

● 大连海事法院法庭纪律和法庭规则

Dalian Maritime Court Discipline and Rules

一、全体人员在庭审活动中应当服从审判长或独任审判员的指挥，尊重司法礼仪，遵守法庭纪律，不得实施下列行为：

- 1、鼓掌、喧哗；
- 2、吸烟、进食；
- 3、拨打或接听电话；
- 4、对庭审活动进行录音、录像、拍照或使用移动通信工具等传播庭审活动；
- 5、其他危害法庭安全或妨害法庭秩序的行为。

All personnel shall obey the command of the presiding judge or sole judge during the court trial, respect judicial etiquette, abide by court discipline, and shall not perform the following acts:

1. Applause, noise;
2. Smoking and eating;
3. Make or answer calls;
4. Recording, videotaping, taking pictures of court hearings, or using mobile communication tools to spread court hearing activities;
5. Other acts that endanger the safety of the court or disrupt the order of the court.

检察人员、诉讼参与人发言或提问，应当经审判长或独任审判员许可。

旁听人员不得进入审判活动区，不得随意站立、走动，不得发言和提问。

媒体记者经许可实施第一款第四项规定的行为，应当在指定的时间及区域进行，不得影响或干扰庭审活动。

Prosecutors and litigation participants who speak or ask questions shall be permitted by the presiding judge or the sole judge.

Observers are not allowed to enter the trial activity area, stand or move around at will, speak or ask questions.

Media reporters who are permitted to carry out the acts stipulated in item 4 of the first paragraph shall do so at the designated time and area, and shall not affect or interfere with court hearing activities.

二、审判人员进入法庭以及审判长或独任审判员宣告判决、裁定、决定时，全体人员应当起立。

When the judges enter the courtroom and when the chief judge or the sole judge announces the judgment, order or decision, all the judges shall stand up.

三、进入法庭的人员应当出示有效身份证件，并接受人身及携带物品的安全检查。

Those who enter the courtroom shall show their valid identity certificates and accept the

security inspection of their personal and belongings.

四、除经人民法院许可，需要在法庭上出示的证据外，下列物品不得携带进入法庭：

- 1、枪支、弹药、管制刀具以及其他具有杀伤力的器具；
- 2、易燃易爆物、疑似爆炸物；
- 3、放射性、毒害性、腐蚀性、强气味的物质以及传染病病原体；
- 4、液体及胶状、粉末状物品；
- 5、标语、条幅、传单；
- 6、其他可能危害法庭安全或妨害法庭秩序的物品。

Except for the evidence that needs to be presented in court with the permission of the people's court, the following items are not allowed to be brought into the court:

1. Guns, ammunition, controlled knives and other lethal instruments;
2. Inflammable and explosive substances, suspected explosives;
3. Radioactive, toxic, corrosive, strong odorous substances and pathogens of infectious diseases;
4. Liquid, jelly and powder articles;
5. Slogans, banners, leaflets;
6. Other items that may endanger the safety of the court or disrupt the order of the court.

五、下列人员不得旁听：

- 1、证人、鉴定人以及准备出庭提出意见的有专门知识的人；
- 2、未获得人民法院批准的未成年人；
- 3、拒绝接受安全检查的人；
- 4、醉酒的人、精神病人或其他精神状态异常的人；
- 5、其他有可能危害法庭安全或妨害法庭秩序的人。

依法有可能封存犯罪记录的公开庭审活动，任何单位或个人不得组织人员旁听。

依法不公开的庭审活动，除法律另有规定外，任何人不得旁听。

The following persons are not allowed to attend:

1. Witnesses, appraisers and people with expertise who are going to appear in court to give opinions;
2. Minors who have not been approved by the people's court;
3. People who refuse to accept security checks;
4. Drunk people, mental patients or other people with abnormal mental state;
5. Other persons who may endanger the safety of the court or disrupt the order of the court.

For public court hearings where criminal records may be sealed according to law, no unit or individual may organize personnel to attend.

Unless otherwise provided by law, no one is allowed to attend court hearings that are not open to the public according to law.

六、行为人实施下列行为之一，危及法庭安全或扰乱法庭秩序的，根据相关法律规定，予以罚款、拘留；构成犯罪的，依法追究其刑事责任：

1、非法携带枪支、弹药、管制刀具或者爆炸性、易燃性、放射性、毒害性、腐蚀性物品以及传染病病原体进入法庭；

2、哄闹、冲击法庭；

3、侮辱、诽谤、威胁、殴打司法工作人员或诉讼参与人；

4、毁坏法庭设施，抢夺、损毁诉讼文书、证据；

5、其他危害法庭安全或扰乱法庭秩序的行为。

Whoever commits any of the following acts, which endangers the safety of the court or disturbs the order of the court, shall be fined or detained in accordance with relevant laws and regulations; if a crime is constituted, he shall be investigated for criminal responsibility according to law:

1. Illegally carrying guns, ammunition, controlled knives or explosive, flammable, radioactive, poisonous, corrosive substances and infectious disease pathogens into the court;

2. Making noise and attacking the court;

3. Insulting, defaming, threatening, or assaulting judicial staff or litigation participants;

4. Destroying court facilities, snatching or destroying litigation documents and evidence;

5. Other behaviors that endanger the safety of the court or disrupt the order of the court.

七、审判长或独任审判员对违反法庭纪律的人员应当予以警告；对不听警告的，予以训诫；对训诫无效的，责令其退出法庭；对拒不退出法庭的，指令司法警察将其强行带出法庭。

The presiding judge or the sole judge shall give warnings to those who violate court discipline; those who do not listen to the warnings shall be given admonitions; those who do not obey the warnings shall be ordered to leave the courtroom; Forced out of court.

八、司法警察依照审判长或独任审判员的指令维持法庭秩序。出现危及法庭内人员人身安全或者严重扰乱法庭秩序等紧急情况时，司法警察可以直接采取必要的处置措施。

The judicial police shall maintain order in the courtroom in accordance with the orders of the presiding judge or the sole judge. In case of emergencies such as endangering the personal safety of court personnel or seriously disrupting court order, the judicial police may directly take necessary measures.

人民法院依法对违反法庭纪律的人采取的扣押物品、强行带出法庭以及罚款、拘留等强制措施，由司法警察执行。

The people's courts take compulsory measures such as confiscating items, forcibly taking them out of the courtroom, fines, and detentions against people who violate court discipline according to law, and they are carried out by the judicial police.

● 大连海事法院庭审旁听规则

Dalian Maritime Court Hearing Rules

为进一步推进司法公开，维护庭审秩序，规范旁听行为，根据《中华人民共和国民事诉讼法》《中华人民共和国海事诉讼特别程序法》以及《中华人民共和国民事诉讼法法庭规则》等有关规定，制定本规则。

To further promote judicial openness, maintain the order of court trials, and standardize the behavior of spectators, these rules are formulated following the Civil Procedure Law of the People's Republic of China, the Special Procedure Law of the People's Republic of China on Maritime Procedure, and the Court Rules of the People's Courts of the People's Republic of China.

第一条 海事案件审判公开进行，但涉及国家秘密、个人隐私或者法律另有规定的除外。

公开的庭审活动，公民可以旁听。

依法不公开的庭审活动，除法律另有规定外，任何人不得旁听。

Article 1 Maritime cases trials shall be conducted in public, except those involving state secrets, personal privacy or other provisions by law.

Citizens can attend public court hearings.

No one is allowed to attend court hearings that are not open to the public according to law, unless otherwise provided by law.

第二条 公开审理的案件，法院通过官方网站、电子显示屏、公告栏等，在开庭 3 日前向公众公开案件当事人姓名、案由和开庭的时间、地点。

Article 2 For a case to be heard publicly, the court shall disclose to the public the names of the parties to the case, the cause of action and the time and place of the hearing 3 days before the hearing through the official website, electronic display screen, bulletin board, etc.

第三条 旁听人员应当出示身份证等相关证件原件；根据法庭场所和参加旁听人数等情况，需要时，持法院发出的旁听证进入法庭。

Article 3 Observers shall present their original ID cards and other relevant documents; according to the court venue and the number of participants, when necessary, they shall enter the courtroom with the an observer pass issued by the court.

第四条 旁听席位不足时，可以根据案件情况、庭审进展等，按照旁听登记的先后顺序或者通过抽签、摇号等方式安排旁听，但应当优先安排当事人近亲属、用人单位或者用人单位职工、主管部门工作人员、工会及企业组织工作人员等旁听。

旁听人员的数量较多时，应当安排大法庭审理案件。

Article 4 When there are insufficient seats for the audience, the audience may be arranged according to the circumstances of the case, the progress of the trial, etc., in accordance with the order of the registration of the observers, or by drawing lots, lottery, etc., but priority shall be

given to the close relatives of the parties, the employer or the employees of the employer, and the competent department. Workers, trade unions and corporate organization staff, etc.

When the number of observers is large, a grand court should be arranged to hear the case.

第五条 未成年人除教育需要外，不得旁听庭审。确需旁听的，应当在开庭前由监护人持本人居民身份证及未成年人有效身份证件，向法院提出书面申请，经同意的，应在监护人陪同下旁听庭审。

Article 5 Minors are not allowed to attend court trials except for educational needs. If it is really necessary to attend the hearing, the guardian shall submit a written application to the court with his or her resident identity card and the minor's valid identity card before the hearing, and if approved, the guardian shall be accompanied by the guardian to attend the hearing.

第六条 下列人员不得旁听庭审：

- (一) 证人、鉴定人、勘验人以及拟出庭发表专门意见的有专门知识的人；
- (二) 未经获准的未成年人；
- (三) 拒绝接受安全检查的人；
- (四) 携带武器、管制器具、器械或者爆炸性、易燃性、放射性、腐蚀性、毒害性物品以及其他传染病病原体的人；
- (五) 醉酒的人、精神病人或者精神状态异常的人；
- (六) 其他有可能危害法庭安全、妨害庭审秩序的人。

Article 6 The following persons are not allowed to attend the court hearings:

- (1) Witnesses, appraisers, inspectors and persons with specialized knowledge who intend to appear in court to express specialized opinions;
- (2) Unapproved minors;
- (3) Those who refuse to accept the security inspection;
- (4) Persons carrying weapons, control instruments, instruments or explosive, flammable, radioactive, corrosive, toxic substances and other infectious pathogens;
- (5) A drunken person, a mentally ill person or a person in an abnormal mental state;
- (6) Other persons who may endanger the safety of the court and disturb the order of the court.

第七条 准予旁听的人员应当自觉接受安全检查，不得携带本规则禁止的物品及与旁听无关的物品进入法庭。

准予旁听的人员，应于开庭前 10 分钟进入法庭旁听席就座。

旁听人员应当文明着装。

Article 7 Persons who are allowed to attend the hearing shall consciously accept the security inspection, and shall not bring items prohibited by these rules and articles unrelated to the hearing into the courtroom.

Those who are allowed to attend the hearing shall enter the courtroom and take their seats 10 minutes before the hearing.

Observer should dress in a civilized manner.

第八条 法官进入法庭和审判长或者独任法官宣告法院判决、裁定时，全体人员应当起立。

旁听人员中途离开法庭的，应当向法官鞠躬后，退出法庭。

Article 8 When a judge enters the courtroom and when the presiding judge or the sole judge announces the court's judgment or ruling, all personnel shall stand up.

The observers who leave the courtroom halfway should bow to the judge and exit the courtroom.

第九条 旁听人员应当遵守本规则及法庭纪律，不得实施下列行为：

- (一) 鼓掌、喧哗；
- (二) 吸烟、进食；
- (三) 拨打或接听电话；
- (四) 随意站立、走动、进入审判区域；
- (五) 发言和提问；
- (六) 对庭审活动录音、录像、拍照或使用移动通信工具等传播庭审活动，但经法庭准许的新闻记者采访除外；
- (七) 其他危害法庭安全或妨害庭审秩序的行为。

审判长或独任审法官对违反庭审纪律的旁听人员应当训诫、制止，不听劝阻的，责令其退出法庭。

Article 9 Observers shall abide by these rules and court discipline, and shall not perform the following acts:

- (1) Applause and noise;
- (2) Smoking and eating;
- (3) Make or answer calls;
- (4) Standing, walking, and entering the trial area at will;
- (5) Speeches and questions;
- (6) Recording, videotaping, taking pictures of court hearings, or using mobile communication tools to disseminate court hearings, except for interviews with journalists approved by the court;
- (7) Other acts that endanger the safety of the court or disrupt the order of the court hearing.

The presiding judge or the sole judge shall admonish and stop the observers who violate court discipline, and order them to leave the courtroom if they do not listen to dissuasion.

第十条 外国人、无国籍人旁听庭审，适用本规则。

Article 10 These rules apply to foreigners and stateless persons who attend court hearings.