

# 孔子学院章程

## 第一章 总 则

第一条 孔子学院致力于适应世界各国（地区）人民对汉语学习的需要，增进世界各国（地区）人民对中国语言文化的了解，加强中国与世界各国教育文化交流合作，发展中国与外国的友好关系，促进世界多元文化发展，构建和谐世界。

第二条 本章程适用于世界各地的孔子学院。

第三条 孔子学院的外文名称应与中文名称相符合。

第四条 孔子学院为非营利性教育机构。

第五条 孔子学院本着相互尊重、友好协商、平等互利的原则，在海外开展汉语教学和中外教育、文化等方面的交流与合作。

第六条 孔子学院应当遵守注册地法律法规，尊重当地文化教育传统与社会习俗，并且不得与中国有关法律相抵触。

第七条 孔子学院不参与同孔子学院设立宗旨不相符的活动。

第八条 根据各国（地区）特点和需要，孔子学院的设置模式可以灵活多样。

第九条 中国境外具有从事语言教学和教育文化交流活动能力且符合本章程规定申办者条件的法人机构，可以向孔子学院总部申办孔子学院。

第十条 孔子学院的汉语教学采用普通话和规范汉字。

## 第二章 业务范围

第十一条 孔子学院提供下列服务：

- （一）开展汉语教学；
- （二）培训汉语教师，提供汉语教学资源；

- (三) 开展汉语考试和汉语教师资格认证;
- (四) 提供中国教育、文化等信息咨询;
- (五) 开展中外语言文化交流活动。

### 第三章 总 部

第十二条 孔子学院总部是具有独立法人资格的非营利机构, 拥有孔子学院名称、标识、品牌的所有权, 负责管理和指导全球孔子学院。孔子学院总部设在中国北京。

第十三条 孔子学院总部设立理事会, 由主席、副主席、常务理事和理事组成。其中, 主席 1 名, 副主席和常务理事若干名, 具体人选由中国国务院教育行政部门提出建议, 报国务院批准。理事 15 名, 其中 10 名由海外孔子学院的理事长担任, 第一届理事由总部聘任, 以后选举产生或按孔子学院成立时间顺序轮流担任; 其余 5 名由中方合作机构代表担任, 由总部直接聘任。理事任期为两年, 可连任一次。理事会成员任职期间不从孔子学院总部获取任何报酬。理事会设立总干事、副总干事。总干事为总部法人代表, 由常务理事担任。

第十四条 理事会的职责是: 制定、修改孔子学院章程, 审议全球孔子学院的发展战略和规划, 审议总部年度工作报告和工作计划, 研究孔子学院建设的重大事项。

第十五条 理事会每年召开一次全体会议, 由主席召集。必要时可由主席决定召开临时理事会或常务理事会议。

第十六条 孔子学院总部在理事会领导下履行日常事务, 其职责是:

- (一) 制订孔子学院建设规划和设置、评估标准;
- (二) 审批设置孔子学院;

- (三) 审批各地孔子学院的年度项目实施方案和预决算;
- (四) 指导、评估孔子学院办学活动,对孔子学院运行进行监督和质量管埋;
- (五) 为各地孔子学院提供教学资源支持与服务;
- (六) 选派中方院长和教学人员,培训孔子学院管理人员和教师;
- (七) 每年组织召开孔子学院大会;
- (八) 制定中方资金资产管理制度。

第十七条 总部设专项工作委员会,为总部提供咨询意见。委员由总部聘任。

第十八条 总部聘请中外知名人士担任高级顾问。

#### 第四章 设置

第十九条 孔子学院的申办者须符合下列条件:

- (一) 申办机构是所在地合法注册的法人机构,有从事教学和教育文化交流并提供公共服务的资源;
- (二) 申办机构所在地有学习中国语言和文化的需求;
- (三) 有符合办学需要的人员、场所、设施和设备;
- (四) 有必备的办学资金和稳定的经费来源。

第二十条 孔子学院的申办者须向孔子学院总部提交申请,其中应包括下列内容:

- (一) 申办机构负责人签发的申请函;
- (二) 申办机构简介、注册证书、申办机构负责人介绍;
- (三) 用于孔子学院的教学场所、设施和设备;
- (四) 市场需求预测、管理机制及运营计划;
- (五) 经费筹措及管理;

(六) 孔子学院总部要求提供的其他材料。

第二十一条 孔子学院总部对申办者提交的申请材料进行审查，审查方式包括文件资料审查、当面听取报告、实地考察、专家咨询等。

第二十二条 孔子学院总部批准申办后，与申办者签订协议并颁授孔子学院铭牌。

## 第五章 经 费

第二十三条 对新开办的中外合作设置孔子学院，中方投入一定数额的启动经费。年度项目经费由外方承办单位和中方共同筹措，双方承担比例一般为 1: 1 左右。

第二十四条 孔子学院中方所提供经费实行项目管理，遵照《孔子学院中方资金管理办法》执行。

## 第六章 管 理

第二十五条 孔子学院设立理事会。中外合作设置的孔子学院，理事会成员由双方共同组成，其人数及构成比例由双方协商确定。

第二十六条 孔子学院理事会负责审议孔子学院发展规划、年度工作计划、年终总结报告、项目实施方案及其预决算，聘任、解聘院长、副院长。

聘任、解聘院长、副院长须报总部备案；中外合作设置的孔子学院院长、副院长的聘任由双方协商确定。

第二十七条 孔子学院实行理事会领导下的院长负责制。院长负责孔子学院的日常运营和管理。

第二十八条 孔子学院院长应当了解和熟悉中国国情，熟练

掌握所在国语言，具有与本岗位工作相称的管理工作经验，具有较强的公共关系和市场开拓能力。

第二十九条 孔子学院所聘教师应具备岗位所需的专业水平和教学能力。

第三十条 孔子学院须按规定期限编制项目实施方案及预算、项目执行情况及决算，并报经总部审批。中方资产变更、处置须报总部审批。同时，须将年度工作计划和总结报总部备案。

第三十一条 孔子学院不以营利为目的，其收益用于教学活动和改善教学服务条件，其积累用于孔子学院持续发展，不得挪作他用。

第三十二条 孔子学院总部负责组织对各地孔子学院的评估，对违背办学宗旨或达不到办学质量标准的，孔子学院总部有权终止协议。

第三十三条 孔子学院总部每年召开孔子学院大会，交流办学经验，研究孔子学院的建设和发展。

## 第七章 权利与义务

第三十四条 孔子学院的权利：

- （一）享有本章程及协议规定的权利；
- （二）有权使用孔子学院的名称和统一标识；
- （三）优先获取孔子学院总部提供的教学和文化资源。

第三十五条 孔子学院的义务：

- （一）遵守本章程及协议的规定；
- （二）维护孔子学院的声誉、形象；
- （三）接受孔子学院总部的指导和评估。

第三十六条 孔子学院总部有权依法追究任何下列行为的责

任：

- （一）未经孔子学院总部许可，擅自设立孔子学院；
- （二）盗用孔子学院名义开展活动；
- （三）违反本章程和协议规定，造成资金资产损失，破坏或严重影响孔子学院声誉。

## 第八章 附 则

第三十七条 各地孔子学院可根据本章程制定本院的规章制度，并报总部备案。

第三十八条 孔子课堂的设置和管理参照本章程执行。

第三十九条 本章程由孔子学院总部负责解释。

第四十条 本章程自孔子学院总部理事会批准之日起生效。

# **Constitution and By-Laws of the Confucius Institutes**

## **Chapter 1: General Principles**

1. Confucius Institutes devote themselves to satisfying the demands of people from different countries and regions in the world who learn the Chinese language, to enhancing understanding of the Chinese language and culture by these peoples, to strengthening educational and cultural exchange and cooperation between China and other countries, to deepening friendly relationships with other nations, to promoting the development of multi-culturalism, and to construct a harmonious world.
2. This Constitution and By-Laws is applicable to all Confucius Institutes worldwide.
3. In any other language, the name chosen to represent the Confucius Institutes must be equivalent in connotation and meaning to that of the head institute in Chinese.
4. The Confucius Institutes are non-profit educational institutions.
5. Adhering to the principles of mutual respect, friendly negotiations, and mutual benefit, the Confucius Institutes shall develop and facilitate the teaching of the Chinese language overseas and promote educational and cultural exchange and cooperation between China and other international communities.
6. The Confucius Institutes shall abide by the laws and regulations of the countries in which they are located, respect local cultural and educational traditions and social customs, and they shall not contravene concerning the laws and regulations of China.
7. The Confucius Institutes shall not involve or participate in any activities that are not consistent with the missions of Confucius Institutes.
8. A Confucius Institute can be established in various ways, with the flexibility to respond to the specific circumstances and requirements found in different countries.
9. Any corporate entity outside of China capable of facilitating language

instruction, conducting educational and cultural exchange activities, and meeting the requirements for application as stated in this Constitution and By-Laws may apply to the Confucius Institute Headquarters for the permission to establish a Confucius Institute.

10. The Confucius Institutes conduct Chinese language instructions in Mandarin, using Standard Chinese Characters.

## **Chapter 2: Business Service**

11. The Confucius Institutes shall provide the following services:

- a. Chinese language teaching;
- b. Training Chinese language instructors and providing Chinese language teaching resources;
- c. Holding the HSK examination (Chinese Proficiency Test) and tests for the Certification of the Chinese Language Teachers;
- d. Providing information and consultative services concerning China's education, culture, and so forth;
- e. Conducting language and cultural exchange activities between China and other countries.

## **Chapter 3: The Headquarters**

12. The Confucius Institute Headquarters is a non-profit organization that has the independent status of a corporate body. It owns the proprietorship of the name, logo and brand of the Confucius Institutes. The Headquarters is the regulatory body that provides guidelines to the Confucius Institutes worldwide. The Headquarters is located in Beijing in the People's Republic of China.

13. The Confucius Institute Headquarters shall be governed by the Council. The Council shall consist of the Chair, the Vice Chairs, the Executive Council Members, and the Council Members. Candidates for the Chair, several Vice Chairs and the Executive Council Members shall be recommended by the education administrative agency of the Chinese



State Council and approved by the State Council. Among the fifteen Council Members, ten shall be the Heads of the Board of Directors of Confucius Institutes overseas. These ten members of the First Council are appointed by the Headquarters, while members of following Councils shall be elected or rotate service on the basis of the founding dates of Confucius Institutes. The other five Council Members shall be representatives of Chinese partner institutions, appointed directly by the Headquarters. The term of service of Council Members is two years. They can pursue reappointment for one term. During their tenure of office, Council Members shall not receive any payment from the Confucius Institute Headquarters. The Council shall establish positions of the Chief Executive and Deputy Chief Executives. The Chief Executive, who shall also be an Executive Council Member, is the legal representative of the Headquarters.

14. The duties of the Council include: Formulating and amending the Constitution and By-Laws of the Confucius Institutes, examining and approving the development strategies and plans of global Confucius Institutes, examining and approving annual reports and working plans of the Headquarters, and discussing issues of significance concerning the development of Confucius Institutes.

15. The Council shall assemble once a year, called by the Chair. When needed, the Chair may decide to call for provisional Council Meetings or Executive Council Member Meetings.

16. Under the leadership of the Council, the Confucius Institute Headquarters carries out its own daily operations. The duties include:

- a. Formulating development plans, criteria for the establishment of Confucius Institutes, and assessment standards for the Confucius Institutes;
- b. Examining and approving applications for the establishment of new Confucius Institutes;
- c. Examining and approving the implementation plans of annual projects,

annual budgetary items, and final financial accounts of individual Confucius Institutes;

d. Providing guidelines and making assessments to activities carried out by Confucius Institutes, supervising their operations and doing quality assurance management;

e. Providing support and teaching resources to individual Confucius Institutes;

f. Selecting and appointing directors and faculties from the Chinese side for individual Confucius Institutes, and training administrative personnel and instructors for these Confucius Institutes;

g. Organizing Confucius Institutes Conferences annually;

h. Constituting regulations and institutions for the management of the Chinese funds.

17. The Headquarters shall establish Special Working Committees that can provide consultative suggestions to the Headquarters. Members of the Committees shall be appointed by the Headquarters.

18. The Headquarters shall invite well-known leaders and visionaries of both China and abroad to be Senior Consultants.

#### **Chapter 4: Establishment**

19. An application for the permission to establish a Confucius Institute must satisfactorily demonstrate the following:

a. That the applicant is a legally registered organization or corporation at the place where it is located with resources to conduct teaching, educational and cultural exchanges, and public service;

b. That there is a demand for learning the Chinese language and culture at the applicant's location;

c. That the personnel, space, facilities, and equipments required for language and culture instruction are available;

d. That the capital for the establishment is in place, and that the source of funds for operation is stable.

20. An applicant for the permission to establish a Confucius Institute shall submit an application package to the Confucius Institute Headquarters.

This package shall include:

- a. An application letter signed by the principal or president;
- b. An introduction of the applicant site, its registration certificate, and the principal or president;
- c. A floor plan for the required instructional space, and lists of the relevant equipment and facilities available for the proposed Confucius Institute;
- d. A projection of market demand, managerial structure, and operational plans for the proposed Confucius Institute;
- e. A statement detailing the source, regulation, and management of the funds for the proposed Confucius Institute;
- f. Other materials required by the Confucius Institute Headquarters.

21. The Confucius Institute Headquarters will assess the application package submitted by the applicant. The assessment may include verification of the document materials, debriefings and interviews, on-site verification, and consultation with experts.

22. Upon the approval of an application, the Confucius Institute Headquarters will sign an agreement with the applicant, thus conferring the permission for establishment and the official Confucius Institute Plaque upon that applicant.

## **Chapter 5: Funds**

23. A newly established Confucius Institute will receive aid to its initial operation in the form of a set amount of funds provided by the Chinese Parties. The funds for its annual projects shall be raised by individual Confucius Institutes and the Chinese Parties together in a ratio of approximately 1:1 commitment in general.

24. The aforementioned funds provided by the Chinese Parties will be managed through project management measures. Detailed measures are

stipulated in Regulations for Administering the Chinese Funds for the Confucius Institutes.

## **Chapter 6: Administration**

25. An individual Confucius Institute shall establish a Board of Directors. A Confucius Institute established under joint venture between Chinese and overseas partners shall form a Board of Directors consisting of members from both sides. The total number of members and the component ratio of the Board shall be determined through consultation.

26. The Board of Directors shall be responsible for assessing and approving the Confucius Institute's development plans, annual plans, annual reports, project implementation schemes, budget proposals, final financial accounts. The Board shall also be responsible for appointing and dismissing Directors and Deputy Directors of the Confucius Institute. Appointments and dismissals of Directors and Deputy Directors shall be put on records at the Headquarters. The appointments of Directors and Deputy Directors for joint venture Confucius Institutes shall be decided upon negotiations between the Chinese and overseas partners.

27. An individual Confucius Institute shall adopt a system in which the Director, under the leadership of the Board of Directors, shall assume the main responsibility for the Institute's daily operation and administration.

28. The Director of a Confucius Institute shall have in-depth comprehension of Chinese current national issues, a skillful command of the language of the country in which the Institute is located, suitable administrative experiences in this position, and a strong ability to promote public affiliation and market potential.

29. Instructors appointed by Confucius Institutes shall have professional knowledge and teaching competence required by such positions as teachers.

30. An individual Confucius Institute, in the allotted time, shall draw up executable plans for annual projects and budget proposals, summarizing

the implemental efficacy reports of annual projects and final financial accounts, and submit them to the Headquarters for examination and approval. Changes and dispositions made to the assets on the Chinese side shall be reported to the Headquarters for examination and approval. Individual Confucius Institutes shall also submit the working schedules and summaries of their annual projects to the Headquarters for archiving purposes.

31. Confucius Institutes are not profit-making organizations, hence, income drawn from operation of the Institutes shall be used for teaching activities and improving teaching and service conditions. The accumulated income shall be utilized for sustainable development of the Institutes and may not be used for purposes otherwise.

32. The Confucius Institute Headquarters shall be responsible for conducting assessments of individual Confucius Institutes. The Headquarters reserves the right to terminate the Agreements with those Institutes that violate the principles or objectives, or fail to reach the teaching quality standards set forth by the head establishment.

33. The Confucius Institute Headquarters shall convene a Confucius Institute Conference annually to provide the opportunity for individual Institutes to exchange ideas and experiences, and to further study issues concerning the construction and development of the Institutes.

## **Chapter 7: Rights and Obligations**

34. All Confucius Institutes shall enjoy the following rights:

- a. The rights set forth in the Agreement and this Constitution and By-Laws of the Confucius Institutes;
- b. The right to use the Name and Logo of the Confucius Institutes;
- c. The right of priority for obtaining teaching and cultural materials or resources provided by the Headquarters.

35. All Confucius Institutes shall observe the following obligations:

- a. The obligation to observe the measures and regulations set forth in the

Agreement and this Constitution and By-Laws of the Confucius Institutes;

b. The obligation to uphold and defend the reputation and image of the Confucius Institutes;

c. The obligation to accept both supervision from and assessments made by the Headquarters.

36. The Confucius Institute Headquarters reserves the right to pursue legal action to affix responsibility and invoke punitive consequences on any person/party for any of the following conduct:

a. The establishment of a Confucius Institute without permission or authorization from the Confucius Institute Headquarters;

b. Any activity conducted under the name of the Confucius Institutes without permission or authorization from the Confucius Institute Headquarters;

c. Any violation of the Agreement or this Constitution and By-Laws of the Confucius Institutes that causes losses of capital or assets or damages or tarnishes the reputation of the Confucius Institutes.

### **Chapter 8: Supplement**

37. Individual Confucius Institutes may constitute their own regulations and measures in accordance with this Constitution and By-Laws and submit to the Headquarters for archiving purpose.

38. This Constitution and By-Laws of the Confucius Institutes shall be followed as guide for setting up and regulating Confucius Institute Classrooms.

39. The Confucius Institute Headquarters reserves the right to interpret this Constitution and By-Laws.

40. This Constitution and By-Laws shall go into effect from the date of approval set forth by the Council of the Confucius Institute Headquarters.