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# 中华人民共和国节约能源法（2018修正）

# Energy Conservation Law of the People's Republic of China (Amended in 2018)

中华人民共和国节约能源法

Energy Conservation Law of the People's Republic of China

（1997年11月1日第八届全国人民代表大会常务委员会第二十八次会议通过　2007年10月28日第十届全国人民代表大会常务委员会第三十次会议修订　根据2016年7月2日第十二届全国人民代表大会常务委员会第二十一次会议《关于修改〈中华人民共和国节约能源法〉等六部法律的决定》第一次修正　根据2018年10月26日第十三届全国人民代表大会常务委员会第六次会议《关于修改〈中华人民共和国野生动物保护法〉等十五部法律的决定》第二次修正）

(Adopted at the 28th Session of the Standing Committee of the 8th National People's Congress on November 1, 1997; revised at the 30th Session of the Standing Committee of the 10th National People's Congress on October 28, 2007; amended for the first time according to the Decision on Revising Six Laws including the Energy Conservation Law of the People's Republic of China passed at the 21st Session of the Standing Committee of the 12th National People's Congress on July 2, 2016; and amended for the second time according to the Decision on Revising Fifteen Laws including the Law of the People's Republic of China on the Protection of Wildlife passed at the 6th Session of the Standing Committee of the 13th National People's Congress on October 26, 2018)

第一章 总 则

Chapter 1 General Provisions

第一条   为了推动全社会节约能源，提高能源利用效率，保护和改善环境，促进经济社会全面协调可持续发展，制定本法。

Article 1 This Law is formulated for the purposes of promoting energy conservation in the entire society, raising energy utilisation efficiency, protecting and improving the environment, and promoting comprehensive, coordinated and sustainable economic and social development.

第二条   本法所称能源，是指煤炭、石油、天然气、生物质能和电力、热力以及其他直接或者通过加工、转换而取得有用能的各种资源。

Article 2 The term "energy" as used in this Law refers to coal, petroleum, natural gas, biomass energy and electricity, thermal power and all other resources from which useful energy can be obtained directly or through processing or transformation.

第三条   本法所称节约能源（以下简称节能），是指加强用能管理，采取技术上可行、经济上合理以及环境和社会可以承受的措施，从能源生产到消费的各个环节，降低消耗、减少损失和污染物排放、制止浪费，有效、合理地利用能源。

Article 3 The term "energy conservation" (hereinafter referred to as "energy conservation") as used in this Law means: enhancing control in the use of energy; adopting measures which are technologically feasible, economically rational, and, at both the environmental and social levels, tolerable, to reduce consumption, reduce losses and discharge of pollutants and stop waste in all links from energy production to consumption so as to use energy effectively and rationally.

第四条   节约资源是我国的基本国策。国家实施节约与开发并举、把节约放在首位的能源发展战略。

Article 4 Saving resources is the basic state policy of our country. The state carries out the energy development strategy of saving and developing simultaneously, putting saving in the first place.

第五条   国务院和县级以上地方各级人民政府应当将节能工作纳入国民经济和社会发展规划、年度计划，并组织编制和实施节能中长期专项规划、年度节能计划。

Article 5 The State Council and the local People's Governments at the county level or above shall include energy conservation work in their national economic and social development plans and annual plans, and shall take charge of the formulation and implementation of medium- and long-term special plans on energy conservation and annual energy conservation plans.

国务院和县级以上地方各级人民政府每年向本级人民代表大会或者其常务委员会报告节能工作。

The State Council and the local People's Governments at the county level or above shall report their work in energy conservation to the People's Congress or its Standing Committee at the corresponding level.

第六条   国家实行节能目标责任制和节能考核评价制度，将节能目标完成情况作为对地方人民政府及其负责人考核评价的内容。

Article 6 The State shall implement a responsibility system and a performance evaluation system for the fulfillment of energy conservation targets. The status in achieving energy conservation targets shall be included in the performance evaluation of local people's governments and the corresponding personnel in charge.

省、自治区、直辖市人民政府每年向国务院报告节能目标责任的履行情况。

The People's Governments of provinces, autonomous regions and centrally-administered municipalities shall report annually to the State Council on their performance of energy conservation targets and responsibilities.

第七条   国家实行有利于节能和环境保护的产业政策，限制发展高耗能、高污染行业，发展节能环保型产业。

Article 7 The State shall implement industrial policies that are conducive to energy conservation and environmental protection, limit industries that are high in energy consumption and pollution discharge, and develop industries that are energy-saving and environmentally friendly.

国务院和省、自治区、直辖市人民政府应当加强节能工作，合理调整产业结构、企业结构、产品结构和能源消费结构，推动企业降低单位产值能耗和单位产品能耗，淘汰落后的生产能力，改进能源的开发、加工、转换、输送、储存和供应，提高能源利用效率。

The State Council and the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government shall step up efforts in energy conservation; rationally readjust industrial structures, enterprise structures, product structures and energy consumption structures; encourage enterprises to lower their energy consumption per unit of output value and energy consumption per product; eliminate backward production capabilities; improve energy development, processing, transformation, transportation, storage and its supply; and increase energy utilization efficiency.

国家鼓励、支持开发和利用新能源、可再生能源。

The State encourages and supports the development and utilization of new energy resources and renewable energy resources.

第八条   国家鼓励、支持节能科学技术的研究、开发、示范和推广，促进节能技术创新与进步。

Article 8 The State shall encourage and support the research, development, demonstration and dissemination of energy conservation science and technologies, and shall promote innovation and advancement of energy conservation technologies.

国家开展节能宣传和教育，将节能知识纳入国民教育和培训体系，普及节能科学知识，增强全民的节能意识，提倡节约型的消费方式。

The State shall carry out energy conservation campaigns and education, include the knowledge of energy conservation in its national education and training systems, disseminate scientific knowledge of energy conservation among the people, enhance the nation's awareness of energy conservation, and advocate energy-saving consumption patterns.

第九条   任何单位和个人都应当依法履行节能义务，有权检举浪费能源的行为。

Article 9 All units and individuals shall fulfill their obligation to conserve energy according to law, and have the right to report against any waste of energy.

新闻媒体应当宣传节能法律、法规和政策，发挥舆论监督作用。

The news media shall publicize the laws, regulations and policies of Energy Conservation, and bring the role of supervision of public opinion into play.

第十条   国务院管理节能工作的部门主管全国的节能监督管理工作。国务院有关部门在各自的职责范围内负责节能监督管理工作，并接受国务院管理节能工作的部门的指导。

Article 10 The department regulating energy conservation under the State Council takes charge of supervision and administration of energy conservation nationwide. The relevant departments under the State Council shall take responsibility for the work in energy conservation supervision and administration within their respective functions and responsibilities, and shall be subject to the guidance from the departments regulating energy conservation under the State Council.

县级以上地方各级人民政府管理节能工作的部门负责本行政区域内的节能监督管理工作。县级以上地方各级人民政府有关部门在各自的职责范围内负责节能监督管理工作，并接受同级管理节能工作的部门的指导。

The departments regulating energy conservation under the People's Governments at the county level or above shall take charge of supervision and administration of energy conservation within their respective administrative areas. The relevant departments under the local people's governments at or above the county level shall take responsibility for the work in energy conservation supervision and administration within their respective functions and duties, and shall be subject to the guidance from the departments regulating energy conservation at the same level.

第二章 节能管理

Chapter 2 Administration of Energy Conservation

第十一条   国务院和县级以上地方各级人民政府应当加强对节能工作的领导，部署、协调、监督、检查、推动节能工作。

Article 11 The State Council and the local people's governments at or above the county level shall strengthen leadership in energy conservation, plan, coordinate, supervise, inspect and promote energy conservation.

第十二条   县级以上人民政府管理节能工作的部门和有关部门应当在各自的职责范围内，加强对节能法律、法规和节能标准执行情况的监督检查，依法查处违法用能行为。

Article 12 The administrative departments for energy conservation and the relevant departments under the people's governments at or above the county level shall, within their respective functions and duties, strengthen supervision over and inspection of the implementation of laws, regulations on energy conservation and energy conservation standards, and investigate and deal with illegal acts of using energy in accordance with law.

履行节能监督管理职责不得向监督管理对象收取费用。

No fees may be charged from those under such supervision and control in the performance of their duties in energy conservation supervision and control.

第十三条   国务院标准化主管部门和国务院有关部门依法组织制定并适时修订有关节能的国家标准、行业标准，建立健全节能标准体系。

Article 13 The department of standardization under the State Council and other relevant departments under the State Council shall formulate and timely revise the relevant national and industrial standards for energy conservation and establish a system of energy conservation standards and make improvements thereto.

国务院标准化主管部门会同国务院管理节能工作的部门和国务院有关部门制定强制性的用能产品、设备能源效率标准和生产过程中耗能高的产品的单位产品能耗限额标准。

The department of standardisation administration under the State Council, in conjunction with the department regulating energy conservation under the State Council and other relevant departments under the State Council, shall establish mandatory energy efficiency standards for energy-consuming products and equipment, and mandatory energy consumption limits per unit of products on products with high energy consumption during production.

国家鼓励企业制定严于国家标准、行业标准的企业节能标准。

The State shall encourage enterprises to establish energy conservation standards that are stricter than the national or industrial standards.

省、自治区、直辖市制定严于强制性国家标准、行业标准的地方节能标准，由省、自治区、直辖市人民政府报经国务院批准；本法另有规定的除外。

Except where otherwise stipulated in this Law, where provinces, autonomous regions, and centrally-administered municipalities establish regional energy conservation standards that are stricter than the compulsory national or industrial standards, they shall be reported by the people's governments of the provinces, autonomous regions, and centrally-administered municipalities to the State Council for approval.

第十四条   建筑节能的国家标准、行业标准由国务院建设主管部门组织制定，并依照法定程序发布。

Article 14 The national and industrial building energy conservation standards shall be formulated by the department of construction under the State Council and be published in accordance with the legal procedure.

省、自治区、直辖市人民政府建设主管部门可以根据本地实际情况，制定严于国家标准或者行业标准的地方建筑节能标准，并报国务院标准化主管部门和国务院建设主管部门备案。

The administrative departments of construction under the People's Governments of provinces, autonomous regions, and centrally-administered municipalities may formulate regional building energy conservation standards that are stricter than the national or industrial standards according to their actual local conditions, and file such regional standards with the administrative department of standardization and the administrative department of construction under the State Council for record.

第十五条   国家实行固定资产投资项目节能评估和审查制度。不符合强制性节能标准的项目，建设单位不得开工建设；已经建成的，不得投入生产、使用。政府投资项目不符合强制性节能标准的，依法负责项目审批的机关不得批准建设。具体办法由国务院管理节能工作的部门会同国务院有关部门制定。

Article 15 The State shall implement an energy conservation assessment and review system for fixed asset investment projects. For projects which do not comply with mandatory energy conservation standards, the developer shall not commence construction; where the project is completed, the project shall not be put into production or use. For government-invested projects that do not meet the compulsory energy conservation standards, the authorities legally in charge of project examination and approval shall not approve the construction thereof. The detailed measures shall be formulated by the department regulating energy conservation under the State Council in conjunction with other relevant departments under the State Council.

第十六条   国家对落后的耗能过高的用能产品、设备和生产工艺实行淘汰制度。淘汰的用能产品、设备、生产工艺的目录和实施办法，由国务院管理节能工作的部门会同国务院有关部门制定并公布。

Article 16 The State shall practise an elimination system for outdated and highly energy-consuming products, equipment and production techniques. The catalogues of energy-using products, equipment and production techniques subject to elimination and the measures for implementation shall be formulated and published by the department regulating energy conservation under the State Council in conjunction with other relevant departments under the State Council.

生产过程中耗能高的产品的生产单位，应当执行单位产品能耗限额标准。对超过单位产品能耗限额标准用能的生产单位，由管理节能工作的部门按照国务院规定的权限责令限期治理。

The production units that consume inordinate amounts of energy during production shall be subject to per-product energy consumption limitation standards. Production units that go over such limits shall be ordered to make corrections within a specified time limit by the departments regulating energy conservation within the authority granted by the State Council.

对高耗能的特种设备，按照国务院的规定实行节能审查和监管。

Special high-energy-consuming equipment shall be subject to energy conservation review and regulation in accordance with the regulations of the State Council.

第十七条   禁止生产、进口、销售国家明令淘汰或者不符合强制性能源效率标准的用能产品、设备；禁止使用国家明令淘汰的用能设备、生产工艺。

Article 17 It is prohibited to produce, import or sell energy-using products or equipment that should be phased out as explicitly ordered by the State or that do not meet the compulsory energy efficiency standards; it is prohibited to use energy-using equipment or production techniques that should be phased out as explicitly ordered by the State.

第十八条   国家对家用电器等使用面广、耗能量大的用能产品，实行能源效率标识管理。实行能源效率标识管理的产品目录和实施办法，由国务院管理节能工作的部门会同国务院市场监督管理部门制定并公布。

Article 18 The State shall implement energy-efficiency labeling administration on widely-used and high-energy-consuming products such as household appliances. The catalogues and the implementation measures for the products under energy-efficiency labeling administration shall be formulated and published by the department regulating energy conservation under the State Council in conjunction with the market regulatory body under the State Council.

第十九条   生产者和进口商应当对列入国家能源效率标识管理产品目录的用能产品标注能源效率标识，在产品包装物上或者说明书中予以说明，并按照规定报国务院市场监督管理部门和国务院管理节能工作的部门共同授权的机构备案。

Article 19 Manufacturers and importers of energy-using products that are included in the catalogues of products subject to the State energy-efficiency labeling administration shall label energy-efficiency labels on such products, explain the labels on product packaging or product manuals, and file such information with the institutions jointly authorized by the market supervision and administration department under the State Council and the department regulating energy conservation under the State Council for record as required.

生产者和进口商应当对其标注的能源效率标识及相关信息的准确性负责。禁止销售应当标注而未标注能源效率标识的产品。

Manufacturers and importers shall be responsible for the accuracy of the energy efficiency labels and relevant information. Sales of unlabeled products that should be labeled with energy-efficiency labels are prohibited.

禁止伪造、冒用能源效率标识或者利用能源效率标识进行虚假宣传。

It is prohibited to forge or fraudulently use energy efficiency labels, or to use energy efficiency labels for false advertising.

第二十条   用能产品的生产者、销售者，可以根据自愿原则，按照国家有关节能产品认证的规定，向经国务院认证认可监督管理部门认可的从事节能产品认证的机构提出节能产品认证申请；经认证合格后，取得节能产品认证证书，可以在用能产品或者其包装物上使用节能产品认证标志。

Article 20 Producers and sellers of energy-consuming products may submit, on a voluntary basis and in accordance with the State provisions relating to energy-saving product certification, applications for energy-saving product certification to the institutions undertaking energy-saving product certification which are accredited by the department supervising certification and accreditation under the State Council; those who pass the certification may, after obtaining energy-saving product certification certificates, affix energy-saving product certification marks on the energy-consuming products or their packaging.

禁止使用伪造的节能产品认证标志或者冒用节能产品认证标志。

It is prohibited to use forged energy-saving product certification marks or infringe upon energy-saving product certification marks.

第二十一条   县级以上各级人民政府统计部门应当会同同级有关部门，建立健全能源统计制度，完善能源统计指标体系，改进和规范能源统计方法，确保能源统计数据真实、完整。

Article 21 The statistics departments under the people's governments at or above the county level shall, in conjunction with the relevant departments at the same level, establish an energy statistics system and make improvements thereto, improve energy statistics index system, improve and standardize energy statistics methods, and ensure the accuracy and completeness of energy statistical data.

国务院统计部门会同国务院管理节能工作的部门，定期向社会公布各省、自治区、直辖市以及主要耗能行业的能源消费和节能情况等信息。

The statistics department under the State Council shall, in conjunction with the department regulating energy conservation under the State Council, make public announcement on energy consumption and conservation in all provinces, autonomous regions, centrally-administered municipalities and major energy-consuming industries at regular intervals.

第二十二条   国家鼓励节能服务机构的发展，支持节能服务机构开展节能咨询、设计、评估、检测、审计、认证等服务。

Article 22 The State shall encourage the development of energy conservation service agencies, and support such agencies in energy conservation consultation, design, evaluation, inspection, auditing and certification services.

国家支持节能服务机构开展节能知识宣传和节能技术培训，提供节能信息、节能示范和其他公益性节能服务。

The State shall support energy conservation service agencies to publicise energy conservation knowledge and conduct energy conservation technology training, and to provide energy conservation information, demonstration and other energy conservation services for public welfare purposes.

第二十三条   国家鼓励行业协会在行业节能规划、节能标准的制定和实施、节能技术推广、能源消费统计、节能宣传培训和信息咨询等方面发挥作用。

Article 23 The State shall encourage industry associations to play a role in energy conservation planning, formulation and implementation of energy conservation standards, promotion of energy conservation technologies, energy consumption statistics, energy conservation publicity and training and information consultation, etc.

第三章 合理使用与节约能源

Chapter 3 Rational Energy Use and Conservation

第一节 一般规定

Section 1 General Provisions

第二十四条   用能单位应当按照合理用能的原则，加强节能管理，制定并实施节能计划和节能技术措施，降低能源消耗。

Article 24 Energy-using units shall strengthen energy conservation management, formulate and implement energy conservation plans and technical measures for energy conservation, and reduce energy consumption in accordance with the principle of rational use of energy.

第二十五条   用能单位应当建立节能目标责任制，对节能工作取得成绩的集体、个人给予奖励。

Article 25 Energy-using units shall establish a responsibility system for energy conservation targets and grant rewards to collectives and individuals that achieve successes in energy conservation.

第二十六条   用能单位应当定期开展节能教育和岗位节能培训。

Article 26 Energy-consuming units shall regularly conduct energy conservation education and on-the-job energy conservation training.

第二十七条   用能单位应当加强能源计量管理，按照规定配备和使用经依法检定合格的能源计量器具。

Article 27 Energy-consuming units shall strengthen energy measurement management, and shall be equipped with and use, as required, energy measuring instruments that have been legally certified.

用能单位应当建立能源消费统计和能源利用状况分析制度，对各类能源的消费实行分类计量和统计，并确保能源消费统计数据真实、完整。

Energy-using units shall establish a system for energy consumption statistics and energy utilization analysis, categorize and measure and compile statistics on various types of energy consumption, and ensure the accuracy and completeness of energy consumption statistical data.

第二十八条   能源生产经营单位不得向本单位职工无偿提供能源。任何单位不得对能源消费实行包费制。

Article 28 Energy production and operation units shall not provide their own employees with energy resources free of charge. No units shall practice a package fee system for energy consumption.

第二节 工业节能

Section 2 Industrial Energy Conservation

第二十九条   国务院和省、自治区、直辖市人民政府推进能源资源优化开发利用和合理配置，推进有利于节能的行业结构调整，优化用能结构和企业布局。

Article 29 The State Council and the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government shall promote the optimal exploitation and utilization of energy resources and their rational allocation, promote the adjustment of industrial structures that are conducive to energy conservation, and optimize energy consumption structure and enterprise layout.

第三十条   国务院管理节能工作的部门会同国务院有关部门制定电力、钢铁、有色金属、建材、石油加工、化工、煤炭等主要耗能行业的节能技术政策，推动企业节能技术改造。

Article 30 The department regulating energy conservation under the State Council shall, in conjunction with other relevant departments under the State Council, formulate energy conservation technology policies for major energy-consuming industries such as power, steel, non-ferrous metal, building materials, petroleum processing, chemical engineering and coal industries, and push forward energy conservation technology reforms for enterprises.

第三十一条   国家鼓励工业企业采用高效、节能的电动机、锅炉、窑炉、风机、泵类等设备，采用热电联产、余热余压利用、洁净煤以及先进的用能监测和控制等技术。

Article 31 The State shall encourage industrial enterprises to use such equipment as high-efficiency and energy-saving electric motors, boilers, furnaces, fans and pumps, and to adopt such technologies as combined generation of heat and electricity, utilisation of residual heat and pressure, clean coal, and advanced monitoring and control of energy consumption.

第三十二条   电网企业应当按照国务院有关部门制定的节能发电调度管理的规定，安排清洁、高效和符合规定的热电联产、利用余热余压发电的机组以及其他符合资源综合利用规定的发电机组与电网并网运行，上网电价执行国家有关规定。

Article 32 Power grid enterprises shall arrange for, in accordance with the regulations of the relevant department under the State Council on energy-saving power generation dispatch management, clean, efficient and qualified cogeneration or by-product heat and pressure-based power generation units or other power generation units that comply with the regulations on comprehensive resource utilization to be connected to their power grids. The feed-in tariff shall be subject to the relevant regulations of the State.

第三十三条   禁止新建不符合国家规定的燃煤发电机组、燃油发电机组和燃煤热电机组。

Article 33 It is prohibited to build new coal-fired generating units, oil-fired generating units or coal-fired thermal generating units that do not conform to the regulations of the State.

第三节 建筑节能

Section 3 Energy Conservation in Buildings

第三十四条   国务院建设主管部门负责全国建筑节能的监督管理工作。

Article 34 The administrative department of construction under the State Council shall take charge of supervision and administration of building energy conservation nationwide.

县级以上地方各级人民政府建设主管部门负责本行政区域内建筑节能的监督管理工作。

The administrative departments of construction under the People's Governments at county level or above shall take charge of supervision and administration of building energy conservation within their respective administrative regions.

县级以上地方各级人民政府建设主管部门会同同级管理节能工作的部门编制本行政区域内的建筑节能规划。建筑节能规划应当包括既有建筑节能改造计划。

The administrative departments of construction under the People's Governments at county level or above shall, in conjunction with the departments regulating energy conservation at corresponding levels, formulate plans for building energy conservation within their respective administrative regions. Building energy conservation plans shall include plans for energy conservation retrofits of existing buildings.

第三十五条   建筑工程的建设、设计、施工和监理单位应当遵守建筑节能标准。

Article 35 The development, design, construction and supervision units of building engineering shall comply with the building energy saving standards.

不符合建筑节能标准的建筑工程，建设主管部门不得批准开工建设；已经开工建设的，应当责令停止施工、限期改正；已经建成的，不得销售或者使用。

For building engineering projects that do not meet the building energy saving standards, the administrative departments of construction shall not approve the start of construction; if the construction has already started, an order shall be made to stop the construction and to make corrections within a time limit; if the construction has already been completed, the projects shall not be sold or put into use.

建设主管部门应当加强对在建建筑工程执行建筑节能标准情况的监督检查。

The departments of construction shall step up supervision and inspection of the implementation of the building energy efficiency standards in ongoing construction projects.

第三十六条   房地产开发企业在销售房屋时，应当向购买人明示所售房屋的节能措施、保温工程保修期等信息，在房屋买卖合同、质量保证书和使用说明书中载明，并对其真实性、准确性负责。

Article 36 Real estate developers, when selling houses, shall expressly disclose to buyers such information as the energy conservation measures and the warranty period for the heat preservation works of the houses to be sold, specify such information in the house purchase contracts, quality guarantees and instruction manuals, and be responsible for the authenticity and accuracy thereof.

第三十七条   使用空调采暖、制冷的公共建筑应当实行室内温度控制制度。具体办法由国务院建设主管部门制定。

Article 37 Public buildings that use air conditioning for heating or cooling shall implement an indoor temperature control system. The specific measures shall be formulated by the administrative department of construction under the State Council.

第三十八条   国家采取措施，对实行集中供热的建筑分步骤实行供热分户计量、按照用热量收费的制度。新建建筑或者对既有建筑进行节能改造，应当按照规定安装用热计量装置、室内温度调控装置和供热系统调控装置。具体办法由国务院建设主管部门会同国务院有关部门制定。

Article 38 The State shall take measures to implement, step by step, the system of household-based heating metering and usage-based heating fees to the buildings with centralised heating. In the construction of new buildings or the energy conservation retrofits of existing buildings, heating metering devices, indoor temperature controls and heating supply control devices shall be installed as required. The specific measures shall be formulated by the competent construction department of the State Council together with the relevant departments of the State Council.

第三十九条   县级以上地方各级人民政府有关部门应当加强城市节约用电管理，严格控制公用设施和大型建筑物装饰性景观照明的能耗。

Article 39 The relevant departments under the People's Governments at county level or above shall strengthen administration of electricity conservation in urban areas, and shall strictly control energy consumption by public facilities and decorative landscape lighting of large buildings.

第四十条   国家鼓励在新建建筑和既有建筑节能改造中使用新型墙体材料等节能建筑材料和节能设备，安装和使用太阳能等可再生能源利用系统。

Article 40 In the construction of new buildings or the energy conservation retrofits of existing buildings, the State shall encourage the use of energy-saving building materials such as new wall materials and energy-saving equipment, as well as the installation and use of renewable energy use systems such as solar energy.

第四节 交通运输节能

Section 4 Energy Conservation in Transportation

第四十一条   国务院有关交通运输主管部门按照各自的职责负责全国交通运输相关领域的节能监督管理工作。

Article 41 The relevant administrative departments of transportation under the State Council shall, in accordance with their respective functions and duties, take charge of energy conservation supervision and administration in their respective sectors nationwide.

国务院有关交通运输主管部门会同国务院管理节能工作的部门分别制定相关领域的节能规划。

The relevant administrative departments of transportation under the State Council shall, in conjunction with the department regulating energy conservation under the State Council, formulate energy conservation plans in their respective sectors.

第四十二条   国务院及其有关部门指导、促进各种交通运输方式协调发展和有效衔接，优化交通运输结构，建设节能型综合交通运输体系。

Article 42 The State Council and the relevant departments shall guide and promote coordinated development and effective convergence of various transportation methods, optimise transportation structure, and establish an energy-saving integrated transportation system.

第四十三条   县级以上地方各级人民政府应当优先发展公共交通，加大对公共交通的投入，完善公共交通服务体系，鼓励利用公共交通工具出行；鼓励使用非机动交通工具出行。

Article 43 Local people's governments at or above the county level shall give priority to developing public transportation, increase investment in public transportation, improve public transportation service system, encourage the use of public transportation, and encourage the use of non-motorized transportation.

第四十四条   国务院有关交通运输主管部门应当加强交通运输组织管理，引导道路、水路、航空运输企业提高运输组织化程度和集约化水平，提高能源利用效率。

Article 44 The relevant administrative departments of transportation under the State Council shall step up the organization and management of the transportation sector, and guide the road, water and air transportation enterprises to improve their organizational structure and level of intensification, and improve energy utilization efficiency.

第四十五条   国家鼓励开发、生产、使用节能环保型汽车、摩托车、铁路机车车辆、船舶和其他交通运输工具，实行老旧交通运输工具的报废、更新制度。

Article 45 The State shall encourage the development, production, and use of energy-saving and environment-friendly vehicles, motorcycles, railway locomotives, ships, and other means of transport, and implement a system of scrapping and upgrading old and outdated means of transport.

国家鼓励开发和推广应用交通运输工具使用的清洁燃料、石油替代燃料。

The State shall encourage the development and promotion of the use of clean fuels and alternative fuels in replacement of petroleum for transportation vehicles.

第四十六条   国务院有关部门制定交通运输营运车船的燃料消耗量限值标准；不符合标准的，不得用于营运。

Article 46 The relevant departments under the State Council shall set limits for fuel consumption by commercial transportation vehicles and vessels; those that do not meet the requirements shall not be put into operation.

国务院有关交通运输主管部门应当加强对交通运输营运车船燃料消耗检测的监督管理。

The relevant administrative departments of transportation under the State Council shall step up supervision and administration of inspections and measurement of fuel consumption by commercial transportation vehicles and vessels.

第五节 公共机构节能

Section 5 Energy Conservation in Public Institutions

第四十七条   公共机构应当厉行节约，杜绝浪费，带头使用节能产品、设备，提高能源利用效率。

Article 47 Public bodies shall implement energy conservation, eliminate waste, take the lead in using energy-saving products and equipment, and improve energy utilisation efficiency.

本法所称公共机构，是指全部或者部分使用财政性资金的国家机关、事业单位和团体组织。

Public bodies referred to in this Law shall mean State agencies, institutions and organisations which use fiscal funds fully or partially.

第四十八条   国务院和县级以上地方各级人民政府管理机关事务工作的机构会同同级有关部门制定和组织实施本级公共机构节能规划。公共机构节能规划应当包括公共机构既有建筑节能改造计划。

Article 48 The State Council and the departments of general affairs under the People's Governments at county level or above shall, in conjunction with the relevant departments at corresponding levels, formulate energy conservation plans for the public bodies at corresponding levels and organize their implementation. Energy conservation planning for public bodies shall include plans for energy conservation reform of existing buildings.

第四十九条   公共机构应当制定年度节能目标和实施方案，加强能源消费计量和监测管理，向本级人民政府管理机关事务工作的机构报送上年度的能源消费状况报告。

Article 49 Public bodies shall develop annual energy conservation targets and implementation plans, step up management of energy consumption measurement and control, and report to the departments of general affairs under the People's Government at corresponding level on their energy consumption of the previous year.

国务院和县级以上地方各级人民政府管理机关事务工作的机构会同同级有关部门按照管理权限，制定本级公共机构的能源消耗定额，财政部门根据该定额制定能源消耗支出标准。

The State Council and the departments of general affairs under the local people's governments at or above the county level shall, in conjunction with the relevant departments at the same level, establish energy consumption quotas for the public bodies at the same level in accordance with their administrative authority. The departments of finance shall establish the criteria for energy consumption expenditures based on such quotas.

第五十条   公共机构应当加强本单位用能系统管理，保证用能系统的运行符合国家相关标准。

Article 50 Public bodies shall strengthen management of their own energy use systems, and ensure that the operation of their energy use systems conform to the relevant national standards.

公共机构应当按照规定进行能源审计，并根据能源审计结果采取提高能源利用效率的措施。

Public bodies shall conduct energy auditing in accordance with the regulations, and adopt measures to improve energy utilisation efficiency based on the energy auditing results.

第五十一条   公共机构采购用能产品、设备，应当优先采购列入节能产品、设备政府采购名录中的产品、设备。禁止采购国家明令淘汰的用能产品、设备。

Article 51 In procuring energy-using products and equipment, public bodies shall give priority to the products and equipment included in the catalogues of energy-saving products and equipment for government procurement. It is prohibited to purchase energy-using products and equipment that should be phased out as explicitly ordered by the State.

节能产品、设备政府采购名录由省级以上人民政府的政府采购监督管理部门会同同级有关部门制定并公布。

Government purchase catalogues of energy-saving products and equipment shall be formulated and published by the departments overseeing government procurements under the people's governments at or above the provincial level in conjunction with the relevant departments at the same level.

第六节 重点用能单位节能

Section 6 Energy Conservation in Major Energy-Consuming Units

第五十二条   国家加强对重点用能单位的节能管理。

Article 52 The State shall step up administration of energy conservation in key energy-using units.

下列用能单位为重点用能单位：

The following energy-using units shall be the key energy-using units:

（一）年综合能源消费总量一万吨标准煤以上的用能单位；

1. energy-consuming units with aggregate annual energy consumption over 10,000 tons of standard coal;

（二）国务院有关部门或者省、自治区、直辖市人民政府管理节能工作的部门指定的年综合能源消费总量五千吨以上不满一万吨标准煤的用能单位。

(II) energy-consuming units with an annual comprehensive energy consumption of over 5,000 tons but under 10,000 tons of standard coal designated by the departments concerned under the State Council or the departments of energy conservation administration of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government.

重点用能单位节能管理办法，由国务院管理节能工作的部门会同国务院有关部门制定。

Energy conservation management measures applicable to key energy-consuming units shall be formulated by the department regulating energy conservation under the State Council in conjunction with other relevant departments under the State Council.

第五十三条   重点用能单位应当每年向管理节能工作的部门报送上年度的能源利用状况报告。能源利用状况包括能源消费情况、能源利用效率、节能目标完成情况和节能效益分析、节能措施等内容。

Article 53 Key energy-using units shall submit an annual report on their energy utilization of the previous year to the departments of energy conservation. The report on energy utilization shall cover such aspects as energy consumption, energy utilization efficiency, completion of energy conservation targets, analysis of energy conservation benefits and energy conservation measures.

第五十四条   管理节能工作的部门应当对重点用能单位报送的能源利用状况报告进行审查。对节能管理制度不健全、节能措施不落实、能源利用效率低的重点用能单位，管理节能工作的部门应当开展现场调查，组织实施用能设备能源效率检测，责令实施能源审计，并提出书面整改要求，限期整改。

Article 54 The departments regulating energy conservation shall review the energy utilization reports submitted by the major energy-consuming units. For those key energy-consuming units whose energy conservation management systems are incomplete, or whose energy conservation measures have not been effectively implemented, or whose energy utilisation is inefficient, the departments regulating energy conservation shall carry out on-site investigations, organise energy efficiency testing on energy-consuming equipment, order an energy audit, and issue a written request for rectification within a specified time limit.

第五十五条   重点用能单位应当设立能源管理岗位，在具有节能专业知识、实际经验以及中级以上技术职称的人员中聘任能源管理负责人，并报管理节能工作的部门和有关部门备案。

Article 55 Key energy-consuming units shall set up energy management posts, employ energy management personnel from among staff members with energy conservation expertise, practical experience and intermediate or higher technical titles, and file such information with the departments regulating energy conservation and the relevant departments for record.

能源管理负责人负责组织对本单位用能状况进行分析、评价，组织编写本单位能源利用状况报告，提出本单位节能工作的改进措施并组织实施。

The persons in charge of energy management shall be responsible for analyzing and evaluating the status of energy utilization of their own units, preparing the units' energy utilization reports, and proposing and implementing the improvement measures for the units' energy conservation work.

能源管理负责人应当接受节能培训。

Energy management personnel shall receive training in energy conservation.

第四章 节能技术进步

Chapter 4 Technological Progress in Energy Conservation

第五十六条   国务院管理节能工作的部门会同国务院科技主管部门发布节能技术政策大纲，指导节能技术研究、开发和推广应用。

Article 56 The department regulating energy conservation under the State Council shall, in conjunction with the department of science and technology under the State Council, issue energy-saving technology policy outlines and guide the research, development, promotion and application of energy conservation technologies.

第五十七条   县级以上各级人民政府应当把节能技术研究开发作为政府科技投入的重点领域，支持科研单位和企业开展节能技术应用研究，制定节能标准，开发节能共性和关键技术，促进节能技术创新与成果转化。

Article 57 The People's Governments at county level or above shall make research and development of energy conservation technologies as the focus of government investment in science and technology, support scientific research units and enterprises to carry out research on the application of energy conservation technologies, to formulate energy conservation standards, and to develop general and key energy conservation technologies, and shall promote innovation and commercialisation of energy conservation technologies.

第五十八条   国务院管理节能工作的部门会同国务院有关部门制定并公布节能技术、节能产品的推广目录，引导用能单位和个人使用先进的节能技术、节能产品。

Article 58 The department regulating energy conservation under the State Council shall, in conjunction with other relevant departments under the State Council, formulate and publish promotion catalogues for energy-saving technologies and products and guide energy-consuming units and individuals to use advanced energy-saving technologies and products.

国务院管理节能工作的部门会同国务院有关部门组织实施重大节能科研项目、节能示范项目、重点节能工程。

The department regulating energy conservation under the State Council shall, in conjunction with other relevant departments under the State Council, organize major scientific research programs, demonstration programs, and key projects in respect of energy conservation.

第五十九条   县级以上各级人民政府应当按照因地制宜、多能互补、综合利用、讲求效益的原则，加强农业和农村节能工作，增加对农业和农村节能技术、节能产品推广应用的资金投入。

Article 59 People's governments at or above the county level shall, in accordance with the principles of adaptation to local conditions, versatility complementation, comprehensive utilization and benefit-seeking, strengthen the work of energy conservation in agriculture and in rural areas and increase capital investment in the application and popularization of energy-saving technologies and products in agriculture and in rural areas.

农业、科技等有关主管部门应当支持、推广在农业生产、农产品加工储运等方面应用节能技术和节能产品，鼓励更新和淘汰高耗能的农业机械和渔业船舶。

The relevant departments in charge of agriculture or science and technology shall support and promote the application of energy-saving technologies and products in agricultural production and agricultural product processing, storage and transportation, and encourage the updating or elimination of high-energy-consuming agricultural machinery and fishing vessels.

国家鼓励、支持在农村大力发展沼气，推广生物质能、太阳能和风能等可再生能源利用技术，按照科学规划、有序开发的原则发展小型水力发电，推广节能型的农村住宅和炉灶等，鼓励利用非耕地种植能源植物，大力发展薪炭林等能源林。

The State shall encourage and support the vigorous development of marsh gas in rural areas, promote the use of renewable energy such as biomass energy, solar energy and wind energy, develop small-scale hydropower generation operations based on the principles of scientific planning and orderly development, promote energy-efficient rural houses and furnaces, encourage the utilization of non-cultivated lands for energy plants, and vigorously develop energy forests such as firewood forests.

第五章 激励措施

Chapter 5 Incentive Measures

第六十条   中央财政和省级地方财政安排节能专项资金，支持节能技术研究开发、节能技术和产品的示范与推广、重点节能工程的实施、节能宣传培训、信息服务和表彰奖励等。

Article 60 Special energy conservation funds shall be arranged from central fiscal funds and local provincial fiscal funds to support research and development in energy conservation technologies, demonstration and promotion of energy conservation technologies and energy-saving products, implementation of key energy conservation projects, energy conservation publicity and training, information services, and commendations and awards.

第六十一条   国家对生产、使用列入本法第五十八条规定的推广目录的需要支持的节能技术、节能产品，实行税收优惠等扶持政策。

Article 61 The State shall implement preferential tax and other policies supporting the production and use of the energy-saving technologies and products included in the promotion catalogues in Article 58 of this Law which need support.

国家通过财政补贴支持节能照明器具等节能产品的推广和使用。

The State shall support, through financial subsidies, the promotion and use of energy-saving lighting fixtures and other energy-saving products.

第六十二条   国家实行有利于节约能源资源的税收政策，健全能源矿产资源有偿使用制度，促进能源资源的节约及其开采利用水平的提高。

Article 62 The State shall implement tax policies that are conducive to energy resource conservation, improve the system for the paid use of energy and mineral resources, and promote the conservation and improvement of the exploitation and utilization levels of energy resources.

第六十三条   国家运用税收等政策，鼓励先进节能技术、设备的进口，控制在生产过程中耗能高、污染重的产品的出口。

Article 63 The State, by means of using tax policies, shall encourage the import of advanced energy-saving technologies and equipment and control the export of products with high energy consumption and heavy pollution in the production process.

第六十四条   政府采购监督管理部门会同有关部门制定节能产品、设备政府采购名录，应当优先列入取得节能产品认证证书的产品、设备。

Article 64 The departments overseeing government procurements shall, in conjunction with the relevant departments, formulate catalogues of energy-saving products and equipment for government procurement, giving priority to including products and equipment with energy-saving product authentication certificates.

第六十五条   国家引导金融机构增加对节能项目的信贷支持，为符合条件的节能技术研究开发、节能产品生产以及节能技术改造等项目提供优惠贷款。

Article 65 The State shall guide financial institutions to increase credit supports for energy conservation projects in the form of preferential loans to qualified energy-saving technology research and development, energy-saving product production, energy-saving technology innovation and other projects.

国家推动和引导社会有关方面加大对节能的资金投入，加快节能技术改造。

The State shall encourage and guide relevant public parties to increase capital investment in energy conservation in order to accelerate energy conservation technology reforms.

第六十六条   国家实行有利于节能的价格政策，引导用能单位和个人节能。

Article 66 The State shall practise price policies conducive to energy conservation in order to guide energy-using units and individuals to conserve energy.

国家运用财税、价格等政策，支持推广电力需求侧管理、合同能源管理、节能自愿协议等节能办法。

The State shall use fiscal policies and price policies to support and promote energy conservation measures such as power demand side management, contractual energy management and voluntary energy conservation agreements.

国家实行峰谷分时电价、季节性电价、可中断负荷电价制度，鼓励电力用户合理调整用电负荷；对钢铁、有色金属、建材、化工和其他主要耗能行业的企业，分淘汰、限制、允许和鼓励类实行差别电价政策。

The State shall implement power pricing systems, including time-of-use pricing systems, seasonal pricing systems and load interruptible pricing systems, in order to encourage power users to adjust their power consumption; the State shall implement differential pricing policies for iron and steel, non-ferrous metals, building materials, chemical engineering and other major energy-consuming industries, differentiated from those that are eliminated, restricted, permitted or encouraged.

第六十七条   各级人民政府对在节能管理、节能科学技术研究和推广应用中有显著成绩以及检举严重浪费能源行为的单位和个人，给予表彰和奖励。

Article 67 The people's governments at all levels shall commend and reward units and individuals that have made remarkable achievements in energy conservation management and in research, promotion and application of energy conservation science and technologies, as well as units and individuals that have reported acts of serious waste of energy resources.

第六章 法律责任

Chapter 6 Legal Liabilities

第六十八条   负责审批政府投资项目的机关违反本法规定，对不符合强制性节能标准的项目予以批准建设的，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 68 Where an agency in charge of approving government investment projects violates the provisions of this Law by approving the construction of projects that do not meet the compulsory energy conservation standards, the persons directly in charge and the other persons directly responsible shall be disciplined according to law.

固定资产投资项目建设单位开工建设不符合强制性节能标准的项目或者将该项目投入生产、使用的，由管理节能工作的部门责令停止建设或者停止生产、使用，限期改造；不能改造或者逾期不改造的生产性项目，由管理节能工作的部门报请本级人民政府按照国务院规定的权限责令关闭。

Where construction units of fixed asset investment projects start construction of projects that do not meet the compulsory energy conservation standards or put such projects into production or use, the departments regulating energy conservation shall order such units to stop construction or to stop production or use and to correct the projects within a specified time limit. Where production-oriented projects cannot be corrected or where such units fail to correct the projects within the specified time limit, the departments regulating energy conservation shall apply to the people's governments at the same level which shall order, in accordance with the authority granted by the State Council, to close such projects.

第六十九条   生产、进口、销售国家明令淘汰的用能产品、设备的，使用伪造的节能产品认证标志或者冒用节能产品认证标志的，依照《中华人民共和国产品质量法》的规定处罚。

Article 69 Where energy-consuming products or equipment phased out by express State order are produced, imported or sold, or where energy-saving product authentication labels are forged, or where energy-saving product authentication labels are infringed upon, penalties shall be imposed in accordance with the provisions of the Product Quality Law of the People's Republic of China.

第七十条   生产、进口、销售不符合强制性能源效率标准的用能产品、设备的，由市场监督管理部门责令停止生产、进口、销售，没收违法生产、进口、销售的用能产品、设备和违法所得，并处违法所得一倍以上五倍以下罚款；情节严重的，吊销营业执照。

Article 70 Where energy-consuming products or equipment that do not meet the compulsory energy efficiency standards are produced, imported or sold, the market supervision and administration authorities shall order the cease of production, imports or sales, confiscate the illegally produced, imported or sold energy-consuming products and equipment as well as the illegal income, and impose a fine ranging from one to five times the illegal income; in serious cases, the business licence shall be revoked.

第七十一条   使用国家明令淘汰的用能设备或者生产工艺的，由管理节能工作的部门责令停止使用，没收国家明令淘汰的用能设备；情节严重的，可以由管理节能工作的部门提出意见，报请本级人民政府按照国务院规定的权限责令停业整顿或者关闭。

Article 71 Where energy-using equipment or production techniques phased out by express state order are used, the departments regulating energy conservation shall order the cease of use and confiscate the energy-using equipment phased out by express state order; where the circumstances are serious, the departments regulating energy conservation may come up with suggestions which shall be submitted to the people's governments at corresponding levels pursuant to the terms of reference prescribed by the State Council to order suspension of operations for consolidation or close-down.

第七十二条   生产单位超过单位产品能耗限额标准用能，情节严重，经限期治理逾期不治理或者没有达到治理要求的，可以由管理节能工作的部门提出意见，报请本级人民政府按照国务院规定的权限责令停业整顿或者关闭。

Article 72 For production units exceeding per-product energy consumption limitation standards, where the circumstances are serious and where the production units fail to make corrections within a specified time or make corrections that meet the requirements, the departments regulating energy conservation may come up with suggestions which shall be submitted to the People's Governments at corresponding levels which shall order to suspend operations for rectification or order a shut down within the authority granted by the State Council.

第七十三条   违反本法规定，应当标注能源效率标识而未标注的，由市场监督管理部门责令改正，处三万元以上五万元以下罚款。

Article 73 Where, in violation of this Law, the energy efficiency labels that should be labeled are not labeled, the market supervision and administration department shall order a correction, and impose a fine of not less than 30,000 yuan but not more than 50,000 yuan.

违反本法规定，未办理能源效率标识备案，或者使用的能源效率标识不符合规定的，由市场监督管理部门责令限期改正；逾期不改正的，处一万元以上三万元以下罚款。

Where, in violation of the provisions hereof, any energy efficiency label is not filed for the record, or the energy efficiency label used does not conform with the provisions, the market supervision and administration department shall order a correction within a prescribed time limit; if the correction is not made within the time limit, a fine of not less than 10,000 yuan but not more than 30,000 yuan shall be imposed.

伪造、冒用能源效率标识或者利用能源效率标识进行虚假宣传的，由市场监督管理部门责令改正，处五万元以上十万元以下罚款；情节严重的，吊销营业执照。

Where energy efficiency labels are forged or infringed upon, or where energy efficiency labels are used for false advertising, the market supervision and administration authorities shall order the offender to make correction and impose a fine ranging from RMB50,000 to RMB100,000; in serious cases, the business licence shall be revoked.

第七十四条   用能单位未按照规定配备、使用能源计量器具的，由市场监督管理部门责令限期改正；逾期不改正的，处一万元以上五万元以下罚款。

Article 74 Energy-using units that fail to be equipped with or use energy measurement instruments in accordance with the regulations shall be ordered by the market supervision and administration departments to make corrections within a prescribed time limit; those that fail to make corrections within the prescribed time limit shall be subject to a fine of not less than 10,000 yuan but not more than 50,000 yuan.

第七十五条   瞒报、伪造、篡改能源统计资料或者编造虚假能源统计数据的，依照《中华人民共和国统计法》的规定处罚。

Article 75 Those that conceal, forge, or alter energy statistical information or falsify energy statistical data shall be subject to penalties in accordance with the Statistics Law of the People's Republic of China.

第七十六条   从事节能咨询、设计、评估、检测、审计、认证等服务的机构提供虚假信息的，由管理节能工作的部门责令改正，没收违法所得，并处五万元以上十万元以下罚款。

Article 76 Where false or misleading information is provided by agencies in consultancy, design, evaluation, inspection, auditing and authentication services in relation to energy conservation, the departments regulating energy conservation shall order to correct the situation, confiscate the illegal gains, and impose a fine of over 50,000 yuan and below 100,000 yuan.

第七十七条   违反本法规定，无偿向本单位职工提供能源或者对能源消费实行包费制的，由管理节能工作的部门责令限期改正；逾期不改正的，处五万元以上二十万元以下罚款。

Article 77 Those who provide energy resources free of charge to their own employees or implement a package fee system on energy consumption in violation of this Law shall be ordered by the departments of energy conservation to make corrections within a specified time limit; those who fail to make corrections within the specified time limit shall be subject to a fine of between CNY50,000 and CNY200,000.

第七十八条   电网企业未按照本法规定安排符合规定的热电联产和利用余热余压发电的机组与电网并网运行，或者未执行国家有关上网电价规定的，由国家电力监管机构责令改正；造成发电企业经济损失的，依法承担赔偿责任。

Article 78 Where power grid enterprises fail to arrange for, as required by this Law, qualified cogeneration or by-product heat and pressure-based power generation units to be connected to their power grids, or where power grid enterprises fail to implement the relevant state regulations on on-grid pricing, they shall be ordered by the state electricity regulatory agencies to make corrections; and they shall be liable for compensation in accordance with the law if there are any economic losses to the power generation enterprises.

第七十九条   建设单位违反建筑节能标准的，由建设主管部门责令改正，处二十万元以上五十万元以下罚款。

Article 79 Development units that violate the building energy efficiency standards shall be ordered to make corrections and be subject to a fine of between CNY200,000 and CNY500,000 by the administrative departments of construction.

设计单位、施工单位、监理单位违反建筑节能标准的，由建设主管部门责令改正，处十万元以上五十万元以下罚款；情节严重的，由颁发资质证书的部门降低资质等级或者吊销资质证书；造成损失的，依法承担赔偿责任。

Where design, construction or supervision units violate the building energy conservation standards, the administrative departments of construction shall order a correction and impose a fine of over 100,000 yuan and below 500,000 yuan; where the circumstances are serious, the departments issuing qualification certificates shall demote the qualification grade or revoke the qualification certificates; where losses are caused, they shall bear the liability for compensation in accordance with the law.

第八十条   房地产开发企业违反本法规定，在销售房屋时未向购买人明示所售房屋的节能措施、保温工程保修期等信息的，由建设主管部门责令限期改正，逾期不改正的，处三万元以上五万元以下罚款；对以上信息作虚假宣传的，由建设主管部门责令改正，处五万元以上二十万元以下罚款。

Article 80 Where, in violation of this Law, a real estate development enterprise fails to expressly disclose to buyers in house sales such information as the energy conservation measures of the house for sale and the warranty period for the heat preservation project, the competent construction department shall order it to make corrections within a specified time limit; if it fails to make corrections within the specified time limit, a fine of not less than 30,000 yuan but not more than 50,000 yuan shall be imposed; if it makes false publicity of the above information, the competent construction department shall order it to make corrections and impose a fine of not less than 50,000 yuan but not more than 200,000 yuan.

第八十一条   公共机构采购用能产品、设备，未优先采购列入节能产品、设备政府采购名录中的产品、设备，或者采购国家明令淘汰的用能产品、设备的，由政府采购监督管理部门给予警告，可以并处罚款；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，并予通报。

Article 81 Where public bodies, in procuring energy-using products and equipment, fail to give priority to the products and equipment included in the catalogues of energy-saving products and equipment for government procurement, or purchase energy-using products and equipment phased out by express State order, the departments supervising government procurements shall issue a warning and may impose a fine at the same time; the persons directly in charge and the other directly responsible persons shall be subject to punishment in accordance with the law and shall be criticized in a circulated notice.

第八十二条   重点用能单位未按照本法规定报送能源利用状况报告或者报告内容不实的，由管理节能工作的部门责令限期改正；逾期不改正的，处一万元以上五万元以下罚款。

Article 82 Where key energy-using units fail to submit reports on energy utilization as required by this Law or submit reports that contain false information, they shall be ordered by the departments of energy conservation to make corrections within a specified time limit; those that fail to make corrections within the specified time limit shall be subject to a fine of between CNY10,000 and CNY50,000.

第八十三条   重点用能单位无正当理由拒不落实本法第五十四条规定的整改要求或者整改没有达到要求的，由管理节能工作的部门处十万元以上三十万元以下罚款。

Article 83 Where key energy-using units refuse to implement the rectification requirements stated in Article 54 of this Law without any justified reasons or fail to make rectification as required, they shall be subject to a fine of between CNY100 ,000 and CNY300,000 by the departments of energy conservation.

第八十四条   重点用能单位未按照本法规定设立能源管理岗位，聘任能源管理负责人，并报管理节能工作的部门和有关部门备案的，由管理节能工作的部门责令改正；拒不改正的，处一万元以上三万元以下罚款。

Article 84 Where key energy-using units fail to, as required by this Law, set up energy management posts, employ persons in charge of energy management, or report to the departments of energy conservation and the relevant departments for the record, they shall be ordered by the departments of energy conservation to make corrections; those that refuse to make corrections shall be subject to a fine of between CNY10,000 and CNY30,000.

第八十五条   违反本法规定，构成犯罪的，依法追究刑事责任。

Article 85 Where a violation of the provisions of this Law constitutes a criminal offence, criminal liability shall be imposed according to the law.

第八十六条   国家工作人员在节能管理工作中滥用职权、玩忽职守、徇私舞弊，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，依法给予处分。

Article 86 State personnel guilty of abusing official powers, dereliction of duties and corruption in energy conservation administration work shall be prosecuted for criminal liability pursuant to the law if the case constitutes a criminal offence; where the case does not constitute a criminal offence, punishment shall be imposed pursuant to the law.

第七章 附 则

Chapter 7 Supplementary Provisions

第八十七条   本法自2008年4月1日起施行。

Article 87 This Law shall go into effect as of April 1, 2008.