

发文日期: 2007-08-30	Promulgation date: 2007-08-30
地域: 全国	Effective region: NATIONAL
颁布机关: 全国人民代表大会常务委员会	Promulgator: Standing Committee of the National People's Congress
文号: 主席令[2007]第69号	Document no: Order of the President [2007] No. 69
时效性: 现行有效	Effectiveness: Effective
生效日期: 2007-11-01	Effective date: 2007-11-01
所属产品分类: 其他 (宪法国家法->其他)	Category: Miscellaneous (Constitutional & National Law->Miscellaneous)
中华人民共和国突发事件应对法	Emergency Response Law of the People's Republic of China
主席令[2007]第69号	Order of the President [2007] No. 69
2007年8月30日	August 30, 2007
《中华人民共和国突发事件应对法》已由中华人民共和国第十届全国人民代表大会常务委员会第二十九次会议于2007年8月30日通过，现予公布，自2007年11月1日起施行。	The Emergency Response Law of the People's Republic of China which was adopted at the 29th session of the Standing Committee of the Tenth National People's Congress of the People's Republic of China on August 30, 2007 is hereby promulgated and shall be effective on November 1, 2007.
中华人民共和国主席 胡锦涛	Hu Jintao, President of the People's Republic of China
附件：中华人民共和国突发事件应对法	Appendix: Emergency Response Law of the People's Republic of China
(2007年8月30日第十届全国人民代表大会常务委员会第二十九次会议通过)	(Adopted at the 29th session of the Standing Committee of the Tenth National People's Congress of the People's Republic of China on August 30, 2007)
目录	Contents
第一章 总则	Chapter I General Provisions
第二章 预防与应急准备	Chapter II Prevention and Response Preparation
第三章 监测与预警	Chapter III Monitoring and Warning
第四章 应急处置与救援	Chapter IV Emergency Response Operations and Rescue Activities
第五章 事后恢复与重建	Chapter V Post-Emergency Rehabilitation and Reconstruction
第六章 法律责任	Chapter VI Legal Liability
第七章 附则	Chapter VII Supplementary Provisions
第一章 总则	Chapter I General Provisions
第一条 为了预防和减少突发事件的发生，控制、减轻和消除突发事件引起的严重社会危害，规范突发事件应对活动，保护人民生命财产安全，维护国家安全、公共安全、环境安全和社会秩序，制定本法。	Article 1 This Law has been formulated to prevent and reduce the occurrence of emergency incidents, control, mitigate and eliminate the severity of social damage caused by emergency incidents, standardize emergency response activities, protect the life and property of people, and maintain the national security, public safety, environmental safety and social order.
第二条 突发事件的预防与应急准备、监测与预警、应急处置与救援、事后恢复与重建等应对活动，适用本法。	Article 2 This Law shall apply to such activities as the prevention and preparation, monitoring and warning, emergency disposal and rescue, and post-emergency rehabilitation and reconstruction for any emergency.
第三条 本法所称突发事件，是指突然发生，造成或者可能造成严重社会危害，需要采取应急处置措施予以应对的自然灾害、事故灾难、公共卫生事件和社会安全事件。 按照社会危害程度、影响范围等因素，自然灾害、事故灾难、公共卫生事件分为特别重大、重大、较大和一般四级。法律、行政法规或者国务院另有规定的，从其规定。 突发事件的分级标准由国务院或者国务院确定的部门制定。	Article 3 The term "emergency incident" as used in this Law refers to a natural disaster, accidental disaster, public health incident or social safety incident, which takes place by accident, has caused or might cause serious social damage and requires the adoption of emergency response measures. According to such factors as the degree of social damage and scope of impact, natural disasters, accidental disasters and public health incidents are classified into four levels: extremely serious, serious, major and ordinary. Where there are any other provisions in any law or administrative regulations or by the State Council, such provisions shall prevail. Standard for the classification of emergency incidents shall be made by the State Council or such a department as determined by the State Council.
第四条 国家建立统一领导、综合	Article 4 The state shall establish an emergency response management

协调、分类管理、分级负责、属地管理为主的应急管理体制。

第五条 突发事件应对工作实行预防为主、预防与应急相结合的原则。国家建立重大突发事件风险评估体系，对可能发生的突发事件进行综合性评估，减少重大突发事件的发生，最大限度地减轻重大突发事件的影响。

第六条 国家建立有效的社会动员机制，增强全民的公共安全和防范风险的意识，提高全社会的避险救助能力。

第七条 县级人民政府对本行政区域内突发事件的应对工作负责；涉及两个以上行政区域的，由有关行政区域共同的上一级人民政府负责，或者由有关行政区域的上一级人民政府共同负责。

突发事件发生后，发生地县级人民政府应当立即采取措施控制事态发展，组织开展应急救援和处置工作，并立即向上一级人民政府报告，必要时可以越级上报。

突发事件发生地县级人民政府不能消除或者不能有效控制突发事件引起的严重社会危害的，应当及时向上级人民政府报告。上级人民政府应当及时采取措施，统一领导应急处置工作。

法律、行政法规规定由国务院有关部门对突发事件的应对工作负责的，从其规定；地方人民政府应当积极配合并提供必要的支持。

第八条 国务院在总理领导下研究、决定和部署特别重大突发事件的应对工作；根据实际需要，设立国家突发事件应急指挥机构，负责突发事件应对工作；必要时，国务院可以派出工作组指导有关工作。

县级以上地方各级人民政府设立由本级人民政府主要负责人、相关部门负责人、驻当地中国人民解放军和中国人民武装警察部队有关负责人组成的突发事件应急指挥机构，统一领导、协调本级人民政府各有关部门和下级人民政府开展突发事件应对工作；根据实际需要，设立相关类别突发事件应急指挥机构，组织、协调、指挥突发事件应对工作。

上级人民政府主管部门应当在各自职责范围内，指导、协助下级人民政府及其相应部门做好有关突发事件的应对工作。

第九条 国务院和县级以上地方各级人民政府是突发事件应对工作的行政领导机关，其办事机构及具体职责由国务院规定。

system mainly featuring the uniform leadership, comprehensive coordination, categorized management, assumption of responsibility by level, and territorial management.

Article 5 Emergency response work shall adhere to the principle of prevention first and prevention combined with emergency response. The state shall establish a risk assessment system for serious emergency incidents to conduct comprehensive assessment of emergency incidents that may occur, reduce the occurrence of serious emergency incidents, and to the maximal extent mitigate the effect of serious emergency incidents.

Article 6 The state shall establish an effective social mobilization mechanism to strengthen the public safety and risk prevention and control awareness of all citizens and improve the ability of the whole society to avoid emergency risk and conduct rescue operation.

Article 7 The people's government at the county level shall be responsible for making a response to an emergency incident within its administrative region; where two or more administrative regions are involved in an emergency incident, the common people's government at the next higher level for the relevant administrative regions or the people's governments at the next higher level for all the relevant administrative regions shall be responsible for doing so.

After the occurrence of an emergency incident, the people's government at the county level at the place of occurrence shall immediately take measures to control the development of the incident, arrange for and carry out the emergency response rescue activities and operations, and immediately report the matter to the people's government at the next higher level, or make a report by bypassing the immediate authority when necessary.

The people's government at the county level at the place of occurrence of an emergency incident that cannot eliminate or effectively control the serious social damage caused by the emergency incident shall timely report the matter to the people's government at the next higher level. The people's government at the next higher level shall timely take measures and be solely responsible for directing emergency response operations.

Where it is provided in any law or administrative regulation that a relevant department of the State Council shall be responsible for making a response to an emergency incident, such provision shall be complied with; and local people's governments shall actively offer assistance and necessary support.

Article 8 Under the leadership of the Premier, the State Council shall discuss, decide and make arrangements for activities in response to an extremely serious emergency incident, may establish in light of actual needs a state emergency response command body to be responsible for making a response to such an emergency incident and when necessary, may dispatch a task group to direct the relevant work.

Local people's governments at or above the county level shall form an emergency response command body consisting of the principal persons in charge of the people's governments, the persons in charge of relevant departments and the relevant persons in charge of the People's Liberation Army of China and People's Armed Police Force stationed locally to consistently direct and coordinate the emergency response activities of all the relevant departments of the people's government and the people's governments at the lower levels and may, in light of actual needs, establish an emergency response command body for the relevant category of emergency incidents to arrange for, coordinate and direct emergency response activities.

Within the scope of their respective powers, the competent departments of the higher people's governments shall direct and assist the lower people's governments and their relevant departments in carrying out activities in response to a relevant emergency incident.

Article 9 The State Council and all local people's governments at and above the county level shall be the leading administrative organs for emergency response activities, and their offices and the specific functions and duties of such offices shall be specified by the State Council.

第十条 有关人民政府及其部门作出的应对突发事件的决定、命令，应当及时公布。

Article 10 Decisions and orders made by a relevant people's government and its departments in response to an emergency incident shall be timely made available to the public.

第十一条 有关人民政府及其部门采取的应对突发事件的措施，应当与突发事件可能造成的社会危害的性质、程度和范围相适应；有多种措施可供选择的，应当选择有利于最大程度地保护公民、法人和其他组织权益的措施。

Article 11 Emergency response measures taken by a relevant people's government and its departments shall be appropriate to the nature, degree and extent of social damage caused by an emergency incident; and where multiple measures are available, any measure which is to the maximal extent conducive to the protection of the rights and interest of citizens, legal persons and other organizations shall be selected.

公民、法人和其他组织有义务参与突发事件应对工作。

Citizens, legal persons and other organizations are obligated to participate in emergency response activities.

第十二条 有关人民政府及其部门为应对突发事件，可以征用单位和个人的财产。被征用的财产在使用完毕或者突发事件应急处置工作结束后，应当及时返还。财产被征用或者征用后毁损、灭失的，应当给予补偿。

Article 12 A relevant people's government and its departments may expropriate the property of entities and individuals for activities in response to an emergency incident. The expropriated property shall be timely returned after the completion of employment or emergency response operations. Appropriate compensation shall be given with respect to property that is expropriated or any damage to or the loss of such property.

第十三条 因采取突发事件应对措施，诉讼、行政复议、仲裁活动不能正常进行的，适用有关时效中止和程序中止的规定，但法律另有规定的除外。

Article 13 Where, due to the adoption of any emergency response measure, any litigation, administrative reconsideration or arbitration is unable to continue normally, provisions relating to the discontinuance of action limitations and proceedings shall apply, except as otherwise provided for by any law.

第十四条 中国人民解放军、中国人民武装警察部队和民兵组织依照本法和其他有关法律、行政法规、军事法规的规定以及国务院、中央军事委员会的命令，参加突发事件的应急救援和处置工作。

Article 14 The People's Liberation Army of China, People's Armed Police Force and militia organizations shall participate in the emergency response rescue activities and operations in accordance with the provisions of this Law and other relevant laws, administrative regulations and military regulations as well as orders of the State Council and the Central Military Commission.

第十五条 中华人民共和国政府在突发事件的预防、监测与预警、应急处置与救援、事后恢复与重建等方面，同外国政府和有关国际组织开展合作与交流。

Article 15 The Government of the People's Republic of China shall carry out cooperation and exchanges with foreign governments and relevant international organizations in such areas as emergency prevention, monitoring and warning, response operations and rescue activities, and post-emergency rehabilitation and reconstruction.

第十六条 县级以上人民政府作出应对突发事件的决定、命令，应当报本级人民代表大会常务委员会备案；突发事件应急处置工作结束后，应当向本级人民代表大会常务委员会作出专项工作报告。

Article 16 Decisions and orders made by a people's government at or above the county level in response to an emergency incident shall be submitted to the standing committee of the people's congress at the same level for archival purposes; and after the completion of emergency response operations, the people's government shall make a special work report to the standing committee of the people's congress at the same level.

第二章 预防与应急准备

Chapter II Prevention and Response Preparation

第十七条 国家建立健全突发事件应急预案体系。

Article 17 The state shall establish a sound emergency response plan system.

国务院制定国家突发事件总体应急预案，组织制定国家突发事件专项应急预案；国务院有关部门根据各自的职责和国务院相关应急预案，制定国家突发事件部门应急预案。

The State Council shall make an overall state emergency response plan, and make arrangements for making a special state emergency response plan; and relevant departments of the State Council shall make a department-level state emergency response plans according to their respective functions and duties and in line with the relevant emergency response plans of the State Council.

地方各级人民政府和县级以上地方各级人民政府有关部门根据有关法律、法规、规章、上级人民政府及其有关部门的应急预案以及本地区的实际情况，制定相应的突发事件应急预案。

Local people's governments at all levels and relevant departments of local people's governments at and above the county level shall make appropriate emergency response plans in accordance with relevant laws, administrative regulations and rules, the emergency response plans of people's governments at higher levels and their relevant departments, and local realities.

应急预案制定机关应当根据实际需要和情势变化，适时修订应急预案。应急预案的制定、修订程序由国务院规定。

Any organ which makes an emergency response plan shall amend the plan from time to time according to actual needs and changes in the circumstances involved. The procedures for making and amending an emergency response plan shall be specified by the State Council.

第十八条 应急预案应当根据本法和其他有关法律、法规的规定，针对突

Article 18 An emergency response plan shall, in accordance with this Law and other relevant laws and administrative regulations, specifically specify a

发事件的性质、特点和可能造成的社会危害，具体规定突发事件应急管理工作的组织指挥体系与职责和突发事件的预防与预警机制、处置程序、应急保障措施以及事后恢复与重建措施等内容。

第十九条 城乡规划应当符合预防、处置突发事件的需要，统筹安排应对突发事件所必需的设备和基础设施建设，合理确定应急避难场所。

第二十条 县级人民政府应当对本行政区域内容易引发自然灾害、事故灾难和公共卫生事件的危险源、危险区域进行调查、登记、风险评估，定期进行检查、监控，并责令有关单位采取安全防范措施。

省级和设区的市级人民政府应当对本行政区域内容易引发特别重大、重大突发事件的危险源、危险区域进行调查、登记、风险评估，组织进行检查、监控，并责令有关单位采取安全防范措施。

县级以上地方各级人民政府按照本法规定登记的危险源、危险区域，应当按照国家规定及时向社会公布。

第二十一条 县级人民政府及其有关部门、乡级人民政府、街道办事处、居民委员会、村民委员会应当及时调解处理可能引发社会安全事件的矛盾纠纷。

第二十二条 所有单位应当建立健全安全管理制度，定期检查本单位各项安全防范措施的落实情况，及时消除事故隐患；掌握并及时处理本单位存在的可能引发社会安全事件的问题，防止矛盾激化和事态扩大；对本单位可能发生的突发事件和采取安全防范措施的情况，应当按照规定及时向所在地人民政府或者人民政府有关部门报告。

第二十三条 矿山、建筑施工单位和易燃易爆物品、危险化学品、放射性物品等危险物品的生产、经营、储运、使用单位，应当制定具体应急预案，并对生产经营场所、有危险物品的建筑物、构筑物及周边环境开展隐患排查，及时采取措施消除隐患，防止发生突发事件。

第二十四条 公共交通工具、公共场所和其他人员密集场所的经营单位或者管理单位应当制定具体应急预案，为交通工具和有关场所配备报警装置和必要的应急救援设备、设施，注明其使用方法，并显著标明安全撤离的通道、路线，保证安全通道、出口的畅通。

有关单位应当定期检测、维护其报警装置和应急救援设备、设施，使其处于良好状态，确保正常使用。

structural and command system for emergency response management and the functions and duties of all positions involved therein, emergency incident prevention and early-warning mechanisms, response procedures, emergency response protective measures, post-emergency rehabilitation and reconstruction measures, etc., in light of the nature and characteristics of emergency incidents and social damage likely to be caused by such emergency incidents.

Article 19 Urban or rural planning shall meet requirements of emergency incident prevention and response operations, make overall arrangements for equipment and infrastructure construction necessary for emergency response purposes, and determine in a reasonable manner emergency shelters.

Article 20 People's governments at the county level shall make investigations, registrations and risk assessments of hazard sources and hazardous areas within their respective administrative regions which is likely to give rise to accidental disasters and public health incidents, conduct periodical inspections and monitoring and control, and order the entities concerned to take appropriate preventive safety measures.

People's governments at the provincial level or the people's governments of cities with districts shall make investigations, registrations and risk assessments of hazard sources and hazardous areas within their respective administrative regions which is likely to give rise to extremely serious or serious emergency incidents, make arrangements for inspections and monitoring and control, and order the entities concerned to take appropriate preventive safety measures.

Hazard sources and hazardous areas registered by local people's governments at or above the county level in accordance with the provisions of this Law shall be timely made available to the public in accordance with the provisions of the State.

Article 21 The people's governments at the county level and their relevant departments, the people's governments at the township level, the sub-district offices, the residents' committees and the villagers' committees shall timely mediate and handle conflicts and disputes likely to cause social safety incidents.

Article 22 Every entity shall establish a sound safety management system, periodically examine the implementation of all of its preventive safety measures, and timely eliminate hidden incident risks; such entity shall control and timely resolve any of its existing problems likely to cause social safety incidents, and prevent the intensification of conflicts and expansion of situations; such entity shall make a timely report on emergency incidents likely to occur and on preventive safety measures it takes to the people's government at the place where such entity is located or the relevant departments of the people's government in accordance with relevant provisions.

Article 23 A mine, an entity engaged in building construction business or an entity engaged in the business of producing, dealing in, storing, transporting or using such dangerous substances as inflammable or explosive substances, hazardous chemicals or radioactive substances shall make a specific emergency response plan, investigate hidden risks in the production or business operation premises, buildings and structures in which dangerous substances are placed and the surrounding environment, and timely take measures to eliminate hidden risks and prevent the occurrence of emergency incidents.

Article 24 An entity which operates or manages public transportation vehicles, public places or other places with a high density of people shall make a specific emergency response plan, equip transportation vehicles or relevant places with alarm devices and necessary emergency response rescue equipment and facilities, clearly explain how to use them and illustrate passages and routes for safety evacuation, and ensure that safety passages and exits are not obstructed.

Relevant entities shall regularly examine, test and maintain their alarm devices and emergency response rescue equipment and facilities, keep them in a good condition, and ensure their normal use.

第二十五条 县级以上人民政府应当建立健全突发事件应急管理培训制度，对人民政府及其有关部门负有处置突发事件职责的工作人员定期进行培训。

第二十六条 县级以上人民政府应当整合应急资源，建立或者确定综合性应急救援队伍。人民政府有关部门可以根据实际需要设立专业应急救援队伍。

县级以上人民政府及其有关部门可以建立由成年志愿者组成的应急救援队伍。单位应当建立由本单位职工组成的专职或者兼职应急救援队伍。

县级以上人民政府应当加强专业应急救援队伍与非专业应急救援队伍的合作，联合培训、联合演练，提高合成应急、协同应急的能力。

第二十七条 国务院有关部门、县级以上地方各级人民政府及其有关部门、有关单位应当为专业应急救援人员购买人身意外伤害保险，配备必要的防护装备和器材，减少应急救援人员的人身风险。

第二十八条 中国人民解放军、中国人民武装警察部队和民兵组织应当有计划地组织开展应急救援的专门训练。

第二十九条 县级人民政府及其有关部门、乡级人民政府、街道办事处应当组织开展应急知识的宣传普及活动和必要的应急演练。

居民委员会、村民委员会、企业事业单位应当根据所在地人民政府的要求，结合各自的实际情况，开展有关突发事件应急知识的宣传普及活动和必要的应急演练。

新闻媒体应当无偿开展突发事件预防与应急、自救与互救知识的公益宣传。

第三十条 各级各类学校应当把应急知识教育纳入教学内容，对学生进行应急知识教育，培养学生的安全意识和自救与互救能力。

教育主管部门应当对学校开展应急知识教育进行指导和监督。

第三十一条 国务院和县级以上地方各级人民政府应当采取财政措施，保障突发事件应对工作所需经费。

第三十二条 国家建立健全应急物资储备保障制度，完善重要应急物资的监管、生产、储备、调拨和紧急配送体系。

设区的市级以上人民政府和突发事件易发、多发地区的县级人民政府应当建立应急救援物资、生活必需品和应急处置装备的储备制度。

县级以上地方各级人民政府应当根

Article 25 People's governments at and above the county level shall establish a sound training system for emergency response management to periodically train personnel of such people's government or their relevant departments who are responsible for emergency incident operations.

Article 26 People's governments at and above the county level shall integrate emergency response resources and establish or form a general emergency response rescue team. The relevant departments of the people's governments may, in light of actual needs, set up a professional emergency response rescue team.

People's governments at and above the county level and their relevant departments may establish an emergency response rescue team consisting of adult volunteers. An entity shall establish a full-time or part-time emergency response rescue team consisting of its employees.

People's governments at and above the county level shall strengthen cooperation between professional and non-professional emergency response rescue teams, conduct joint trainings or drillings, and enhance their abilities to integrate emergency response activities and cooperate with each other in such activities.

Article 27 The relevant departments of the State Council, local people's governments at and above the county level and their relevant departments and relevant entities shall take out personal accidental injury insurance for professional emergency response rescuers, provide them with necessary protective equipment and instruments, and make efforts to prevent emergency response rescuers from the danger of personal injury.

Article 28 The People's Liberation Army of China, the People's Armed Police Force and the militia organizations shall make arrangements for and carry out special emergency response trainings.

Article 29 People's governments at the county level and their relevant departments, people's governments at the township level and sub-district offices shall make arrangements for the publicity and dissemination of emergency response knowledge and necessary emergency response drillings.

Residents' committees, villagers' committees, enterprises and public institutions shall carry out the publicity and dissemination of emergency response knowledge and necessary emergency response drillings in accordance with the requirements of the people's government at the place where they are located and in light of their respective actual circumstances.

News media shall carry out free and charitable publicity activities with respect to knowledge concerning emergency incident prevention and response, self-rescue and mutual rescue.

Article 30 Schools at various levels and of various types shall include emergency response knowledge education in their curriculum to educate students on emergency response knowledge and foster the safety awareness and self-rescue and mutual rescue abilities of students.

The competent education departments shall direct and supervise schools in carrying out educational activities with respect to emergency response knowledge.

Article 31 The State Council and local people's governments at and above the county level shall take fiscal measures to ensure the adequacy of funds necessary for emergency response activities.

Article 32 The state shall establish a sound emergency response resources reserve security system to improve supervision, production, reserve, allocation and urgent distribution systems for the significant emergency response resources.

People's governments at and above the level of a city with districts or people's governments at the county level at the places where emergency incidents tend to occur or occur frequently shall establish a reserve system for emergency response rescue resources, necessities of life and emergency response operation equipment.

Local people's governments at and above the county level shall, in light of

据本地区的实际情况，与有关企业签订协议，保障应急救援物资、生活必需品和应急处置装备的生产、供给。

their local realities, enter into agreements with relevant enterprises to ensure the production and supply of emergency response rescue resources, necessities of life and emergency response operation equipment.

第三十三条 国家建立健全应急通信保障体系，完善公用通信网，建立有线与无线相结合、基础电信网络与移动通信系统相配套的应急通信系统，确保突发事件应对工作的通信畅通。

Article 33 The state shall establish a sound emergency response communication security system, improve public communication networks, and establish an emergency response communication system which features the combination of cable and wireless communication and the integration of basic telecommunication networks and standby communication systems, so as to ensure the smoothness of communication over emergency response activities.

第三十四条 国家鼓励公民、法人和其他组织为人民政府应对突发事件工作提供物资、资金、技术支持和捐赠。

Article 34 The state shall encourage citizens, legal persons and other organizations to provide resources, funds, technical support and donation to people's governments for emergency response activities.

第三十五条 国家发展保险事业，建立国家财政支持的巨灾风险保险体系，并鼓励单位和公民参加保险。

Article 35 The state shall develop insurance undertakings, establish a severe disaster risk insurance system supported by the state finance, and encourage entities and citizens to take out insurance.

第三十六条 国家鼓励、扶持具备相应条件的教学科研机构培养应急管理专门人才，鼓励、扶持教学科研机构和有关企业研究开发用于突发事件预防、监测、预警、应急处置与救援的新技术、新设备和新工具。

Article 36 The state shall encourage and support teaching and scientific research institutions with appropriate qualifications to train talents specializing in emergency response management, and encourage and support teaching and scientific research institutions and relevant enterprises in the research and development of new technologies, equipment and instruments used in emergency incident prevention, monitoring, warning, and emergency response operations and rescue.

第三章 监测与预警

Chapter III Monitoring and Warning

第三十七条 国务院建立全国统一的突发事件信息系统。

Article 37 The State Council shall establish a uniform emergency incident information system throughout China.

县级以上地方各级人民政府应当建立或者确定本地区统一的突发事件信息系统，汇集、储存、分析、传输有关突发事件的信息，并与上级人民政府及其有关部门、下级人民政府及其有关部门、专业机构和监测网点的突发事件信息系统实现互联互通，加强跨部门、跨地区的信息交流与情报合作。

Local people's governments at and above the county level shall establish or set up a locally uniform emergency incident information system, collect, store, analyze and transmit information on emergency incidents, and achieve interconnection with the emergency incident information systems of people's governments at higher levels and their relevant departments, people's governments at lower levels and their relevant departments, professional institutions and monitoring stations to strengthen cross-department and cross-region information exchanges and intelligence cooperation.

第三十八条 县级以上人民政府及其有关部门、专业机构应当通过多种途径收集突发事件信息。

Article 38 People's governments at and above the county level and their relevant departments and professional institutions shall collect emergency incident information through various channels.

县级人民政府应当在居民委员会、村民委员会和有关单位建立专职或者兼职信息报告员制度。

People's governments at the county level shall establish a full-time or part-time information reporter system for residents' committees, villagers' committees and relevant entities.

获悉突发事件信息的公民、法人或者其他组织，应当立即向所在地人民政府、有关主管部门或者指定的专业机构报告。

Any citizen, legal person or any other organization that has knowledge of emergency incident information shall immediately make a report to the local people's government, the relevant competent department or the designated professional institution.

第三十九条 地方各级人民政府应当按照国家有关规定向上级人民政府报送突发事件信息。县级以上人民政府有关主管部门应当向本级人民政府相关部门通报突发事件信息。专业机构、监测网点和信息报告员应当及时向所在地人民政府及其有关主管部门报告突发事件信息。

Article 39 Local people's governments at all levels shall submit emergency incident information to people's governments at the next higher level in accordance with the relevant provisions of the state. The relevant competent departments of people's governments at and above the county level shall notify in writing the relevant departments of the people's governments at the same level of emergency incident information. A professional institution, monitoring station or information reporter shall make a timely report on emergency incident information to the local people's government and the relevant competent departments of the people's government.

有关单位和人员报送、报告突发事件信息，应当做到及时、客观、真实，不得迟报、谎报、瞒报、漏报。

Emergency incident information submitted or reported by relevant entities and persons shall be timely, objective and genuine, and such information shall not be delayed in reporting, be misreported, concealed from reporting, or omitted in reporting.

第四十条 县级以上地方各级人民

Article 40 Local people's governments at and above the county level shall

政府应当及时汇总分析突发事件隐患和预警信息，必要时组织相关部门、专业技术人员、专家学者进行会商，对发生突发事件的可能性及其可能造成的影响进行评估；认为可能发生重大或者特别重大突发事件的，应当立即向上级人民政府报告，并向上级人民政府有关部门、当地驻军和可能受到危害的毗邻或者相关地区的人民政府通报。

第四十一条 国家建立健全突发事件监测制度。

县级以上人民政府及其有关部门应当根据自然灾害、事故灾难和公共卫生事件的种类和特点，建立健全基础信息数据库，完善监测网络，划分监测区域，确定监测点，明确监测项目，提供必要的设备、设施，配备专职或者兼职人员，对可能发生的突发事件进行监测。

第四十二条 国家建立健全突发事件预警制度。

可以预警的自然灾害、事故灾难和公共卫生事件的预警级别，按照突发事件发生的紧急程度、发展势态和可能造成的危害程度分为一级、二级、三级和四级，分别用红色、橙色、黄色和蓝色标示，一级为最高级别。

预警级别的划分标准由国务院或者国务院确定的部门制定。

第四十三条 可以预警的自然灾害、事故灾难或者公共卫生事件即将发生或者发生的可能性增大时，县级以上地方各级人民政府应当根据有关法律、行政法规和国务院规定的权限和程序，发布相应级别的警报，决定并宣布有关地区进入预警期，同时向上一级人民政府报告，必要时可以越级上报，并向当地驻军和可能受到危害的毗邻或者相关地区的人民政府通报。

第四十四条 发布三级、四级警报，宣布进入预警期后，县级以上地方各级人民政府应当根据即将发生的突发事件的特点和可能造成的危害，采取下列措施：

- (一) 启动应急预案；
- (二) 责令有关部门、专业机构、监测网点和负有特定职责的人员及时收集、报告有关信息，向社会公布反映突发事件信息的渠道，加强对突发事件发生、发展情况的监测、预报和预警工作；
- (三) 组织有关部门和机构、专业技术人员、有关专家学者，随时对突发事件信息进行分析评估，预测发生突发事件可能性的大小、影响范围和强度以及可能发生的突发事件的级别；
- (四) 定时向社会发布与公众有关的突发事件预测信息和分析评估结果，并对相关信息的报道工作进行管理；
- (五) 及时按照有关规定向社会发

timely summarize and analyze information on the hidden risks and early-warning of emergency incidents, and when necessary, arrange for relevant departments, professional technicians, experts and scholars to conduct consultations and make assessments of the possibility of an emergency incident and its possible effect; and where it is deemed that a serious or extremely serious emergency incident is likely to occur, such governments shall immediately make a report to people's governments at the next higher level and notify in writing the relevant departments of the people's governments at the next higher level, the army stationed locally and the people's governments of adjacent or relevant places likely to be affected.

Article 41 The state shall establish a sound emergency incident monitoring system.

People's governments at and above the county level and their relevant departments shall, in light of the categories and characteristics of natural disasters, accidental disasters and public health incidents, establish a sound basic information database, improve monitoring networks, divide monitoring regions, determine monitoring points, define items under monitoring, provide necessary equipment and facilities, and assign full-time or part-time personnel, so as to monitor emergency incidents likely to occur.

Article 42 The state shall establish a sound emergency incident early-warning system.

The early-warnings of natural disasters, accidental disasters and public health incidents to which early-warnings are able to be given, in light of the urgency, development trend and possible degree of damage of emergency incidents, are classified into the first, second, third and fourth levels which are represented respectively by the red, orange, yellow and blue color and the first level is the highest level.

Standards for the classification of early-warnings shall be formulated by the State Council or such a department as determined by the State Council.

Article 43 Where any natural disaster, accidental disaster or public health incident to which early-warnings are able to be given is to occur or the possibility of its occurrence increases, local people's governments at and above the county level shall, in accordance with scope of authorities and procedures specified in relevant laws or administrative regulations or by the State Council, issue a early-warning of an appropriate level, decide and declare that relevant areas enter an early-warning period, simultaneously make a report to the people's government at the next higher level, make a report by bypassing the immediate authority if necessary, and give a notice to the army stationed locally and the people's governments of adjacent or relevant places likely to be affected.

Article 44 After issuing a third or fourth-level warning and making a declaration with respect to the commencement of an early-warning period, local people's governments at and above the county levels shall, in light of the characteristics and possible damage of emergency incidents to occur very soon, take the following measures:

1. Putting into practice emergency response plans;
2. Ordering relevant departments, professional institutions, monitoring stations and personnel with specific functions and duties to timely collect and report relevant information, make available to the public channels disclosing emergency incident information, and strengthening monitoring, forecasting and early-warning activities with respect to the occurrence and development of the emergency incidents;
3. Making arrangements for relevant departments and institutions, professional technicians, relevant experts and scholars to make an analysis and evaluation of emergency incident information at any time and make a forecast with respect to the possibility of the emergency incidents, the scope and degree of their effect, and the levels of any emergency incidents likely to occur;
4. Making available to the public forecast information on any emergency incidents related to the public and their analysis and evaluation results on a regular basis and managing reporting activities with respect to relevant information; and

布可能受到突发事件危害的警告，宣传避免、减轻危害的常识，公布咨询电话。

第四十五条 发布一级、二级警报，宣布进入预警期后，县级以上地方各级人民政府除采取本法第四十四条规定的措施外，还应当针对即将发生的突发事件的特点和可能造成的危害，采取下列一项或者多项措施：

（一）责令应急救援队伍、负有特定职责的人员进入待命状态，并动员后备人员做好参加应急救援和处置工作的准备；

（二）调集应急救援所需物资、设备、工具，准备应急设施和避难场所，并确保其处于良好状态、随时可以投入正常使用；

（三）加强对重点单位、重要部位和重要基础设施的安全保卫，维护社会治安秩序；

（四）采取必要措施，确保交通、通信、供水、排水、供电、供气、供热等公共设施的安全和正常运行；

（五）及时向社会发布有关采取特定措施避免或者减轻危害的建议、劝告；

（六）转移、疏散或者撤离易受突发事件危害的人员并予以妥善安置，转移重要财产；

（七）关闭或者限制使用易受突发事件危害的场所，控制或者限制容易导致危害扩大的公共场所的活动；

（八）法律、法规、规章规定的其他必要的防范性、保护性措施。

第四十六条 对即将发生或者已经发生的社会安全事件，县级以上地方各级人民政府及其有关主管部门应当按照规定向上一级人民政府及其有关主管部门报告，必要时可以越级上报。

第四十七条 发布突发事件警报的人民政府应当根据事态的发展，按照有关规定适时调整预警级别并重新发布。

有事实证明不可能发生突发事件或者危险已经解除的，发布警报的人民政府应当立即宣布解除警报，终止预警期，并解除已经采取的有关措施。

第四章 应急处置与救援

第四十八条 突发事件发生后，履行统一领导职责或者组织处置突发事件的人民政府应当针对其性质、特点和危害程度，立即组织有关部门，调动应急救援队伍和社会力量，依照本章的规定和有关法律、法规、规章的规定采取应急处置措施。

第四十九条 自然灾害、事故灾难或

5. Promptly issuing to the public a warning of damage likely to be caused by the emergency incidents in accordance with relevant provisions, giving publicity to common knowledge concerning the prevention and mitigation of damage, and making available to the public an information line.

Article 45 After issuing a first or second-level warning and making a declaration with respect to the commencement of an early-warning period, local people's governments at and above the county levels shall, in addition to measures specified in Article 44 hereof, take one or more of the following measures in light of the characteristics and possible damage of emergency incidents to occur very soon:

1. Ordering emergency rescue teams and personnel with specific functions and duties to be in a standby state and mobilizing reserve personnel to make preparation for participating in emergency response rescue activities and operations;

2. Allocating resources, equipment and instruments necessary for emergency response rescue activities, making preparation for emergency response facilities and shelters and ensuring that such facilities and shelters are in good condition and can be normally put into use at any time;

3. Making efforts to protect the security of key entities, major places and significant infrastructure and maintaining the order of public security;

4. Taking necessary measures to ensure the security and normal operation of public facilities such as transportation, communication, water supply, drainage, power supply, gas supply, or heating supply facilities;

5. Releasing to the public recommendations or advice relating to the avoidance or mitigation of damage by taking specific measures;

6. Transferring, dispersing or evacuating people likely to be affected by the emergency incidents and making proper arrangements for them and transferring significant property;

7. Closing down or restricting the use of places likely to be affected by the emergency incidents and controlling or limiting activities in public places which are likely to cause the expansion of damage; and

8. Any other necessary preventive and protective measures specified in laws, regulations or rules.

Article 46 For public security incidents which are to occur very soon or have occurred, local people's governments at and above the county levels and their relevant competent departments shall make a report to the people's governments at the next higher level and their relevant competent departments and make such a report by bypassing the immediate authority where necessary.

Article 47 Any people's government which issues a warning with respect to emergency incidents shall, in light of the development of the situations involved and in accordance with relevant provisions, make timely adjustments to the level of warning and issue a new warning.

Where there is any fact indicating that it is impossible for an emergency incident to occur or the danger of such an emergency incident have been removed, any people's government that issues a warning shall immediately make a declaration for the removal of the warning, terminate the early-warning period and remove the relevant measures that have been taken.

Chapter IV Emergency Response Operations and Rescue Activities

Article 48 After the occurrence of an emergency incident, any people's government which discharges the functions and duties of unified leadership or makes arrangements for emergency response operations shall, in light of the nature, characteristics and degree of damage of the emergency incident, immediately arranges for relevant departments to mobilize emergency response rescue teams and social forces and takes emergency response operation measures in accordance with the provisions of this Chapter and relevant laws, regulations and rules.

Article 49 After the occurrence of a natural disaster, accidental disaster or

者公共卫生事件发生后，履行统一领导职责的人民政府可以采取下列一项或者多项应急处置措施：

（一）组织营救和救治受害人员，疏散、撤离并妥善安置受到威胁的人员以及采取其他救助措施；

（二）迅速控制危险源，标明危险区域，封锁危险场所，划定警戒区，实行交通管制以及其他控制措施；

（三）立即抢修被损坏的交通、通信、供水、排水、供电、供气、供热等公共设施，向受到危害的人员提供避难场所和生活必需品，实施医疗救护和卫生防疫以及其他保障措施；

（四）禁止或者限制使用有关设备、设施，关闭或者限制使用有关场所，中止人员密集的活动或者可能导致危害扩大的生产经营活动以及采取其他保护措施；

（五）启用本级人民政府设置的财政预备费和储备的应急救援物资，必要时调用其他急需物资、设备、设施、工具；

（六）组织公民参加应急救援和处置工作，要求具有特定专长的人员提供服务；

（七）保障食品、饮用水、燃料等基本生活必需品的供应；

（八）依法从严惩处囤积居奇、哄抬物价、制假售假等扰乱市场秩序的行为，稳定市场价格，维护市场秩序；

（九）依法从严惩处哄抢财物、干扰破坏应急处置工作等扰乱社会秩序的行为，维护社会治安；

（十）采取防止发生次生、衍生事件的必要措施。

第五十条 社会安全事件发生后，组织处置工作的人民政府应当立即组织有关部门并由公安机关针对事件的性质和特点，依照有关法律、行政法规和国家其他有关规定，采取下列一项或者多项应急处置措施：

（一）强制隔离使用器械相互对抗或者以暴力行为参与冲突的当事人，妥善解决现场纠纷和争端，控制事态发展；

（二）对特定区域内的建筑物、交通工具、设备、设施以及燃料、燃气、电力、水的供应进行控制；

（三）封锁有关场所、道路，查验现场人员的身份证件，限制有关公共场所内的活动；

（四）加强对易受冲击的核心机关和单位的警卫，在国家机关、军事机关、国家通讯社、广播电台、电视台、外国驻华使领馆等单位附近设置临时警戒线；

（五）法律、行政法规和国务院规定的其他必要措施。

严重危害社会治安秩序的事件发生

public health incident, any people's government which discharge the functions and duties of unified leadership may take one or more of the following emergency response operation measures:

1. Making arrangements to rescue and cure injured people, dispersing, evacuating and making proper arrangements for people under threat, and taking other salvation measures;

2. Promptly keeping hazard sources under control, marking dangerous areas, closing off dangerous places, delimiting security areas, and imposing traffic control and other control measures;

3. Immediately rushing to repairing public facilities such as transportation, communication, water supply, drainage, power supply, gas supply, or heating supply facilities which are damaged, providing people who are affected with shelters and necessities of life, giving medical treatments and taking disinfection action and other protective measures;

4. Prohibiting or restricting the use of relevant equipment or facilities, closing down or restricting the use of relevant places, terminating people-intensive activities or production or business activities which are likely to cause the expansion of damage, and taking other protective measures;

5. Putting into use financial reserve funds established and emergency response rescue resources reserved by any such people's government and transferring other resources, equipment, facilities and instruments in urgent need where necessary;

6. Arranging for citizens to participate in emergency response rescue activities and operations and requiring people with any special skills to provide services;

7. Ensuring the supply of food, drinking water, fuel and other basic necessities of life;

8. Punishing severely in accordance with the law any party who corners the market, drives up prices, produces and sells fake goods and commits other acts which disturb the order of the market, keeping the stability of market prices, and maintaining the order of the market;

9. Punishing severely in accordance with the law any party who plunders another party's property, interferes with or ruins emergency response operations or commits other acts which disturb the social order and maintaining the security of society; and

10. Taking necessary measures to prevent the occurrence of any secondary or derivative incident.

Article 50 After the occurrence of a public security incident, any people's government which makes arrangements for emergency response operations shall immediately make arrangements for relevant departments and the public security organ to take one or more of the following emergency response operation measures in light of the nature, characteristics and degree of damage of the incident and in accordance with relevant laws, administrative regulations and other provisions of the State:

1. Compulsorily segregating parties who fight each other with weapons or resolves conflicts by violent means, properly addressing spot disputes or conflicts and controlling the development of the situations involved;

2. Keeping under control buildings, transport vehicles, equipment, facilities within a specific area and the supply of fuel, gas, power and water for such an area;

3. Closing off relevant places and roads, examining the identity documents of people on the scene, and limiting activities at relevant public places;

4. Making more efforts to protect the security of key organs and entities which are likely to be affected and circling temporary cordons around state organs, military organs, state-level news agencies, radio stations, TV stations, foreign embassies and consulates in China and other entities;

5. Taking any other necessary measures specified in laws or administrative regulations or by the State Council.

Where an incident which seriously damages the order of public security occurs, the public security organ shall immediately dispatch police officers in accordance with the law and take appropriate compulsory measures in

时，公安机关应当立即依法出动警力，根据现场情况依法采取相应的强制性措施，尽快使社会秩序恢复正常。

第五十一条 发生突发事件，严重影响国民经济正常运行时，国务院或者国务院授权的有关主管部门可以采取保障、控制等必要的应急措施，保障人民群众的基本生活需要，最大限度地减轻突发事件的影响。

第五十二条 履行统一领导职责或者组织处置突发事件的人民政府，必要时可以向单位和个人征用应急救援所需设备、设施、场地、交通工具和其他物资，请求其他地方人民政府提供人力、物力、财力或者技术支援，要求生产、供应生活必需品和应急救援物资的企业组织生产、保证供给，要求提供医疗、交通等公共服务的组织提供相应的服务。

履行统一领导职责或者组织处置突发事件的人民政府，应当组织协调运输经营单位，优先运送处置突发事件所需物资、设备、工具、应急救援人员和受到突发事件危害的人员。

第五十三条 履行统一领导职责或者组织处置突发事件的人民政府，应当按照有关规定统一、准确、及时发布有关突发事件事态发展和应急处置工作的信息。

第五十四条 任何单位和个人不得编造、传播有关突发事件事态发展或者应急处置工作的虚假信息。

第五十五条 突发事件发生地的居民委员会、村民委员会和其他组织应当按照当地人民政府的决定、命令，进行宣传动员，组织群众开展自救和互救，协助维护社会秩序。

第五十六条 受到自然灾害危害或者发生事故灾难、公共卫生事件的单位，应当立即组织本单位应急救援队伍和工作人员营救受害人员，疏散、撤离、安置受到威胁的人员，控制危险源，标明危险区域，封锁危险场所，并采取其他防止危害扩大的必要措施，同时向所在地县级人民政府报告；对因本单位的问题引发的或者主体是本单位人员的社会安全事件，有关单位应当按照规定上报情况，并迅速派出负责人赶赴现场开展劝解、疏导工作。

突发事件发生地的其他单位应当服从人民政府发布的决定、命令，配合人民政府采取的应急处置措施，做好本单位的应急救援工作，并积极组织人员参加所在地的应急救援和处置工作。

第五十七条 突发事件发生地的公民应当服从人民政府、居民委员会、村民

accordance with the law depending on the on-the-spot circumstances so as to restore the normal order of society as soon as possible.

Article 51 Where the occurrence of an emergency incident seriously affects the normal operation of the national economy, the State Council or the relevant competent department authorized by the State Council may take safeguard, control and other necessary emergency response measures to ensure the supply of basic necessities of life to the population and to the maximal extent mitigate the effect of such an emergency incident.

Article 52 Where necessary, any people's government which discharges the functions and duties of unified leadership or makes arrangements for emergency response operations may expropriate equipment, facilities, places, transport vehicle and other resources necessary for emergency response rescue activities from any entity or individual, request the people's government of another place to provide manpower, material resources, financial or technical support, require any entity which produces or supplies necessities of life and emergency response rescue resources to make arrangements for their production and ensure their supply, and require any organization which provides public services such as medical care and transportation services to provide appropriate services.

Any people's government which discharges the functions and duties of unified leadership or makes arrangements for emergency response operations shall make arrangements for and bring into line entities engaged in transport services to first transport resources, equipment and instruments necessary for emergency response operations, emergency response rescuers and people who are affected by the emergency incident in question.

Article 53 Any people's government which discharges the functions and duties of unified leadership or makes arrangements for emergency response operations shall, in accordance with relevant provisions, release information on the development of the state of an emergency incident and on emergency response operations related thereto in a consistent, accurate and timely manner.

Article 54 No entity or individual shall fabricate or spread false information on the development of the state of an emergency incident or emergency response operations related thereto.

Article 55 Residents' committees, villagers' committees or other organizations at the places where emergency incidents occur shall, pursuant to decisions or orders made by the local people's governments, conduct publicity and mobilization activities, make arrangements for the people to carry out self-rescue and mutual rescue activities and provide assistance in maintaining the order of society.

Article 56 Any entity which is affected by a natural disaster or in which an accidental disaster or public health incident occurs shall immediately make arrangements for its own emergency response rescue team and personnel to rescue the injured people, disperse, evacuate and make arrangements for people under threat, keep hazard sources under control, mark dangerous areas, close off dangerous places, take other measures necessary to prevent the expansion of damage and at the same time make a report to the local people's government at the county level; for any public security incident which occurs as a result of any issues of any such entity or any party responsible for which is an employee of any such entity, any such entity shall make a report to authorities at higher levels in accordance with relevant provisions and promptly dispatch its principal person to arrive at the scene to conduct mediation and settlement activities.

Other entities at the place where an emergency incident occurs shall follow decisions or orders issued by the people's government, support emergency response operation measures adopted by the people's government, properly conduct their own emergency response rescue activities and actively arrange for their personnel to participate in local emergency response rescue activities and operations.

Article 57 Citizens at the place where an emergency incident occurs shall follow the direction and arrangements of the people's government, residents'

委员会或者所属单位的指挥和安排，配合人民政府采取的应急处置措施，积极参加应急救援工作，协助维护社会秩序。

committees, villagers' committees or their employers, support emergency response operation measures adopted by the people's government, actively participate in emergency response rescue activities and provide assistance in maintaining the order of society.

第五章 事后恢复与重建

Chapter V Post-Emergency Rehabilitation and Reconstruction

第五十八条 突发事件的威胁和危害得到控制或者消除后，履行统一领导职责或者组织处置突发事件的人民政府应当停止执行依照本法规定采取的应急处置措施，同时采取或者继续实施必要措施，防止发生自然灾害、事故灾难、公共卫生事件的次生、衍生事件或者重新引发社会安全事件。

Article 58 After the threat and damage of an emergency incident is under control or removed, any people's government which discharges the functions and duties of unified leadership or makes arrangements for emergency response operations shall cease implementing emergency response operation measures which are taken in accordance with the provisions of this Law and at the same time take or continue to implement necessary measures to prevent the occurrence of any natural disaster, accidental disaster, or secondary or derivative public health incident or the occurrence of another public security incident.

第五十九条 突发事件应急处置工作结束后，履行统一领导职责的人民政府应当立即组织对突发事件造成的损失进行评估，组织受影响地区尽快恢复生产、生活、工作和社会秩序，制定恢复重建计划，并向上一级人民政府报告。

Article 59 After the completion of emergency response operations with respect to an emergency incident, any people's government which discharges the functions and duties of unified leadership shall immediately make arrangements to make an evaluation of losses incurred as a result of the emergency incident, make arrangements for restoring production, life, work and social order in the affected regions as soon as possible, make rehabilitation and reconstruction plans and report the plans to the people's government at the next higher level.

受突发事件影响地区的人民政府应当及时组织和协调公安、交通、铁路、民航、邮电、建设等有关部门恢复社会治安秩序，尽快修复被损坏的交通、通信、供水、排水、供电、供气、供热等公共设施。

The people's government of a region affected by an emergency incident shall timely make arrangements for and bring into line relevant departments such as public security, transport, railway, civil aviation, post and telecommunication, and construction departments to restore the order of public security and repair as soon as possible public facilities such as transportation, communication, water supply, drainage, power supply, gas supply, or heating supply facilities which are damaged.

第六十条 受突发事件影响地区的人民政府开展恢复重建工作需要上一级人民政府支持的，可以向上一级人民政府提出请求。上一级人民政府应当根据受影响地区遭受的损失和实际情况，提供资金、物资支持和技术指导，组织其他地区提供资金、物资和人力支援。

Article 60 Where the people's government of a region affected by an emergency incident needs the support of the people's government at the next higher level in carrying out rehabilitation and reconstruction activities, it may file a request to the people's government at the next higher level. The people's government at the next higher level shall, in light of losses suffered by and actual circumstances in the affected region, provide financial or material resources support and technical advice and make arrangements for other regions to provide financial, material resources and manpower support.

第六十一条 国务院根据受突发事件影响地区遭受损失的情况，制定扶持该地区有关行业发展的优惠政策。

Article 61 The State Council shall, in light of losses suffered by a region affected by an emergency incident, formulate preferential policies in support of the development of relevant industry sectors in such a region.

受突发事件影响地区的人民政府应当根据本地区遭受损失的情况，制定救助、补偿、抚慰、抚恤、安置等善后工作计划并组织实施，妥善解决因处置突发事件引发的矛盾和纠纷。

The people's government of a region affected by an emergency incident shall, in light of losses suffered by the region, make plans for relief, compensation, comfort, consolation, resettlement and other activities after the incident, arrange for the implementation of such plans, and properly resolve any conflicts or disputes arising out of the disposition of the emergency incident.

公民参加应急救援工作或者协助维护社会秩序期间，其在本单位的工资待遇和福利不变；表现突出、成绩显著的，由县级以上人民政府给予表彰或者奖励。

During the period in which a citizen participates in emergency response rescue activities or helps to maintain the social order, his or her employer shall keep his or her salary and benefits unchanged; any citizen who accomplishes outstanding or remarkable deeds in doing so shall be honored or rewarded by a people's government at or above the county level.

县级以上人民政府对在应急救援工作中伤亡的人员依法给予抚恤。

People's government at and above the county level shall, in accordance with the law, give allowance to any person who is injured in the course of emergency response rescue activities.

第六十二条 履行统一领导职责的人民政府应当及时查明突发事件的发生经过和原因，总结突发事件应急处置工作的经验教训，制定改进措施，并向上一级人民政府提出报告。

Article 62 Any people's government which discharges the functions and duties of unified leadership shall ascertain through investigations in a timely manner the process of an emergency incident and the reasons for its occurrence, draw experience and lessons from emergency response operations with respect to the emergency incident, come up with measures to improve the operations and make a report to the people's government at the next higher level.

第六章 法律责任

Chapter VI Legal Liability

第六十三条 地方各级人民政府和县级以上各级人民政府有关部门违反本法规定，不履行法定职责的，由其上级行政机关或者监察机关责令改正；有下列情形之一的，根据情节对直接负责的主管人员和其他直接责任人员依法给予处分：

（一）未按规定采取预防措施，导致发生突发事件，或者未采取必要的防范措施，导致发生次生、衍生事件的；

（二）迟报、谎报、瞒报、漏报有关突发事件的信息，或者通报、报送、公布虚假信息，造成后果的；

（三）未按规定及时发布突发事件警报、采取预警期的措施，导致损害发生的；

（四）未按规定及时采取措施处置突发事件或者处置不当，造成后果的；

（五）不服从上级人民政府对突发事件应急处置工作的统一领导、指挥和协调的；

（六）未及时组织开展生产自救、恢复重建等善后工作的；

（七）截留、挪用、私分或者变相私分应急救援资金、物资的；

（八）不及时归还征用的单位和个人的财产，或者对被征用财产的单位和个人不按规定给予补偿的。

Article 63 Where local people's governments at all levels and the relevant departments of people's governments at and above the county level, in violation of the provisions of this Law, fail to perform their statutory functions and duties, administrative authorities at higher levels or supervisory authorities shall order them to take remedial action: where they fall under any of the following circumstances, the principal person directly responsible therefor and any other persons directly responsible therefor shall be penalized in accordance with the law depending on the circumstances involved:

1. Where they fail to take precautionary measures in accordance with relevant provisions, thereby leading to the occurrence of any emergency incident, or fail to take necessary preventive measures, thereby leading to the occurrence of any secondary or derivative incident;

2. Where they delay in reporting, misreport, conceal from being reported, or fail to report information on any emergency incident, or circulate, report, or release false information, thereby leading to any consequences;

3. Where they fail to timely issue a warning with respect to an emergency incident or take measures for an early-warning period in accordance with relevant provisions, thereby leading to the occurrence of any damage;

4. Where they fail to timely take measures to deal with an emergency incident in accordance with relevant provisions or deal with it improperly, thereby leading to any consequences;

5. Where they fail to follow the unified leadership, direction and coordination of the people's government at the next higher level for emergency response operations with respect to an emergency incident;

6. Where they fail to make timely arrangements for activities after an emergency incident such as self-helping production activities and rehabilitation and reconstruction activities;

7. Where they intercept, misappropriate, make an illicit allocation of or make an disguised illicit allocation of funds or resources for emergency response rescue activities; and

8. Where they fail to timely return property expropriated from any entity or individual or fail to give compensation in accordance with relevant provisions to any entity or individual whose property is expropriated.

第六十四条 有关单位有下列情形之一的，由所在地履行统一领导职责的人民政府责令停产停业，暂扣或者吊销许可证或者营业执照，并处五万元以上二十万元以下的罚款；构成违反治安管理条例行为的，由公安机关依法给予处罚：

（一）未按规定采取预防措施，导致发生严重突发事件的；

（二）未及时消除已发现的可能引发突发事件的隐患，导致发生严重突发事件的；

（三）未做好应急设备、设施日常维护、检测工作，导致发生严重突发事件或者突发事件危害扩大的；

（四）突发事件发生后，不及时组织开展应急救援工作，造成严重后果的。

前款规定的行为，其他法律、行政法规规定由人民政府有关部门依法决定处罚的，从其规定。

Article 64 Where an entity falls under any of the following circumstances, the local people's government which discharges the functions and duties of unified leadership shall order it to cease production and business activities, seize temporarily or revoke its permit or business license, and impose a fine of between CNY50,000 and CNY200,000; where the circumstances involved constitute a violation of public security administration laws, the public security organ shall impose appropriate punishment in accordance with the law:

1. Where the entity fails to take precautionary measures in accordance with relevant provisions, thereby leading to the occurrence of any extremely serious emergency incident;

2. Where the entity fails to timely remove any discovered hidden hazard which may give rise to an emergency incident, thereby leading to the occurrence of any extremely serious emergency incident;

3. Where the entity fails to properly maintain and check emergency response equipment and facilities on a day-to-day basis, thereby leading to the occurrence of any extremely serious emergency incident or the expansion of damage caused by any emergency incident; and

4. Where the entity fails to make timely arrangements for emergency response rescue activities after the occurrence of an emergency incident, thereby leading to any serious consequences.

Where it is provided in any other laws or administrative regulations that the relevant department of a people's government shall make a decision on the imposition of punishment in accordance with the law with respect to any of the circumstances specified in the preceding paragraph, such provision shall be complied with.

第六十五条 违反本法规定，编造并传播有关突发事件事态发展或者应急处

Article 65 Whoever, in violation of the provisions of this Law, fabricates and spreads false information on the development of the state of any emergency

置工作的虚假信息，或者明知是有关突发事件事态发展或者应急处置工作的虚假信息而进行传播的，责令改正，给予警告；造成严重后果的，依法暂停其业务活动或者吊销其执业许可证；负有直接责任的人员是国家工作人员的，还应当对其依法给予处分；构成违反治安管理行为的，由公安机关依法给予处罚。

第六十六条 单位或者个人违反本法规定，不服从所在地人民政府及其有关部门发布的决定、命令或者不配合其依法采取的措施，构成违反治安管理行为的，由公安机关依法给予处罚。

第六十七条 单位或者个人违反本法规定，导致突发事件发生或者危害扩大，给他人人身、财产造成损害的，应当依法承担民事责任。

第六十八条 违反本法规定，构成犯罪的，依法追究刑事责任。

第七章 附 则

第六十九条 发生特别重大突发事件，对人民生命财产安全、国家安全、公共安全、环境安全或者社会秩序构成重大威胁，采取本法和其他有关法律、法规、规章规定的应急处置措施不能消除或者有效控制、减轻其严重社会危害，需要进入紧急状态的，由全国人民代表大会常务委员会或者国务院依照宪法和其他有关法律规定的权限和程序决定。

紧急状态期间采取的非常措施，依照有关法律的规定执行或者由全国人民代表大会常务委员会另行规定。

第七十条 本法自2007年11月1日起施行。

incident or emergency response operations related thereto, or spread knowingly such false information shall be ordered to take remedial action and given a warning; where any serious consequences are caused, its business activities or business license shall be suspended in accordance with the law; where any person directly responsible therefor is a government employee, any such person shall be given an appropriate penalty in accordance with the law; where the circumstances involved constitute a violation of public security administration laws, the public security organ shall impose appropriate punishment in accordance with the law.

Article 66 Where an entity or individual, in violation of the provisions of this Law, fails to follow any decisions or orders issued by the local people's government or its relevant departments, or support measures which are taken by such government or departments in accordance with the law and the circumstances involved constitute a violation of public security administration laws, the public security organ shall penalize such an entity or individual in accordance with the law.

Article 67 Where the occurrence of an emergency incident or the expansion of its damage caused as a result of any violation of this Law by an entity or individual brings bodily injury or property damage to another person, such an entity or individual shall assume appropriate civil liability in accordance with the law

Article 68 Any party who commits a crime by violating the provisions of this Law shall be pursued for criminal liability in accordance with the law.

Chapter VII Supplementary Provisions

Article 69 Where the occurrence of an extremely serious emergency incident poses a great threat to the safety of people's lives and property, the national security, the public security, the security of environment or the social order, such a threat can not be removed or kept under effective control by taking emergency response operation measures specified in this Law and other relevant laws, regulations or rules, and it is necessary to declare a state of emergency, the Standing Committee of the National People's Congress or the State Council shall make a decision in accordance with the scope of authorities and procedures specified in the constitution and other relevant laws.

Extraordinary measures to be adopted during the period in which a state of emergency is effective shall be implemented in accordance with relevant laws or separately specified by the Standing Committee of the National People's Congress.

Article 70 This Law shall come into effect on November 11, 2007.