression of the Financing of Terrorism (1999) 123, 130</td>
</tr>
<tr>
<td>loopholes 79</td>
<td>Security Council 130</td>
</tr>
<tr>
<td>punishment codes 83, 88–9</td>
<td>Anti-Terrorism Commission 123</td>
</tr>
<tr>
<td>Tencent 271</td>
<td>Resolution 1373 (2001) 123</td>
</tr>
<tr>
<td>role in drafting of Constitution</td>
<td>Statement of Understanding 341</td>
</tr>
<tr>
<td>tiao 15</td>
<td>United States of America (USA) 1, 95, 97, 134, 277, 344–5, 348</td>
</tr>
<tr>
<td>Tie v. Shanghai Huangpu District Development and Reform Commission (SHDDRC) 46–7</td>
<td>9/11 attacks 121–2, 125, 129, 131 anti-terrorism legislation of 123 coastline of 337 Congress 81</td>
</tr>
<tr>
<td>interpretation for information-in-process in 55</td>
<td>Consumer Financial Protection Bureau (CFPB) 97</td>
</tr>
<tr>
<td>Tort Law</td>
<td>Court of Appeals 273</td>
</tr>
<tr>
<td>Article 36 285, 293, 301</td>
<td>crowdfunding regulations in 103</td>
</tr>
<tr>
<td>drafts of 301</td>
<td>District of Columbia Circuit 273</td>
</tr>
<tr>
<td>liability in 299</td>
<td>Dodd–Frank Act (2010) 97</td>
</tr>
<tr>
<td>Tromsø Declaration 355</td>
<td>Electronic Communications Privacy Act 273, 275</td>
</tr>
<tr>
<td>Truman, Harry S.</td>
<td>Federal Court 288</td>
</tr>
<tr>
<td>Proclamation (1945) 338</td>
<td>Federal Trade Commission (FTC) 287, 289</td>
</tr>
<tr>
<td>Tsinghua University faculty of 9</td>
<td>Federal Trade Commission Act 287</td>
</tr>
<tr>
<td>United Kingdom (UK) 1</td>
<td>Freedom of Information Act (1996) 58</td>
</tr>
<tr>
<td>anti-terrorism legislation of 123</td>
<td>Health Insurance Portability and Accountability Act 277</td>
</tr>
<tr>
<td>healthcare system of 252</td>
<td>healthcare system of Health Maintenance Organizations (HMOs) 252</td>
</tr>
<tr>
<td>taxation of financial transactions in 65</td>
<td>Internal Revenue Code (IRC) 81</td>
</tr>
<tr>
<td>United Nations (UN)</td>
<td>JOBS Act (2012) 103–5</td>
</tr>
<tr>
<td>anti-terrorism efforts of 123, 129</td>
<td>military of 273</td>
</tr>
<tr>
<td>Article 76 341, 343, 345, 347, 354</td>
<td>Patriot Act 134</td>
</tr>
<tr>
<td>Article 76(1) 339</td>
<td>Securities and Exchange Commission (SEC) 96–7, 104</td>
</tr>
<tr>
<td>Article 76(4) 339, 341</td>
<td>Security Act (1933)</td>
</tr>
<tr>
<td>Article 76(5) 341</td>
<td>Section 4 (a)(2) 104</td>
</tr>
<tr>
<td>Article 76(7) 341</td>
<td>Storage Communications Protection Act 273</td>
</tr>
<tr>
<td>Article 76(8) 340</td>
<td></td>
</tr>
</tbody>
</table>
Supreme Court
SEC v. W.J. Howey 96–7
taxation of financial transactions in 65
validity of contracts 304–6, 324–5, 328
administrative approval 304–5,
307–9, 313–20, 323–4, 329–30,
335–6
civil behaviours following 324
congress of 316
obligations for 332–4
potential decline of influence
317–18
registration authorities 318–20
revocation of 320–28
fault liability 331–5
invalidity 305, 309
Vietnam War (1955–75) 273
virtual property 261, 281–2
concept of 257–9
interconnectivity 257–9
persistence 257–9
rivalrousness 257–9
value-added-by-users 258–9
denotation of 259–60
channel-content 260
inheritance 256–7, 264, 280–81
influence 267–70
QQ number 264, 269
user agreements 264–9, 271–2
user privacy 272–3, 277–9
property rights 261–3
relationship with right to privacy
273–7
substantial unconscionability 271–2
virtual access 274, 280

Wang Ming 10
counder of CCP Central Committee Legal Problem Research Committee 5
Wang Yongfei v. Wang Xuzhao 333
Wei v. Shanghai Municipal Bureau of Urban Planning Administration (SMBUFA)
interpretation for information-in-process in 54
requests for documents in 52
Wilson, Grant 273–5

Wu Gaizhi 10, 14
Wu Lanfu 10
Wu Xiaoling 118–19
Wu Xinyu 10
Wu Yaozong 11
Wu Yuzhang 10

Wuhan Backward Technology Co., Ltd v. Beijing Baidu Network Technology Co., Ltd (‘Wuhan Backward’) 291, 297

Wusetu Mortgage Service Co., Ltd 112
Xie Juezai 10
Xie Xuehong 10
counder of CCP Central Committee Legal Problem Research Committee 5
Xu Baoju 11
Xu Deqi 11, 12
Xu Xiangqian
Secretary of Taiyuan Campaign Chief Frontline Headquarters 28

Yahoo!, Inc. 273–4
PPC service of 294
Yahoo Mail 278
Yan’an Rectification Campaign 9
Yang Chaobang 62
Yang Huanning
Vice Minister of the Ministry of Public Security 130
Yang Xiaojun 53
Ye Duyi 11
Yi Liyu 11
Young Men’s Christian Association (YMCA)
Editor’s Department 11

Zeng v. Shanghai Municipal Bureau of Administration (SMB) 46, 50
request for documents in 46
Zhang Baozhen 11
Zhang Bojun
Central Vice Chair of China Democratic League 37
‘Four Institutions of Political Design’ 37
Zhang Dingchen
President of Supreme People’s Procuracy 31, 38
Zhang Shizhao 11
Zhang Wen 11
Zhang Xiruo
   Vice Director of Political Legal Committee 9
Zhang Zhirang 10
   Vice President of Supreme Court 11–13
Zhao Dengyong 62
Zhongsheng Huarong Investment Company 310
Zhou v. Shanghai Hongkou District
   Bureau of Housing and Land Administration (SHDBHLA)
   49–50
   interpretation for information-in-process in 50–51, 53–4
   requests for documents in 49
Zhou v. Shanghai Hongkou District of Planning and Land Administration (SHDBPLA) 47
   interpretation for information-in-process in 55
   requests for documents in 48
Zhou Enlai 6, 16–19, 24, 29, 35, 37
   Administration Council Committee Premier 7
   Secretary of Administration Council Committee Party General Party Leading Group Cadre Conference (1950) 14
   Host of First General Meeting of State Council 21–2
Zhou Shanpei 11
Zhukov, Georgy
   Director of Soviet Ministry of Defense 35