



A BIG CATCH

PHOTO BY CUI XINYU / XINHUA

A woman catches two ducks in the mud during the triathlon of Mud Games held on the beach of Xiushan Island in Daishan, East China's Zhejiang province, on Monday. More than 1,000 people took part in the games including wrestling, speed skating and duck catching.

Rail cautiously gains speed

By XINHUA

It has been one year since the fatal Wenzhou train crash dented China's enthusiasm for high-speed trains. Construction and operation of high-speed railway networks has resumed, but at a slower pace and in a more cautious manner.

Instead of mentioning the accident on Monday, the country's railway ministry announced China's completion of a railway to Lop Nur, a dried northwest lake where China exploded its first atomic bomb in 1964.

In Hangzhou, several hundreds kilometers from the accident scene, the waiting halls in the Hangzhou Railway Station are, as usual, filled with business travelers, home-bound students and tourists.

Passengers who once avoided taking high-speed trains after the Wenzhou accident have returned one year later.

"There is no better choice, and the chance of there being an accident is low, anyway," said Huang Yunyi, a clerk at a foreign-trade company in Hangzhou, the capital of Zhejiang province.

On July 23 last year, a high-speed train slammed into a stalled train near the eastern city of Wenzhou, leaving 40 people dead and 172 injured. The incident was blamed on faulty signaling equipment, and 54 officials, including former railway minister Liu Zhijun, have been punished.

About 52.6 million passenger trips have been made on the Beijing-Shanghai high-speed line since it started running on June 30 last year, according to the railway operator.

People were also lining up at the ticket counter to take the Beijing-Tianjin high-speed train on Monday afternoon. A Xinhua reporter who took the train found that every seat in the car was occupied.

But it will still take time to heal the wounds of the tragedy. For 2-year-old Xiang Weiyi, the last survivor found in the wreckage, the crash not only took away her parents, but also left her with serious injuries to her left leg.

The girl is now able to walk, run and jump, which is a "miracle," according to her uncle, Xiang Yuyu.

Feng Gang, a sociology pro-

fessor with Zhejiang University, said, "Every Chinese expects the fatal incident could lead to a more safe railway system."

So far, the combined length of China's high-speed railway has reached 13,000 km, the most of any country in the world.

In response to the fatal accident, China slowed work on new lines, conducted nationwide safety checks and ordered train to cut speeds. Some of the lines have cut train speeds to less than 200 km per hour.

In late May, the Ministry of Railways said that only 2,322 km of new high-speed lines will open this year, down from a plan of seven high-speed lines totaling 3,500 km in March, and that the opening of the remaining lines could be postponed.

China set a target to raise 500 billion yuan (\$79.4 billion) for both high-speed and conventional line development this year. But in the first four months, the ministry invested only 89.6 billion yuan, down 48.3 percent year-on-year.

Debt has remained high in the railway sector. The ministry — the main investor in China's railway projects — reported a loss of 7 billion yuan in the first

quarter, with its debt-to-asset ratio standing at around 60 percent.

To bring more high-speed lines into service, the cash-strapped railway ministry issued guidelines in May, considered to be by far the most open and detailed in the sector, inviting private investors to participate in rail projects.

In this document, the railway ministry said it will treat private investors impartially when they invest in railway projects. Eligible investors will be allowed to participate in railway design, construction, consultation and equipment purchase.

Investors will be encouraged to invest in all kinds of railways, including passenger lines and profitable coal-carrying heavy-haul railways.

The guidelines also said railway-related companies are encouraged to go public, while more insurance companies are welcomed to invest in rail.

Wang Mengshu, an expert on railway technology and a member of the Chinese Academy of Engineering, has applauded the move to break the funding monopoly, and expects to see more.

China may help Good Samaritans

By LI YAO

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A Good Samaritan regulation has been placed on the legislative agenda to better protect those who lend a hand, the China Foundation for Justice and Courage said on Monday.

The Ministry of Public Security has submitted the draft for review by government departments and received support from the State Council Legislative Affairs Office, said Guo Yuying, secretary-general of the foundation.

Some cities such as Shenzhen have established Good Samaritan regulations, but Guo said a national regulation is needed because local governments apply different criteria to recognize and reward acts of bravery, Xinhua News Agency reported.

People who are badly injured or even disabled because of their heroic deeds are in particular need of legal protection and financial assistance. The General Office of the State Council will soon release a notice demanding greater efforts to help them, said Shuai

Fugui, deputy-secretary-general of the foundation.

There are many cases where people are hurt or disabled while trying to help others and are left unable to work. More coordinated efforts are needed from multiple departments including civil affairs, finance and public securities to give these people financial support, Shuai said.

The new regulation should introduce uniform standards so that a Good Samaritan is recognized across the country and is entitled to adequate compensation and long-term assistance for severe cases, instead of a one-time award, said Guo Yanjun, a lawyer in Beijing.

Guo has been offering free legal services to Shi Fengxia, a widow who badly injured both her arms when she pushed two people out of the path of a falling window in Beijing's Xicheng district on March 29, 2010. The two people pushed to safety received minor injuries.

That act later brought Shi two certificates: one for being a Good Samaritan and the

other for third degree disability. Despite about 90,000 yuan (\$14,000) in compensation from the civil affairs office in Xicheng district, she had to rely on donations to receive treatment at a hospital in Beijing.

Without any other income, she returned to her native Xilin Gol League in the Inner Mongolia autonomous region and only goes back to Beijing occasionally for rehabilitation. Her 19-year-old son is going to college this year. Her sister and brother-in-law, both in their late 60s, take care of her.

Shi took the case to court, holding the tenant and the owner of the 17th-floor apartment from where the window fell responsible for the incident. As the tenant, surnamed Fan, denied any wrongdoing and the owner, Fan Juan, had been abroad, the case took an extraordinarily long time to resolve. In 2011 the court ruled the defendants pay 120,000 yuan in compensation to Shi.

In June, Shi received the first payment of 12,000 yuan, but the prospects of future payments at 3,000 yuan a month are uncertain.

Back in Inner Mongolia, authorities in her hometown have denied her request for continued financial assistance because the incident occurred in Beijing, Guo said.

Good Samaritans like Shi should be encouraged to offer a helping hand and be given proper care when they can no longer work due to injury in their selfless rescue attempts, he said.

Guo said the legal procedures and compensation process for people like Shi should also be simplified, instead of letting them wait for months and sometimes even years for the case to settle.

Shi said she does not regret her heroic actions, but finds the process of asking for government assistance difficult.

"I don't regret saving other people. Because of my intervention, two lives did not perish before my eyes. I can sleep at night without nightmares," Shi said.

"I did not ask for too much. I just want some basic treatment when my condition worsens so that I won't be living in agony."

Call for changes to inheritance law

By ZHAO YINAN

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Li Yaohong lost her entire family in a car accident in March. Now she could lose everything they left behind.

The 33-year-old is embroiled in a legal battle to claim the assets and savings her sister and brother-in-law had built up, a total of almost 3 million yuan (\$470,000), before their tragic death in Heilongjiang province.

According to a loophole in the law, the sum will instead go into government coffers because Li's 6-year-old niece, who was traveling in the same car at the time of the accident, survived her parents by just a few hours.

"The inheritance process begins at death, so theoretically the little girl automatically inherited her parents' property when she was on the way to hospital," explained Shao Xiaoyan, Li's attorney.

China's Inheritance Law states that the only people eligible to inherit the assets of a person who dies without a will are the deceased's spouse, children, parents, siblings or grandparents. The list does not include aunts and uncles.

Property that cannot legally be claimed goes to the government, or the collective ownership that the deceased was a member of, which mostly occurs when a death occurs in

a rural community.

"Being the dead couple's only child whose grandparents had already passed away, she (Li's niece) technically had no inheritors," Shao said, adding that her parents owned an apartment, a car, and had savings at the time of their death.

She said Li's case illustrates that the 27-year-old inheritance code no longer meets the needs of the socioeconomic situation of the country, a place without a tradition of making wills but with growing private property and nuclear families with only one child.

Both the Beijing High People's Court and the capital's civil affairs bureau were unable to provide data on how many disputes have arisen from people dying without wills.

Analysts said the lack of statistics indicated an unawareness of the emerging issue, which could one day deprive relatives of their legal property.

Lawmakers expect the issue to be addressed by the country's legislature this year.

The National People's Congress Standing Committee, China's top legislative body, has initiated the task to amend the law, said Wang Shengming, director of the Civil Law Office of the NPC Standing Committee Legislative Affairs Commission.

Liang Huixing, member of the NPC Law Committee and a civil law professor at the Chi-

nese Academy of Social Sciences, submitted a proposed amendment to the Inheritance Law to the NPC in March.

Liang said he broadens the current 37 clauses to 90, and among other suggestions has urged the legislature to include more family members into the list of legal inheritors.

"We have more private property than before, but the family planning policy has made family trees much simpler. Many kids, especially in cities, don't even have a brother or sister," he said. He warned the clauses, if kept unchanged, will trigger more disputes in the future and result in an infringement on property rights.

Aside from increasing the number of legal inheritors, Liang has also proposed expanding the list of inheritable properties to include land use rights, insurance, shares and antiques collections.

He said the suggestions have been made in hope of plugging a loophole in the law, which lists inheritable objects as income, houses, forest, livestock, cultural objects, copyright and patent rights as well as other lawful property.

"The Chinese didn't have so many kind of property in the past when the law was legislated, and the list of inheritable properties should update along with socioeconomic change," he said.

Inheriting 'virtual worth' from deceased lacks rules

By CAO YIN

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As debate continues over calls to update China's inheritance rules, experts say the digital age has produced another puzzle to solve: the growing amount of "virtual worth" people are now leaving behind.

China has witnessed a boom in Internet use in the last decade, with the number of users reaching roughly 400 million. Many have e-mail accounts, use instant messaging and social media, and play online games.

However, the question of who can gain access to the information stored on these accounts — so-called e-property — after a user has died is causing headaches for relatives, companies and authorities.

Cheng Yi, a judge specializing in inheritance cases at Chaoyang District People's Court in Beijing, explained that the current Inheritance Law does not include e-property, such as photos and videos, which means the next of kin has no right to them.

"Generally, we (judges) see online accounts or e-mail inboxes as a service involving private information, which means they are not regarded as property and are not inheritable," she said.

"As there is no specific article in the law, courts can only base

rulings on the terms of the contracts agreed between customers and service providers."

In addition, she said, Web companies should take measures to prevent disputes over the inheritance of e-property, even though such cases are still rare.

"If the owner of a store on Taobao (China's largest online marketplace) passes away, his or her relatives cannot inherit it and use it to carry on trading," Cheng said. "Instead, the store will be closed, under the company's regulations." If the store is popular, that family may lose money, she added.

Tencent and Sina, two of China's biggest Internet companies, said they have no regulations on giving relatives access to the accounts of dead loved ones.

In October, Tencent refused a request by Wang Fang for a password to access the QQ e-mail account of her husband Xu Yang after his death in a traffic accident. Wang, from Shenyang in Liaoning province, had said she wanted to save photographs and letters that recorded the couple's happy marriage.

"It's a complicated issue because we have a duty to protect our customers' privacy," said a Tencent publicity official who did not wish to be identified.

According to the regulations of Sina's highly popular micro blog service, online accounts are deleted if they go unused for

more than 90 days, except for celebrities and people with great social importance.

"We've never considered creating a rule on e-property inheritance," said a Sina publicity officer who also did not want to be identified. "What we do is based on the agreed contract."

Neither publicity officer could provide statistics on how many requests they receive from people attempting to access the accounts of deceased people.

However, the Sina employee said that the company agreed last year to let relatives of a couple killed in Wenzhou train crash on the July 23 take over their micro blog, which had been set up to record the growth of their baby girl.

Liu Honghui, a Beijing attorney specializing in online theft and copyright cases, said it is high time e-property was included in China's laws and regulations.

He mentioned a case involving virtual property in Haikou, Hainan province, in 2010. Hackers stole an online gamer's "virtual sword" (a weapon used during gameplay) worth 2,000 yuan (\$310) but the police rejected his case because there was no law that dealt with such a case.

"It's necessary to make a judicial interpretation and I believe it would be useful in dealing with similar cases," Liu said, adding that interpretation is faster than legislation.



FACTORY FIRE

PHOTO BY YU GENLING / FOR CHINA DAILY

Firefighters try to extinguish a fire at a shoe factory in Ruian, East China's Zhejiang province, on Monday. No one was injured in the accident.