|  |  |  |
| --- | --- | --- |
| 发文机关Promulgator | ：: | 全国人民代表大会常务委员会The Standing Committee of the National People's Congress |
| 发布日期Date of Issue | ：: | 2007.08.302007.08.30 |
| 生效日期Effective Date | ：: | 2007.11.012007.11.01 |
| 时效性Effectiveness | ：: | 现行有效Current |
| 文号No.  | ：: | 主席令第六十九号Presidential Decree No. 69 |

# 中华人民共和国突发事件应对法

# Emergency Response Law of the People's Republic of China

中华人民共和国突发事件应对法

Emergency Response Law of the People's Republic of China

中华人民共和国主席令第六十九号

Order of the President No.69

《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, adopted at the 29th Meeting 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 go into effect as of November 1, 2007.

中华人民共和国主席 胡锦涛

President Hu Jintao

2007年8月30日

August 30, 2007

中华人民共和国突发事件应对法

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 Meeting of the Standing Committee of the Tenth National People's Congress on August 30, 2007)

目 录

Contents

　　第一章 总 则

Chapter 1 General Provisions

　　第二章 预防与应急准备

Chapter 2 Prevention and Emergency Preparedness

　　第三章 监测与预警

Chapter 3 Monitoring and Early Warning

　　第四章 应急处置与救援

Chapter 4 Emergency Response and Rescue

　　第五章 事后恢复与重建

Chapter 5 Recovery and Reconstruction

　　第六章 法律责任

Chapter 6 Legal Liabilities

　　第七章 附 则

Chapter 7 Supplementary Provisions

第一章 总 则

Chapter 1 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 is enacted in order to prevent and reduce the occurrence of emergencies, control, mitigate and eliminate the serious social harm caused by emergencies, regulate the activities in response to emergencies, protect the life and property of the people, and maintain national security, public security, 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 is applicable to such activities as the prevention and preparation, monitoring and early warning, emergency disposal and rescue, and post- emergency rehabilitation and reconstruction for emergencies.

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。

Article 3 For the purposes of this Law, emergencies include natural disasters, calamitous accidents, public health incidents and public security incidents, which occur suddenly and have caused or may cause serious social harm and for which measures for handling emergencies need to be adopted.

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。

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, relatively serious and ordinary. Where the laws, administrative regulations or the State Council stipulate otherwise, such provisions shall prevail.

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。

The standards for classification of emergencies shall be formulated by the State Council or the department designated by the State Council.

第四条   国家建立统一领导、综合协调、分类管理、分级负责、属地管理为主的应急管理体制。

Article 4 The State establishes a system for administration of emergency response, which is characterized by unified leadership, comprehensive coordination, categorized management, responsibility at different levels and, chiefly, territorial management.

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。

Article 5 The principle of putting prevention first and combining prevention with emergency response shall be applied in the response to emergencies. The State shall establish a risk assessment system for major emergencies, carry out comprehensive assessment of potential emergencies, reduce the occurrence of major emergencies, and minimize the impact of major emergencies.

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。

Article 6 The State shall establish an effective social mobilization mechanism to enhance all citizens' awareness of public security and risk prevention and control and improve the ability of the whole society to avoid risks and give assistance.

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，或者由各有关行政区域的上一级人民政府共同负责。

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 the relevant administrative regions shall be responsible for making a joint response.

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。

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, organize and carry out emergency response rescue activities and operations, and immediately report the matter to the people's government at the next higher level or, when necessary, do so by bypassing the people's government at the next higher level.

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。

Where the people's government at the county level at the place where an emergency occurs is unable to eliminate or effectively control the serious social harm caused by the emergency, it shall, in a timely manner, report the matter to the people's government at a higher level. The people's government at the next higher level shall promptly take measures and be solely responsible for directing emergency response operations.

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。

Where laws or administrative regulations provide that the relevant department of the State Council shall be responsible for making a response to an emergency incident, such provisions shall prevail; and local people's governments shall actively cooperate and provide the necessary support.

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。

Article 8 The State Council shall, under the leadership of the Premier, study, decide on, and make deployment for, response to especially serious emergencies; it shall, in light of actual need, establish a national command for emergency response, which shall be responsible for work in this respect; and when necessary, it may send a work team to guide the relevant work.

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。

Local people's governments at or above the county level shall set up a command for emergency response, which is composed of the principal leading persons of the said people's government, the leading persons of the departments concerned and the relevant leading persons of the units of the Chinese People's Liberation Army and of the People's Armed Police Force stationed there, to exercise unified leadership over and coordinate the work of the relevant departments of the said people's government and the people's governments at lower levels in responding to emergencies; and they shall, in light of actual need, set up commands commensurate with the types of emergencies, which shall organize, coordinate and direct the work of responding to emergencies.

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。

The competent departments of the people's governments at higher levels shall, within the scope of their respective duties, give guidance and assistance to the people's governments at lower levels and their relevant departments in making a success of the response to a relevant emergency incident.

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。

Article 9 The State Council and the local people's governments at or above the county level shall be the leading administrative organs for response to emergencies, and their offices and specific duties shall be defined 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 made public in a timely manner.

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 The measures taken by the relevant people's government and its departments in response to an emergency shall be commensurate with the nature, extent and scope of the social harm that may be caused by the emergency; and where multiple measures are available, the measures shall be taken to protect the rights and interests of citizens, legal persons and other organizations to the maximum extent.

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 To respond to an emergency, the relevant people's government and its departments may expropriate the property of units and individuals. The expropriated property shall be timely returned after the completion of use or emergency response operations. Where property is expropriated or the property is damaged or lost after expropriation, appropriate compensation shall be made.

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 litigation, administrative reconsideration or arbitration cannot be conducted normally because of the adoption of emergency response measures, the provisions on suspension of limitation period or of proceedings shall apply, unless otherwise provided by 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 exchange with the governments of other countries and the international organizations concerned in areas of emergency prevention, monitoring, early warning, emergency handling, rescue and relief, 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 for the record to the standing committee of the people's congress at the same level; 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 2 Prevention and Emergency Preparedness

第十七条   国家建立健全突发事件应急预案体系。

Article 17 The State establishes 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 departmental state emergency response plan 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 the relevant departments of the Local people's governments at or above the county level shall, in accordance with the relevant laws, regulations, rules, and the contingency plans prepared by the people's governments at higher levels and their relevant departments, and in light of the actual local conditions, make appropriate contingency plans for emergencies.

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。

The authority making contingency plans shall modify the contingency plans from time to time according to actual needs and changes in situations. The procedures for making and amending contingency plans shall be formulated 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。

Article 18 In a precautionary plan in response to an emergency shall, in accordance with the provisions of this Law and the relevant laws and regulations and in light of the nature and characteristics of the emergency and the potential social harm it may cause, be specified the organizational setup of command in response to the emergency and the duties of administration, the mechanism for prevention and early warning, the procedure for emergency handling, the guarantee measures in response to the emergency, the measures for post-emergency rehabilitation and reconstruction, etc.

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。

Article 19 Urban or rural planning shall meet the needs for prevention and handling of an emergency, make overall arrangements for equipment and infrastructure construction necessary for emergency response, and rationally determine emergency shelters.

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。

Article 20 The people's government at the county level shall, within its administrative area, check and register the sources of danger, which are liable to give rise to natural disasters, calamitous accidents and public health incidents, and the dangerous areas, assess the risks, regularly inspect and monitor such sources and areas, and order the units concerned to take safety and prevention measures.

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。

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 emergencies, make arrangements for inspections and monitoring and control, and order the entities concerned to take appropriate preventive safety measures.

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。

The sources of danger and the dangerous areas registered according to the provisions of this Law by the local people's governments at or above the county level shall, in accordance with State regulations, be made known to the public in a timely manner.

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。

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, in a timely manner, mediate and handle the conflicts and disputes which may cause incidents endangering public security.

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。

Article 22 Every unit shall establish a sound safety management system, regularly inspect the implementation of all its safety and prevention measures, and eliminate the hidden dangers in a timely manner; it shall grasp the problems existing in the unit that may cause incidents endangering public security and deal with them in a timely manner, in order to prevent the conflicts from intensifying and the situation from going out of control; and it shall, in accordance with relevant regulations, report in a timely manner the emergency that may occur in the unit and the safety and prevention measures taken therefor to the local people's government or its relevant department.

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。

Article 23 Mines, construction units, and the units manufacturing, distributing, storing, transporting or using such hazardous articles as inflammable and explosive substances, dangerous chemicals and radioactive substances shall make emergency response plans, conduct screening inspection of the production and business operation sites, buildings and structures where hazardous articles are placed and the surrounding environment, and take timely measures to eliminate the hidden dangers and prevent the occurrence of emergencies.

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。

Article 24 The units that operate or manage public means of transportation, public places or other places with a high density of people shall make emergency preplans, equip means of transportation or relevant places with alarm devices and necessary emergency rescue and relief equipment and facilities, clearly indicate their usage, mark the passages and routes for safe evacuation, and ensure that the safety passages and exits are unblocked.

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。

The relevant units shall have the alarm devices and the emergency rescue and relief equipment and facilities regularly checked and maintained, in order that they are kept in good repair and ready for 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。

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

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。

Article 26 People's governments at or above the county level shall integrate their resources for emergency response, and form or designate teams for comprehensive emergency response rescue and relief. The relevant departments of the people's governments may, in light of actual need, build a professional emergency response rescue team.

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。

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 rescue team composed of its employees.

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。

People's governments at or above the county level shall strengthen cooperation between professional and non-professional teams for emergency rescue, by conducting joint training and joint drills, in order to raise their ability of combined and coordinated response to emergencies.

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。

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 units shall purchase personal accident insurance for professional emergency rescue personnel, equip them with necessary protective equipment and instruments, and reduce the personal risks of emergency rescue personnel.

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。

Article 28 The Chinese People's Liberation Army, the Chinese People's Armed Police Force and the militia shall, in a planned way, organize and conduct special training for emergency rescue.

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。

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 organize and conduct publicity of emergency response knowledge and necessary emergency response drills.

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。

Residents' committees, villagers' committees, enterprises and public institutions shall, in compliance with the requirements of the people's government at the place where they are located and in light of their respective actual conditions, conduct dissemination of the knowledge on emergency response and the necessary emergency response drills.

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。

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

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。

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.

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。

The competent education departments shall guide and supervise schools in carrying out education on emergency response knowledge.

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。

Article 31 The State Council and the local people's governments at or above the county level shall take fiscal measures to guarantee the funds needed for emergency response.

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。

Article 32 The State establishes a sound guarantee system for material reserves for emergency response, and improves the system of supervision, production, reserve, allocation and urgent distribution of the important materials for emergency response.

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。

People's governments at or above the level of a city divided into districts and people's governments at the county level at the places where emergencies are liable to occur or occur frequently shall establish a system for reservation of materials for emergency rescue, of the daily necessities and of the gears for emergency handling.

县级以上地方各级人民政府应当根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。

Local people's governments at or above the county level shall, in light of their local realities, enter into agreements with the enterprises concerned to ensure the production and supply of the materials for emergency rescue, of the daily necessities and of the gears for emergency handling.

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、基础电信网络与机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 establishes a sound guarantee system for emergency communication, improves the public communication network, and establishes an emergency communication system which combines wire and wireless communication and which combines the basic telecommunication network and the mobile communication system, in order to ensure the smoothness of communications for emergency response.

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 encourages citizens, legal persons and other organizations to provide materials, funds and technical support and make donations 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 develops the insurance industry, establishes a risk insurance system for huge disasters, which is financed by the government, and encourages entities and citizens to buy 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 encourages and supports the teaching and scientific research institutions which meet the corresponding requirements to train professionals in administration of emergency response, and encourages and supports such institutions and the enterprises concerned to research and develop new technologies, equipment and instruments for prevention, monitoring and early warning of emergencies and for emergency handling and rescue.

第三章 监测与预警

Chapter 3 Monitoring and Early 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 unified national information system for emergencies.

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 or above the county level shall establish or set up local unified information systems for emergencies, collect, store, analyze and transmit information on emergencies, and connect their systems with those of the people's governments at higher levels and their relevant departments, the people's governments at lower levels and their relevant departments, the specialized institutions and the monitoring networks, in order to strengthen inter-departmental and inter-regional exchange of information 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 or above the county level and their relevant departments and the professional institutions shall collect information on emergencies through a variety of 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 county level shall establish a full-time or part-time information reporter system for residents' committees, villagers' committees and the relevant organisations.

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。

A citizen, legal person or any other organization that has knowledge of emergency incident information shall immediately 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 various levels shall, in accordance with the relevant provisions of the State, submit information on emergencies to the people's governments at higher levels. The relevant competent departments of the people's governments at or above the county level shall notify the relevant departments of the said people's governments of emergencies. Specialized institutions, monitoring networks and information reporters shall, in a timely manner, report information on emergencies to the local people's governments and their relevant competent departments.

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。

When the relevant entities and persons submit or report information on emergencies, they shall do so in a timely, objective and truthful manner, and may not delay the submission or report, give false report, conceal facts or make omissions in the report.

第四十条   县级以上地方各级人民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。

Article 40 Local people's governments at or above the county level shall, in a timely manner, collect and analyze the information on the hidden dangers that may lead to emergencies and the early warnings about emergencies and, when necessary, they shall organize consultation among the departments concerned, professional technicians, experts and scholars to assess the possibility of occurrence of emergencies and the repercussions of the emergencies; and if they believe that a serious or especially serious emergency is likely to occur, they shall report the matter immediately to the people's government at the higher level and notify the relevant departments of the people's government at the higher level, the army units stationed there and the people's governments of the adjacent or related areas which may be endangered.

第四十一条   国家建立健全突发事件监测制度。

Article 41 The State establishes a sound emergency monitoring system.

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。

People's governments at or above the county level and their relevant departments shall, in light of the types and characteristics of natural disasters, calamitous accidents and public health incidents, establish a sound basic information database, improve their monitoring networks, divide the regions for monitoring, determine the sites and define the items for monitoring, provide the necessary equipment and facilities, and assign full-time or part-time personnel to monitor potential emergencies.

第四十二条   国家建立健全突发事件预警制度。

Article 42 The State establishes a sound early warning system for emergencies.

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。

The early warnings about natural disasters, calamitous accidents and public health incidents that can be forewarned shall, according to the urgency, development trend and possible damage of emergencies, be classified into four levels, which shall be indicated respectively in red, orange, yellow and blue, one being the highest level.

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。

The standards for classifying the grades of early warnings shall be formulated by the State Council or the department designated by the State Council.

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。

Article 43 When a natural disaster, calamitous accident or public health incident that can be forewarned is imminent or the possibility of its occurrence increases, the local people's government at or above the county level shall, within the limits of its power and in compliance with the procedures, as prescribed by relevant laws and administrative regulations and by the State Council, give an alarm of the appropriate grade, decide and declare that the areas concerned enter a period of early warning and, at the same time, report the matter to the people's government at the next higher level and, when necessary, it may do so by bypassing the government at the next higher level, and it shall notify the troops stationed there and the people's governments of the adjacent or related areas which may be endangered.

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：

Article 44 After issuing a third or fourth alarm 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:

（一）启动应急预案；

1. Putting into practice emergency response plans;

（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；

(II) ordering the relevant departments, professional institutions, monitoring networks and persons with specific duties to timely collect and report the relevant information, make available to the public channels for reporting emergency incidents, and strengthening the monitoring, forecasting and early-warning activities with respect to the occurrence and development of emergency incidents;

（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；

(III) Organizing the relevant departments and institutions, professional technicians, relevant experts and scholars to make analysis and assessment on the information about emergencies at any time and to predict the possibility of emergency incidents, the scope and intensity of their repercussions and the grades of emergency incidents likely to occur;

（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；

(IV) Making known to the public on a regular basis the forecast information on any emergency incident related to the public and the results of analysis and evaluation, and managing the reporting of relevant information; and

（五）及时按照有关规定向社会发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。

(V) Promptly issuing to the public a warning of damage likely to be caused by an emergency incident pursuant to relevant provisions, giving publicity to common knowledge concerning the avoidance or mitigation of damage, and making public the consulting telephone number.

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：

Article 45 After issuing a first or second alarm 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 the 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:

（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；

1. ordering emergency rescue teams and persons with specific duties to be in a standby state, and mobilizing reserve personnel to make preparations for participating in emergency rescue and disposal;

（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；

(II) Allocating materials, 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;

（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；

(III) Strengthening the safety protection of key entities, important parts and important infrastructures, and maintaining the public security order;

（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；

(IV) take necessary measures to ensure the safety and normal operation of public facilities such as transportation, communication, water supply, drainage, power supply, gas supply, or heating supply facilities; and

（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；

(V) Releasing to the public recommendations or advice relating to the avoidance or mitigation of damage by taking specific measures;

（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；

(VI) Transferring, dispersing or evacuating people likely to be affected by the emergency incidents and making proper arrangements for them and transferring important property;

（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；

(VII) Closing down or restricting the use of places vulnerable to the damage caused by emergencies, and controlling or restricting activities in public places which are likely to cause the expansion of damage; and

（八）法律、法规、规章规定的其他必要的防范性、保护性措施。

(VIII) other necessary preventive and protective measures specified in laws, regulations and rules.

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。

Article 46 With regard to public security incidents that are about to occur or have occurred, local people's governments at or above the county level and their relevant competent departments shall, in accordance with the regulations, report the incidents to the people's governments at the next higher level and their relevant competent departments and may, when necessary, report by bypassing the immediate authority.

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。

Article 47 The people's government giving the alarm of an emergency shall, in accordance with relevant regulations and, in light of the development of the situation, make an appropriate adjustment of the grade of the early warning and publish the same anew.

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。

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

第四章 应急处置与救援

Chapter 4 Emergency Response and Rescue

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。

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 arrange for relevant departments to mobilize emergency response rescue teams and social forces and take emergency response operation measures in accordance with the provisions of this Chapter and relevant laws, regulations and rules.

第四十九条   自然灾害、事故灾难或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：

Article 49 After the occurrence of a natural disaster, accidental disaster or public health incident, any people's government which performs the functions and duties of unified leadership may take one or more of the following emergency response operation measures:

（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；

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

（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；

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;

（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；

(III) 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 endangered with shelters and necessities of life, giving medical aid, taking sanitation and epidemic prevention measures and taking other safeguard measures;

（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；

(IV) prohibiting or restricting the use of relevant equipment or facilities, closing or restricting the use of relevant places, suspending people-intensive activities or production or operation activities that may cause the expansion of damage, and taking other protective measures;

（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；

(V) using financial reserve funds set 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; and

（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；

(VI) organizing citizens to participate in emergency rescue and handling, and requiring persons with specific expertise to provide services;

（七）保障食品、饮用水、燃料等基本生活必需品的供应；

(VII) Ensuring the supply of food, drinking water, fuel and other basic necessities of life;

（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；

(VIII) Punishing severely in accordance with the law any party who corners the market, drives up prices, produces or sells fake goods and commits other acts which disturb the order of the market, stabilizing the market price and maintaining the order of the market; and

（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；

(IX) Punishing severely in accordance with the law any party who plunders another party's property, interferes with or disrupts the emergency response and any other act that disturbs the social order so as to maintain public order; and

（十）采取防止发生次生、衍生事件的必要措施。

(X) Taking necessary measures to prevent the occurrence of any secondary or derivative incident.

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：

Article 50 After a social security incident occurs, the people's government responsible for organizing the handling of the incident shall immediately make arrangements for relevant departments to take one or more of the following emergency response handling measures according to the nature and characteristics of the incident and in accordance with relevant laws, administrative regulations and other relevant provisions of the State:

（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；

1. Compulsorily segregating parties who fight each other with devices or participate in conflicts with violence, properly resolving disputes and conflicts at the scene, and controlling the development of the situation;

（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；

(II) Control buildings, transportation vehicles, equipment, facilities and the supply of fuel, gas, power and water in a given area;

（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；

(III) Closing off relevant places and roads, examining the identity certificates of people on the scene, and restricting the activities at relevant public places;

（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；

(IV) Making more efforts to protect the security of core organs and entities which are vulnerable, and establishing temporary security lines around state organs, military organs, state news agencies, radio stations, television stations, foreign embassies and consulates in China and other entities;

（五）法律、行政法规和国务院规定的其他必要措施。

(V) other necessary measures specified by laws, administrative regulations and the State Council.

严重危害社会治安秩序的事件发生时，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。

When an incident seriously endangering public security occurs, the public security organ shall immediately send out policemen and, in light of the situation at the scene, take appropriate compulsory measures according to law to restore social order as soon as possible.

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。

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 departments 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 people and to the maximum extent mitigate the effect of such an emergency incident.

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。

Article 52 The people's government performing the duty of unified leadership or being responsible for organizing the handling of an emergency may, when necessary, expropriate from units or individuals equipment, facilities, premises, means of transport and other materials needed for emergency response rescue, request other local people's governments to provide manpower, material resources, financial or technical support, require the enterprises that produce or supply daily necessities and materials for emergency response rescue to organize production and ensure supply, and require the organizations that provide public services such as medical treatment and transportation to provide corresponding services.

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。

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 materials, equipment and instruments necessary for emergency response operations, emergency response rescue staff and people affected by the emergency.

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。

Article 53 The people's government performing the duty of unified leadership or being responsible for organizing the handling of an emergency shall, in accordance with the relevant regulations, publish uniform, accurate and timely information on the development and handling of the emergency.

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。

Article 54 No entity or individual may fabricate or disseminate false information on the development or handling of an emergency.

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。

Article 55 Residents' committees, villagers' committees or other organizations at the places where emergencies occur shall, according to the decisions and orders of the local people's governments, conduct publicity and mobilization, organize the people to rescue themselves and each other, and help maintain the order of society.

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。

Article 56 The unit that suffers natural disaster or in which a calamitous accident or public health incident occurs shall immediately mobilize its own rescue teams and staff members to rescue the victims, disperse and evacuate the persons endangered and have them resettled, take control of the sources of danger, clearly mark the endangered areas, blockade the endangered premises, and take other necessary measures for preventing the expansion of the scale of damage, and at the same time, it shall report the matter to the local people's government at the county level; if a social safety incident is caused by the problem of the unit itself or if its own staff members constitute the main participants in the incident, the said unit shall, according to relevant regulations, report the matter to the authority at a higher level and promptly send its leading persons to rush to the scene and conduct persuasion and mediation.

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。

The other units in the place where an emergency occurs shall obey the decisions and orders issued by the people's government, cooperate with the people's government in implementing the measures it adopts for handling the emergency, do a good job of emergency rescue in their own units and actively organize persons to participate in emergency rescue and handling in their own localities.

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。

Article 57 Citizens at the place where an emergency occurs shall follow the direction and arrangements of the people's government, residents' committees, villagers' committees or the units to which they belong, cooperate with the people's government in implementing the measures it adopts for handling the emergency, actively participate in emergency rescue and help maintain social order.

第五章 事后恢复与重建

Chapter 5 Recovery 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 controlled or eliminated, 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, calamitous accident or secondary or derivative public health incident or the recurrence of any 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 arrange for the evaluation of losses incurred as a result of the emergency incident, make arrangements for the affected areas to restore production, life, work and social order 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 organize and coordinate the efforts of the relevant departments such as public security, transportation, railway, civil aviation, post and telecommunications, and construction departments to restore public order and repair as soon as possible public facilities such as transportation, communications, 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 make 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 area, provide financial or material resources support and technical guidance, and make arrangements for other areas 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 industries 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 the area affected by an emergency incident shall, in light of losses suffered by the area, make plans for relief, compensation, comfort, consolation, resettlement and other activities after the incident, arrange for the implementation of such plans, and properly settle the conflicts and disputes caused in the course of emergency incident disposal.

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 when a citizen participates in emergency rescue or assists in maintaining social order, his/her wages, benefits and welfare in the entity in which he/she works shall remain unchanged. If he/she has made outstanding and remarkable achievements in this regard, the people's government at or above the county level shall commend or reward him/her.

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 governments at or above the county level shall, in accordance with law, make compensation to the persons who are injured or killed in the course of emergency rescue.

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 cause and the process of an emergency incident, draw lessons from emergency response operations with respect to the emergency incident, formulate improvement measures, and make a report to the people's government at the next higher level.

第六章 法律责任

Chapter 6 Legal Liabilities

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：

Article 63 Where local people's governments at all levels and the relevant departments under the people's governments at or above the county level, in violation of the provisions of this Law, fail to perform their statutory duties, administrative organs at higher levels or supervisory organs shall order them to make rectification; under any of the following circumstances, the leading person directly in charge and the other persons directly responsible shall be given sanctions according to law in light of the circumstances:

（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；

1. Where they fail to take preventive 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;

（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；

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

（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；

(III) 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 the relevant provisions, thereby leading to the occurrence of any damage;

（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；

(IV) 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;

（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；

(V) 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;

（六）未及时组织开展生产自救、恢复重建等善后工作的；

(VI) Where they fail to timely organize and carry out self-help production, rehabilitation, reconstruction and other rehabilitation work;

（七）截留、挪用、私分或者变相私分应急救援资金、物资的；

(VII) Where the entity withholds, misappropriates, shares privately or does so in disguised form;

（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。

(VIII) 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；构成违反治安管理行为的，由公安机关依法给予处罚：

Article 64 Where an entity falls under any of the following circumstances, the local people's government performing the duty of unified leadership shall order it to cease production and business, temporarily withhold or revoke its permit or business license, and impose on it a fine of not less than 50,000 yuan but not more than 200,000 yuan; if the violation constitutes an act against public security administration, the public security organ shall impose on it a penalty in accordance with the law:

（一）未按规定采取预防措施，导致发生严重突发事件的；

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

（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；

(II) Where the entity fails to timely eliminate any discovered hidden danger that may give rise to an emergency incident, thereby leading to the occurrence of any serious emergency incident;

（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；

(III) failing to properly maintain and test emergency equipment and facilities, causing the occurrence of any serious emergency incident or the expansion of any damage caused by an emergency incident; or

（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。

(IV) 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.

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。

Where other laws or administrative regulations provide that the punishment for any of the acts specified in the preceding paragraph shall be decided in accordance with the law by the relevant department under the people's government, such provisions shall apply.

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。

Article 65 Any unit or individual that, in violation of the provisions of this Law, fabricates and disseminates false information on the development or handling of an emergency, or knowingly disseminates such false information, shall be ordered to put it right and shall be given a disciplinary warning; if serious consequences are caused, its business activities shall be suspended or its practicing license shall be revoked according to law; if the person directly responsible is a State functionary, he shall, in addition, be given sanctions according to law; and if a violation of the regulations for administration of public security is constituted, a penalty shall be imposed by the public security organ according to law.

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。

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 refuses to cooperate with the measures taken thereby in accordance with the law, which constitutes a violation of public security administration, a penalty shall be imposed by the public security organ in accordance with the law.

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。

Article 67 Where the occurrence of an emergency incident or the expansion of its damage caused by a violation of this Law by an entity or individual causes personal injuries or property damage, such an entity or individual shall bear civil liability in accordance with the law.

第六十八条   违反本法规定，构成犯罪的，依法追究刑事责任。

Article 68 Where a violation of the provisions of this Law constitutes a criminal offence, criminal liability shall be imposed according to the law.

第七章 附 则

Chapter 7 Supplementary Provisions

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。

Article 69 Where an extremely serious emergency occurs, which poses a serious threat to the safety of the lives and property of the people, to national security, public security, environmental safety or social order, and the serious harm which inflicts on the society cannot be eliminated, kept under effective control or mitigated by taking the measures for handling emergency, as provided for in this Law and in other relevant laws, regulations and rules, therefore it is necessary to enter into a state of emergency, the matter shall be subject to decision made by the Standing Committee of the National People's Congress or the State Council within the limits of their power and according to procedure as provided for by the Constitution and the relevant laws.

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

The extraordinary measures taken during the period of a state of emergency shall be carried out according to the provisions of the relevant laws or be enacted separately by the Standing Committee of the National People's Congress.

第七十条   本法自2007年11月1日起施行。

Article 70 This Law shall go into effect as of November 1, 2007.