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# 中华人民共和国消防法（2019修订）

# Fire Law of the People’s Republic of China (Amended in 2019)

中华人民共和国消防法

Fire Law of the People’s Republic of

（1998年4月29日第九届全国人民代表大会常务委员会第二次会议通过　2008年10月28日第十一届全国人民代表大会常务委员会第五次会议修订　根据2019年4月23日第十三届全国人民代表大会常务委员会第十次会议《关于修改〈中华人民共和国建筑法〉等八部法律的决定》修正）

(Adopted at the 2nd Session of the Standing Committee of the 9th National People's Congress on April 29, 1998; revised at the 5th Session of the Standing Committee of the 11th National People's Congress on October 28, 2008; and revised according to the Decision on Revising Eight Laws including the Construction Law of the People's Republic of China passed at the 10th Session of the Standing Committee of the 13th National People's Congress on April 23, 2019)

第一章 总 则

Chapter 1 General Provisions

第一条   为了预防火灾和减少火灾危害，加强应急救援工作，保护人身、财产安全，维护公共安全，制定本法。

Article 1 This Law is formulated for the purposes of preventing fire disasters and reducing fire hazards, strengthening emergency rescue operations, protecting personal safety and property security, and safeguarding public security.

第二条   消防工作贯彻预防为主、防消结合的方针，按照政府统一领导、部门依法监管、单位全面负责、公民积极参与的原则，实行消防安全责任制，建立健全社会化的消防工作网络。

Article 2 The work of fire prevention and control shall observe the policy of putting prevention first and combining prevention and control, and comply with the government's unified leadership, the department's supervision according to law, the unit's bearing responsibility in all respects, and the citizen's active participation. It shall be required to carry out the responsibility system of fire safety, and set up and perfect the socialized work network of fire prevention and control.

第三条   国务院领导全国的消防工作。地方各级人民政府负责本行政区域内的消防工作。

Article 3 The State Council shall lead the fire control work nationwide. All levels of local People's Governments shall be responsible for fire control work within their respective administrative region.

各级人民政府应当将消防工作纳入国民经济和社会发展计划，保障消防工作与经济社会发展相适应。

All levels of People's Governments shall include fire control work in the national economic and social development plan to ensure fire control work corresponds to economic and social development.

第四条   国务院应急管理部门对全国的消防工作实施监督管理。县级以上地方人民政府应急管理部门对本行政区域内的消防工作实施监督管理，并由本级人民政府消防救援机构负责实施。军事设施的消防工作，由其主管单位监督管理，消防救援机构协助；矿井地下部分、核电厂、海上石油天然气设施的消防工作，由其主管单位监督管理。

Article 4 The emergency administrative department under the State Council shall supervise and administer the fire protection work nationwide. Emergency management departments of local People's Governments at county level and above shall implement supervision and administration of fire control work within their respective administrative region, and the fire control and rescue department of the People's Government at counterpart level shall be responsible for implementation. The work of fire control for military installations shall be supervised and administered by the responsible unit with the assistance of a fire fighting and rescue organization. The work of fire control for underground areas of a mine, nuclear power plants and offshore oil and gas installations shall be supervised and administered by the responsible unit.

县级以上人民政府其他有关部门在各自的职责范围内，依照本法和其他相关法律、法规的规定做好消防工作。

Other relevant departments of People's Governments at county level and above shall carry out fire control work within their respective scope of duties and pursuant to the provisions of this Law and other relevant laws and regulations.

法律、行政法规对森林、草原的消防工作另有规定的，从其规定。

Where the laws and administrative regulations provide otherwise on fire control work of forests and grasslands, such provisions shall prevail.

第五条   任何单位和个人都有维护消防安全、保护消防设施、预防火灾、报告火警的义务。任何单位和成年人都有参加有组织的灭火工作的义务。

Article 5 All organisations and individuals shall have the obligation of safeguarding fire safety, protecting firefighting facilities, preventing fire disasters and reporting a fire. All units and adults have the obligation to take part in organized fire fighting.

第六条   各级人民政府应当组织开展经常性的消防宣传教育，提高公民的消防安全意识。

Article 6 All levels of People's Governments shall organise and carry out frequent fire control propaganda and education to raise fire safety awareness of citizens.

机关、团体、企业、事业等单位，应当加强对本单位人员的消防宣传教育。

Agencies, bodies, enterprises, institutions, etc shall strengthen fire control propaganda and education for their personnel.

应急管理部门及消防救援机构应当加强消防法律、法规的宣传，并督促、指导、协助有关单位做好消防宣传教育工作。

Emergency management departments and firefighting and rescue organisations shall strengthen propaganda for fire control laws and regulations, and supervise, guide and assist the relevant organisations to carry out fire control propaganda and education properly.

教育、人力资源行政主管部门和学校、有关职业培训机构应当将消防知识纳入教育、教学、培训的内容。

The administrative authorities in charge of education and human resources and schools and the relevant vocational training organisations shall include fire control knowledge in the education, teaching and training contents.

新闻、广播、电视等有关单位，应当有针对性地面向社会进行消防宣传教育。

The relevant news, radio and television organisations, etc shall target at the public for fire control propaganda and education.

工会、共产主义青年团、妇女联合会等团体应当结合各自工作对象的特点，组织开展消防宣传教育。

Mass organizations like the Trade Union, the Communist Youth League and the Women's Federation shall organize and carry out the publicity and education on fire fighting and prevention in combination with the characteristics of their respective working objects.

村民委员会、居民委员会应当协助人民政府以及公安机关、应急管理等部门，加强消防宣传教育。

Villagers' committees and residents' committees shall assist the People's Governments, public security authorities, emergency management authorities, etc to strengthen fire control propaganda and education.

第七条   国家鼓励、支持消防科学研究和技术创新，推广使用先进的消防和应急救援技术、设备；鼓励、支持社会力量开展消防公益活动。

Article 7 The State shall encourage and support scientific research and technological innovation for fire control, and promote the use of advanced firefighting and emergency rescue technologies and equipment; encourage and support community efforts in carrying out fire control community activities.

对在消防工作中有突出贡献的单位和个人，应当按照国家有关规定给予表彰和奖励。

Any unit or individual who has outstanding contribution to the work of fire prevention and control shall be commended and awarded according to relevant provisions of the State.

第二章 火灾预防

Chapter 2 Fire Prevention

第八条   地方各级人民政府应当将包括消防安全布局、消防站、消防供水、消防通信、消防车通道、消防装备等内容的消防规划纳入城乡规划，并负责组织实施。

Article 8 All levels of local People's Governments shall include fire control planning such as fire safety layout, firefighting stations, water supply for firefighting, communications for firefighting, fire engine access roads, firefighting equipment, etc in their urban and rural planning, and shall be responsible for organisation and implementation.

城乡消防安全布局不符合消防安全要求的，应当调整、完善；公共消防设施、消防装备不足或者不适应实际需要的，应当增建、改建、配置或者进行技术改造。

Fire safety layout of cities and villages which does not comply with fire safety requirements shall be adjusted and improved upon; where the public firefighting facilities or firefighting equipment are inadequate or do not satisfy the actual needs, such facilities or equipment shall be supplemented, modified, configured or undergo technical transformation.

第九条   建设工程的消防设计、施工必须符合国家工程建设消防技术标准。建设、设计、施工、工程监理等单位依法对建设工程的消防设计、施工质量负责。

Article 9 Fire control design and construction of a construction project shall comply with the national fire control technical standards for construction of projects. Developers, designers, builders, project supervisors, etc shall be responsible for the fire control design and construction quality of the construction project pursuant to the law.

第十条   对按照国家工程建设消防技术标准需要进行消防设计的建设工程，实行建设工程消防设计审查验收制度。

Article 10 A system of examination and acceptance of fire prevention design for construction engineering shall be adopted for construction engineering that require fire prevention design pursuant to the national technical standards on fire prevention of engineering construction.

第十一条   国务院住房和城乡建设主管部门规定的特殊建设工程，建设单位应当将消防设计文件报送住房和城乡建设主管部门审查，住房和城乡建设主管部门依法对审查的结果负责。

Article 11 For special construction projects stipulated by the housing and urban-rural development department of the State Council, the developer shall submit the fire control design document to the housing and urban-rural development authority for examination, and the housing and urban-rural development authority shall be responsible for the examination outcome pursuant to the law.

前款规定以外的其他建设工程，建设单位申请领取施工许可证或者申请批准开工报告时应当提供满足施工需要的消防设计图纸及技术资料。

For development projects other than those stipulated in the preceding paragraph, the developer shall provide fire control design drawings and technical materials which satisfy construction needs, when applying for a construction permit or an approval report for commencement of work.

第十二条   特殊建设工程未经消防设计审查或者审查不合格的，建设单位、施工单位不得施工；其他建设工程，建设单位未提供满足施工需要的消防设计图纸及技术资料的，有关部门不得发放施工许可证或者批准开工报告。

Article 12 For special construction projects which have not undergone fire safety design examination or do not pass the examination, the developer and the builder shall not carry out construction; for other construction projects, where the developer does not provide fire safety design drawings and technical materials which satisfy construction needs, the relevant authorities shall not issue a construction permit or approve work commencement report.

第十三条   国务院住房和城乡建设主管部门规定应当申请消防验收的建设工程竣工，建设单位应当向住房和城乡建设主管部门申请消防验收。

Article 13 Upon completion of a development project for which fire control acceptance inspection is required to be applied pursuant to the provisions of the housing and urban-rural development authorities of the State Council, the developer shall apply to the housing and urban-rural development authorities for fire control acceptance inspection.

前款规定以外的其他建设工程，建设单位在验收后应当报住房和城乡建设主管部门备案，住房和城乡建设主管部门应当进行抽查。

For construction projects other than those stipulated in the preceding paragraph, the developer shall, upon acceptance inspection, file record with the housing and urban-rural development authorities, and the housing and urban-rural development authorities shall conduct random inspection.

依法应当进行消防验收的建设工程，未经消防验收或者消防验收不合格的，禁止投入使用；其他建设工程经依法抽查不合格的，应当停止使用。

With respect to construction projects that are subject to fire protection acceptance check in accordance with the law, such projects shall not be put into use without completing or passing the acceptance check. In respect of other construction projects, those that fail the legal random inspection shall be suspended from use.

第十四条   建设工程消防设计审查、消防验收、备案和抽查的具体办法，由国务院住房和城乡建设主管部门规定。

Article 14 Detailed measures on examination of fire control design of construction projects, fire control acceptance inspection, filing and random inspection shall be stipulated by the housing and urban-rural development department of the State Council.

第十五条   公众聚集场所在投入使用、营业前，建设单位或者使用单位应当向场所所在地的县级以上地方人民政府消防救援机构申请消防安全检查。

Article 15 Before a public gathering place is put into use or operation, the development unit or using unit shall apply for fire safety examination to the fire rescue department of the local people's government at or above the county level where the place is located.

消防救援机构应当自受理申请之日起十个工作日内，根据消防技术标准和管理规定，对该场所进行消防安全检查。未经消防安全检查或者经检查不符合消防安全要求的，不得投入使用、营业。

The fire brigade shall conduct fire safety inspection at the premises within 10 working days from the date of acceptance of the application pursuant to the fire control technical standards and administrative provisions. Premises which have not undergone fire safety inspection or failed to comply with fire safety requirements upon inspection shall not be put into use or commence business.

第十六条   机关、团体、企业、事业等单位应当履行下列消防安全职责：

Article 16 Entities such as government departments, public organizations, enterprises and institutions shall perform the following fire safety and protection responsibilities:

（一）落实消防安全责任制，制定本单位的消防安全制度、消防安全操作规程，制定灭火和应急疏散预案；

1. Implement a fire safety accountability system, and formulate their own fire safety system and operating procedures for fire safety, as well as fire extinguishment and emergency evacuation plans;

（二）按照国家标准、行业标准配置消防设施、器材，设置消防安全标志，并定期组织检验、维修，确保完好有效；

2. to install fire-fighting facilities and equipment, set up fire-fighting safety signs and conduct regular inspection and maintenance to ensure that they are in good condition and effective in accordance with State and industrial standards;

（三）对建筑消防设施每年至少进行一次全面检测，确保完好有效，检测记录应当完整准确，存档备查；

(III) To carry out at least one comprehensive test on the firefighting facilities in buildings every year to ensure the perfection and effectiveness; the record of the test shall be complete and accurate, and shall be placed on file for reference;

（四）保障疏散通道、安全出口、消防车通道畅通，保证防火防烟分区、防火间距符合消防技术标准；

(IV) Guarantee that fire escapes and exits and passageways for fire engines are kept clear and fire compartments, smoke bays and firebreaks conform to fire protection technical standards;

（五）组织防火检查，及时消除火灾隐患；

(V) to organize inspections on fire prevention in order to remove any potential fire hazard in time;

（六）组织进行有针对性的消防演练；

(VI) Organize pertinent fire drills; and

（七）法律、法规规定的其他消防安全职责。

(VII) Other fire safety and protection responsibilities stipulated by laws and regulations.

单位的主要负责人是本单位的消防安全责任人。

The key person-in-charge of an organisation shall be the person accountable for fire safety of the organisation.

第十七条   县级以上地方人民政府消防救援机构应当将发生火灾可能性较大以及发生火灾可能造成重大的人身伤亡或者财产损失的单位，确定为本行政区域内的消防安全重点单位，并由应急管理部门报本级人民政府备案。

Article 17 The fire rescue department of a local People's Government at county level and above shall list organisations which have higher fire risks and which may cause significant personal injury or death or property loss in the event of a fire accident as fire safety key organisations in their administrative region, and the emergency response administrative authorities shall file records with the People's Government at counterpart level.

消防安全重点单位除应当履行本法第十六条规定的职责外，还应当履行下列消防安全职责：

In addition to the responsibilities prescribed under Article 16 of this Law, priority entities for fire control shall perform the following fire control responsibilities:

（一）确定消防安全管理人，组织实施本单位的消防安全管理工作；

1. Designate persons responsible for fire safety and protection and organize and implement the entities' fire safety and protection management work;

（二）建立消防档案，确定消防安全重点部位，设置防火标志，实行严格管理；

(II) Establishing the archives of fire prevention and control, deciding the important position of fire prevention and control, setting up the sign of fire prevention and control, and implementing strict administration;

（三）实行每日防火巡查，并建立巡查记录；

(III) Conduct daily fire patrol and keep records thereof; and

（四）对职工进行岗前消防安全培训，定期组织消防安全培训和消防演练。

(IV) Provide employees with pre-job trainings on fire safety and protection and organize regular fire safety and protection trainings and fire drills.

第十八条   同一建筑物由两个以上单位管理或者使用的，应当明确各方的消防安全责任，并确定责任人对共用的疏散通道、安全出口、建筑消防设施和消防车通道进行统一管理。

Article 18 Where a building is managed or used by two or more entities, the fire safety and protection responsibilities of each entity shall be clarified, and the persons in charge shall be determined to conduct unified management of the shared evacuation channels, safety exits, building fire fighting facilities and fire engine access roads.

住宅区的物业服务企业应当对管理区域内的共用消防设施进行维护管理，提供消防安全防范服务。

Estate services enterprises of residential districts shall carry out maintenance and administration of common firefighting facilities within their administrative region, and provide fire safety prevention services.

第十九条   生产、储存、经营易燃易爆危险品的场所不得与居住场所设置在同一建筑物内，并应当与居住场所保持安全距离。

Article 19 Premises for manufacturing, storage and operation of dangerous items which are flammable and explosive shall not be established in the same building as residential premises, and a safety distance shall be maintained with the residential premises.

生产、储存、经营其他物品的场所与居住场所设置在同一建筑物内的，应当符合国家工程建设消防技术标准。

Where the premises for manufacturing, storage and operation of other items are established in the same building as residential premises, the national fire control technical standards for construction projects shall be complied with.

第二十条   举办大型群众性活动，承办人应当依法向公安机关申请安全许可，制定灭火和应急疏散预案并组织演练，明确消防安全责任分工，确定消防安全管理人员，保持消防设施和消防器材配置齐全、完好有效，保证疏散通道、安全出口、疏散指示标志、应急照明和消防车通道符合消防技术标准和管理规定。

Article 20 To hold a large-scale mass activity, the organizer shall apply to the public security organ for a safety permit according to the law, formulate a fire extinguishing and emergency evacuation plan and organize drills, clarify the division of fire safety responsibilities, determine fire safety management personnel, ensure that the fire-fighting facilities and equipment are fully equipped and in good condition, and ensure that the evacuation passageways, safety exits, evacuation signs and emergency lighting and fire engine passageways conform to the fire-fighting technical standards and administrative provisions.

第二十一条   禁止在具有火灾、爆炸危险的场所吸烟、使用明火。因施工等特殊情况需要使用明火作业的，应当按照规定事先办理审批手续，采取相应的消防安全措施；作业人员应当遵守消防安全规定。

Article 21 Smoking and use of open flames shall be prohibited at premises which have fire hazard and explosion risks. Under special circumstances such as during construction which requires the use of naked flame for work purposes, examination and approval formalities shall be completed beforehand pursuant to the provisions, and the corresponding fire safety measures shall be adopted; the workers shall comply with fire safety provisions.

进行电焊、气焊等具有火灾危险作业的人员和自动消防系统的操作人员，必须持证上岗，并遵守消防安全操作规程。

Workers involved in high-fire-risk work such as electric and gas welding and operators of automatic fire protection systems must hold relevant certificates at work and abide by operational procedures for fire safety.

第二十二条   生产、储存、装卸易燃易爆危险品的工厂、仓库和专用车站、码头的设置，应当符合消防技术标准。易燃易爆气体和液体的充装站、供应站、调压站，应当设置在符合消防安全要求的位置，并符合防火防爆要求。

Article 22 Establishment of factories and warehouses for manufacturing, storing, loading and unloading dangerous items which are flammable and explosive, and special bus stops and ports shall comply with fire control technical standards. Filling stations, supply stations and regulating stations for flammable and explosive gases and liquids shall be established at locations which comply with fire safety requirements, and comply with fire prevention and anti-explosion requirements.

已经设置的生产、储存、装卸易燃易爆危险品的工厂、仓库和专用车站、码头，易燃易爆气体和液体的充装站、供应站、调压站，不再符合前款规定的，地方人民政府应当组织、协调有关部门、单位限期解决，消除安全隐患。

Where existing factories that produce flammable or explosive hazardous substances, existing warehouses that store them and existing depots and wharves that are used specially for loading and unloading them, or fueling, supplying and voltage regulating stations for flammable or explosive gases or liquids no longer comply with the provisions of the preceding paragraph, the relevant local people's government shall organize and coordinate relevant departments and entities to resolve the matter within a prescribed time limit and eliminate any potential safety hazards.

第二十三条   生产、储存、运输、销售、使用、销毁易燃易爆危险品，必须执行消防技术标准和管理规定。

Article 23 Manufacturing, storage, transportation, sale, use or destruction of dangerous items which are flammable and explosive shall comply with the fire control technical standards and administrative provisions.

进入生产、储存易燃易爆危险品的场所，必须执行消防安全规定。禁止非法携带易燃易爆危险品进入公共场所或者乘坐公共交通工具。

All entities or individuals entering the premises producing or storing dangerous flammable or explosive goods must observe the provisions for fire safety. Illegal carrying of dangerous items which are flammable and explosive at public premises or on public transport vehicles shall be prohibited.

储存可燃物资仓库的管理，必须执行消防技术标准和管理规定。

Administration of warehouses storing combustible materials shall comply with fire control technical standards and administrative provisions.

第二十四条   消防产品必须符合国家标准；没有国家标准的，必须符合行业标准。禁止生产、销售或者使用不合格的消防产品以及国家明令淘汰的消防产品。

Article 24 Fire control products shall comply with State standards; in lieu of State standards, industry standards shall be complied with. It is prohibited to produce, sell or use fire protection products that are not qualified or have been eliminated by an express order of the State.

依法实行强制性产品认证的消防产品，由具有法定资质的认证机构按照国家标准、行业标准的强制性要求认证合格后，方可生产、销售、使用。实行强制性产品认证的消防产品目录，由国务院产品质量监督部门会同国务院应急管理部门制定并公布。

Fire control products which are subject to mandatory product certification pursuant to the law shall only be manufactured, sold and used upon passing of certification by a statutory qualified certification agency pursuant to the mandatory requirements of State or industry standards. A catalogue of fire control products subject to mandatory product certification shall be formulated and announced by the product quality supervision department of the State Council jointly with the emergency management department of the State Council.

新研制的尚未制定国家标准、行业标准的消防产品，应当按照国务院产品质量监督部门会同国务院应急管理部门规定的办法，经技术鉴定符合消防安全要求的，方可生产、销售、使用。

Newly-developed fire control products for which State and industry standards have not been formulated shall only be manufactured, sold and used upon technical evaluation which complies with fire safety requirements pursuant to the measures stipulated by the product quality supervision department of the State Council jointly with the emergency management department of the State Council.

依照本条规定经强制性产品认证合格或者技术鉴定合格的消防产品，国务院应急管理部门应当予以公布。

The State Council emergency management department shall announce fire control products which have passed mandatory product certification or technical appraisal stipulated in this Article.

第二十五条   产品质量监督部门、工商行政管理部门、消防救援机构应当按照各自职责加强对消防产品质量的监督检查。

Article 25 The product quality supervision authorities, administration for industry and commerce and fire rescue organisations shall strengthen supervision and inspection of the quality of fire control products pursuant to their respective duties.

第二十六条   建筑构件、建筑材料和室内装修、装饰材料的防火性能必须符合国家标准；没有国家标准的，必须符合行业标准。

Article 26 The fireproof properties of building components, building materials and interior renovation and decoration materials shall comply with State standards; in the absence of State standards, industry standards shall be complied with.

人员密集场所室内装修、装饰，应当按照消防技术标准的要求，使用不燃、难燃材料。

Incombustible or fire retardant materials shall be used in the internal furnishing and decoration of assembly occupancies according to the requirements of fire protection technical standards.

第二十七条   电器产品、燃气用具的产品标准，应当符合消防安全的要求。

Article 27 The product standards for electrical products and gas appliances shall meet fire safety and protection requirements.

电器产品、燃气用具的安装、使用及其线路、管路的设计、敷设、维护保养、检测，必须符合消防技术标准和管理规定。

The installation or use of electrical products or gas appliances and the design, laying, maintenance or testing of their wiring or pipelines shall conform to technical standards and administrative provisions for fire protection.

第二十八条   任何单位、个人不得损坏、挪用或者擅自拆除、停用消防设施、器材，不得埋压、圈占、遮挡消火栓或者占用防火间距，不得占用、堵塞、封闭疏散通道、安全出口、消防车通道。人员密集场所的门窗不得设置影响逃生和灭火救援的障碍物。

Article 28 No organisation or individual shall damage, misappropriate, arbitrarily dismantle or cease to use firefighting facilities and equipment, bury, occupy or block fire hydrants or occupy firebreaks, occupy, obstruct or seal up evacuation access, safety exits or fire engine access roads. Windows and doors of crowded premises shall be free of obstacles which affect escape, fire extinguishment and rescue operations.

第二十九条   负责公共消防设施维护管理的单位，应当保持消防供水、消防通信、消防车通道等公共消防设施的完好有效。在修建道路以及停电、停水、截断通信线路时有可能影响消防队灭火救援的，有关单位必须事先通知当地消防救援机构。

Article 29 Organisations responsible for maintenance and administration of public firefighting facilities shall ensure that public firefighting facilities such as water supply for firefighting, communications for firefighting, fire engine access roads, etc are in good working conditions. When building roads or cutting off power or water supply or telecommunication lines which is likely to affect the fire brigades' fire fighting and rescue work, the relevant entities shall notify in advance the local fire fighting and rescue agencies of the matter.

第三十条   地方各级人民政府应当加强对农村消防工作的领导，采取措施加强公共消防设施建设，组织建立和督促落实消防安全责任制。

Article 30 All levels of local People's Governments shall strengthen leadership over fire control work in rural areas, adopt measures to strengthen construction of public firefighting facilities, organise establishment and supervise implementation of fire safety accountability system.

第三十一条   在农业收获季节、森林和草原防火期间、重大节假日期间以及火灾多发季节，地方各级人民政府应当组织开展有针对性的消防宣传教育，采取防火措施，进行消防安全检查。

Article 31 During harvest seasons, forest and grassland fire seasons, major holidays and fire-prone seasons, the local people's governments at all levels shall organize and carry out target-specific publicity and education on fire protection, take preventive measures and conduct fire safety and protection inspections.

第三十二条   乡镇人民政府、城市街道办事处应当指导、支持和帮助村民委员会、居民委员会开展群众性的消防工作。村民委员会、居民委员会应当确定消防安全管理人，组织制定防火安全公约，进行防火安全检查。

Article 32 Village and township People's Governments and sub-district offices shall guide, support and assist villagers committees and residents' committees in carrying out fire control work for the masses. Villagers committees and residents' committees shall appoint fire safety management personnel, organise and formulate fire safety convention, and carry out fire safety inspection.

第三十三条   国家鼓励、引导公众聚集场所和生产、储存、运输、销售易燃易爆危险品的企业投保火灾公众责任保险；鼓励保险公司承保火灾公众责任保险。

Article 33 The State shall encourage and guide premises gathered with the public and enterprises engaging in manufacturing, storage, transportation and sale of dangerous items which are flammable and explosive to take up public fire liability insurance; encourage insurance companies to underwrite public fire liability insurance.

第三十四条   消防产品质量认证、消防设施检测、消防安全监测等消防技术服务机构和执业人员，应当依法获得相应的资质、资格；依照法律、行政法规、国家标准、行业标准和执业准则，接受委托提供消防技术服务，并对服务质量负责。

Article 34 Technical services organisations for fire control such as fire control product quality certification, fire control facilities inspection, fire safety monitoring, etc and practitioners shall obtain the corresponding accreditation and qualifications pursuant to the law; accept entrustment to provide technical services for fire control pursuant to laws, administrative regulations, State standards, industry standards and practice guidelines, and be responsible for service quality.

第三章 消防组织

Chapter III Fire Protection Organizations

第三十五条   各级人民政府应当加强消防组织建设，根据经济社会发展的需要，建立多种形式的消防组织，加强消防技术人才培养，增强火灾预防、扑救和应急救援的能力。

Article 35 All levels of People's Governments shall strengthen establishment of fire control organisations, establish various types of fire control organisations according to the needs of economic and social development, strengthen nurturing of fire control technical personnel, and strengthen fire prevention, rescue and emergency rescue capacity.

第三十六条   县级以上地方人民政府应当按照国家规定建立国家综合性消防救援队、专职消防队，并按照国家标准配备消防装备，承担火灾扑救工作。

Article 36 Local People's Governments at county level and above shall establish a national integrated fire rescue team and full-time fire brigade pursuant to the provisions of the State, and deploy firefighting equipment pursuant to State standards to undertake firefighting and rescue operations.

乡镇人民政府应当根据当地经济发展和消防工作的需要，建立专职消防队、志愿消防队，承担火灾扑救工作。

Village and township People's Governments shall establish specialised fire brigades and voluntary fire brigades according to the needs of local economic development and fire control work to undertake firefighting and rescue operations.

第三十七条   国家综合性消防救援队、专职消防队按照国家规定承担重大灾害事故和其他以抢救人员生命为主的应急救援工作。

Article 37 The national comprehensive fire fighting and rescue team and the professional fire brigade shall, in accordance with the provisions of the State, undertake the emergency rescue work for major disasters and accidents and other work mainly targeting at saving people's lives.

第三十八条   国家综合性消防救援队、专职消防队应当充分发挥火灾扑救和应急救援专业力量的骨干作用；按照国家规定，组织实施专业技能训练，配备并维护保养装备器材，提高火灾扑救和应急救援的能力。

Article 38 The national comprehensive fire fighting and rescue team and the professional fire brigade shall give full play to their role as the backbone of professional force for fire fighting and emergency rescue; and according to the State provisions, organize and implement professional skill training, and equip and maintain equipment, so as to enhance their ability of fire fighting and emergency rescue.

第三十九条   下列单位应当建立单位专职消防队，承担本单位的火灾扑救工作：

Article 39 The following units shall establish their own professional fire brigades to undertake the work of fire extinguishing:

（一）大型核设施单位、大型发电厂、民用机场、主要港口；

1. large nuclear facilities, large power plants, civil airports and main ports;

（二）生产、储存易燃易爆危险品的大型企业；

2. Large enterprises engaged in the production or storage of flammable or explosive hazardous substances;

（三）储备可燃的重要物资的大型仓库、基地；

3. Large warehouses and bases for storing important flammable goods and materials;

（四）第一项、第二项、第三项规定以外的火灾危险性较大、距离国家综合性消防救援队较远的其他大型企业；

(IV) Large enterprises other than the ones specified in Items (1), (2) and (3) that have higher fire risks and are far from the national comprehensive fire rescue teams; and

（五）距离国家综合性消防救援队较远、被列为全国重点文物保护单位的古建筑群的管理单位。

(V) Administrative entities for ancient architectural complexes listed as key protected historical and cultural sites at the national level located far from the national comprehensive fire protection and rescue teams.

第四十条   专职消防队的建立，应当符合国家有关规定，并报当地消防救援机构验收。

Article 40 Establishment of specialised fire brigades shall comply with the relevant provisions of the State, and shall undergo acceptance inspection by the local firefighting and rescue organisation.

专职消防队的队员依法享受社会保险和福利待遇。

Members of full-time fire brigades shall enjoy social insurance and welfare benefits in accordance with the law.

第四十一条   机关、团体、企业、事业等单位以及村民委员会、居民委员会根据需要，建立志愿消防队等多种形式的消防组织，开展群众性自防自救工作。

Article 41 Agencies, bodies, enterprises, institutions, etc and villagers' committees and residents' committees shall establish various forms of fire control organisations such as voluntary fire brigades, etc according to the needs to carry out self-defence and self-rescue operations for the masses.

第四十二条   消防救援机构应当对专职消防队、志愿消防队等消防组织进行业务指导；根据扑救火灾的需要，可以调动指挥专职消防队参加火灾扑救工作。

Article 42 Fire fighting and rescue organisations shall provide operational guidance to fire control organisations such as specialised fire brigades, voluntary fire brigades, etc; and may deploy and command specialised fire brigades to participate in firefighting and rescue operations according to the needs of firefighting and rescue operations.

第四章 灭火救援

Chapter 4 Fire Extinction and Rescue

第四十三条   县级以上地方人民政府应当组织有关部门针对本行政区域内的火灾特点制定应急预案，建立应急反应和处置机制，为火灾扑救和应急救援工作提供人员、装备等保障。

Article 43 Local People's Governments of county level and above shall organise the relevant authorities to formulate emergency plans targeted at fire hazard characteristics within their administrative region, establish emergency response and handling mechanisms, and provide manpower, equipment, etc for firefighting, rescue and emergency rescue operations.

第四十四条   任何人发现火灾都应当立即报警。任何单位、个人都应当无偿为报警提供便利，不得阻拦报警。严禁谎报火警。

Article 44 Anyone who detects a fire shall report it to the police immediately. All units and individuals shall provide free convenience for such report and may not obstruct it. False fire alarm is forbidden.

人员密集场所发生火灾，该场所的现场工作人员应当立即组织、引导在场人员疏散。

When a fire occurs in a people-gathering site or place, its staff on the scene shall immediately organize and guide the people present to evacuate.

任何单位发生火灾，必须立即组织力量扑救。邻近单位应当给予支援。

If a fire breaks out in any unit, the unit must immediately organize forces to extinguish it. Neighbouring organisations shall render assistance.

消防队接到火警，必须立即赶赴火灾现场，救助遇险人员，排除险情，扑灭火灾。

Upon receipt of a fire alarm, the fire brigade shall forthwith go to the fire breakout site to rescue the persons in distress, eliminate the dangers and put out the fire.

第四十五条   消防救援机构统一组织和指挥火灾现场扑救，应当优先保障遇险人员的生命安全。

Article 45 The fire rescue organ shall organize and command in a unified way the on-scene fire extinguishing and rescue, and shall ensure in priority the life safety of the endangered people.

火灾现场总指挥根据扑救火灾的需要，有权决定下列事项：

The chief commander of a fire accident site shall have the authority to decide the following matters according to fire fighting needs:

（一）使用各种水源；

1. to use any water sources available;

（二）截断电力、可燃气体和可燃液体的输送，限制用火用电；

(II) To stop the supply of electricity, flammable gas and liquid, and restrict the use of fire and electricity;

（三）划定警戒区，实行局部交通管制；

(III) To delimit security area and implement partial traffic control;

（四）利用临近建筑物和有关设施；

(IV) Using nearby buildings and relevant facilities;

（五）为了抢救人员和重要物资，防止火势蔓延，拆除或者破损毗邻火灾现场的建筑物、构筑物或者设施等；

(V) To demolish or damage buildings, structures or facilities adjacent to the fire scene in order to rescue people and secure important goods and supplies and prevent the fire from spreading; and

（六）调动供水、供电、供气、通信、医疗救护、交通运输、环境保护等有关单位协助灭火救援。

(VI) To mobilize relevant entities such as water supply, power supply, gas supply, communications, medical aid, transportation and environmental protection entities to assist in fire fighting and rescue.

根据扑救火灾的紧急需要，有关地方人民政府应当组织人员、调集所需物资支援灭火。

According to the urgent need of fire extinguishing and rescue, the local people's governments concerned shall organize personnel and gather necessary goods and materials to support the fire fighting.

第四十六条   国家综合性消防救援队、专职消防队参加火灾以外的其他重大灾害事故的应急救援工作，由县级以上人民政府统一领导。

Article 46 National comprehensive fire brigades and full-time fire brigades participating in emergency rescue for major disasters and accidents other than fire shall be subject to unified leadership by a People's Government at county level and above.

第四十七条   消防车、消防艇前往执行火灾扑救或者应急救援任务，在确保安全的前提下，不受行驶速度、行驶路线、行驶方向和指挥信号的限制，其他车辆、船舶以及行人应当让行，不得穿插超越；收费公路、桥梁免收车辆通行费。交通管理指挥人员应当保证消防车、消防艇迅速通行。

Article 47 Based on the premise of ensuring safety, fire engines/boats on their way to the scene of a fire accident to implement the task of fire extinguishing or emergency rescue are not limited by traveling speed, routes, direction, or commanding signals, and other vehicles, boats and pedestrians shall yield their way, and are prohibited from crossing or overtaking; and toll fees for toll roads and bridges are exempted. Traffic controllers shall ensure quick passage for fire engines and fire boats.

赶赴火灾现场或者应急救援现场的消防人员和调集的消防装备、物资，需要铁路、水路或者航空运输的，有关单位应当优先运输。

Firefighters rushing to fire breakout sites or emergency rescue sites and deployed firefighting equipment and materials that require railway, waterway or air transportation shall be given transportation priority by the relevant organisations.

第四十八条   消防车、消防艇以及消防器材、装备和设施，不得用于与消防和应急救援工作无关的事项。

Article 48 Fire engines, fire boats and firefighting equipment and facilities shall not be used for matters unrelated to firefighting and emergency rescue.

第四十九条   国家综合性消防救援队、专职消防队扑救火灾、应急救援，不得收取任何费用。

Article 49 National integrated fire rescue teams and specialised fire brigades shall not collect any fees for firefighting, rescue and emergency rescue operations.

单位专职消防队、志愿消防队参加扑救外单位火灾所损耗的燃料、灭火剂和器材、装备等，由火灾发生地的人民政府给予补偿。

Where an entity's full-time or voluntary fire brigade assists another entity in its fire fighting, the fuel, fire-extinguishing agent, apparatus, equipment, etc., it shall be compensated by the local people's government of the fire disaster site.

第五十条   对因参加扑救火灾或者应急救援受伤、致残或者死亡的人员，按照国家有关规定给予医疗、抚恤。

Article 50 Persons who are injured, disabled or killed due to participation in fire extinguishment or emergency rescue operations shall be granted medical treatment or pension pursuant to the relevant provisions of the State.

第五十一条   消防救援机构有权根据需要封闭火灾现场，负责调查火灾原因，统计火灾损失。

Article 51 Fire control and rescue organisations shall have the right to seal up a fire breakout site based on the needs and be responsible for investigation of the cause of fire breakout and compilation of statistics on fire breakout losses.

火灾扑灭后，发生火灾的单位和相关人员应当按照消防救援机构的要求保护现场，接受事故调查，如实提供与火灾有关的情况。

After a fire is extinguished, the unit where the fire breaks out and the relevant personnel shall, in compliance with the requirement of the rescue organization for fire prevention and control, protect the scene, accept the accident investigation, and provide truthful information about the fire.

消防救援机构根据火灾现场勘验、调查情况和有关的检验、鉴定意见，及时制作火灾事故认定书，作为处理火灾事故的证据。

The fire department shall, according to the inspection and investigation on the scene of a fire accident, and relevant examiners' and experts' opinions, formulate a statement of the fire accident promptly, which functions as the evidence in the solution of the fire accident.

第五章 监督检查

Chapter 5 Supervision and Inspection

第五十二条   地方各级人民政府应当落实消防工作责任制，对本级人民政府有关部门履行消防安全职责的情况进行监督检查。

Article 52 All levels of local People's Governments shall implement a fire control work accountability system, and carry out supervision and inspection of performance of fire safety duties by the relevant departments of the People's Government at counterpart level.

县级以上地方人民政府有关部门应当根据本系统的特点，有针对性地开展消防安全检查，及时督促整改火灾隐患。

Relevant departments of the local people's governments at or above the county level shall, according to the characteristics of their own systems, carry out pertinent fire safety and protection inspections and urge in a timely manner the rectification of potential fire hazards.

第五十三条   消防救援机构应当对机关、团体、企业、事业等单位遵守消防法律、法规的情况依法进行监督检查。公安派出所可以负责日常消防监督检查、开展消防宣传教育，具体办法由国务院公安部门规定。

Article 53 Fire control and rescue organisations shall carry out supervision and inspection of compliance of fire control laws and regulations by agencies, bodies, enterprises, institutions, etc pursuant to the law. Police stations shall be responsible for day-to-day fire control supervision and inspection, and carrying out fire control propaganda and education; the specific measures shall be stipulated by the public security department of the State Council.

消防救援机构、公安派出所的工作人员进行消防监督检查，应当出示证件。

Personnel of a fire brigade or a public security station shall present their identity pass when carrying out fire control supervision and inspection.

第五十四条   消防救援机构在消防监督检查中发现火灾隐患的，应当通知有关单位或者个人立即采取措施消除隐患；不及时消除隐患可能严重威胁公共安全的，消防救援机构应当依照规定对危险部位或者场所采取临时查封措施。

Article 54 When finding a hidden danger of fire disaster in the supervision and examination of fire prevention and control, the fire prevention and control organ shall inform relevant unit or individual to take immediate measures to eliminate the hidden danger; If not eliminating the hidden danger in time, and the hidden danger may seriously threaten public security, the fire prevention and control organ shall take temporary measures of sealing up the dangerous part or place according to relevant provisions.

第五十五条   消防救援机构在消防监督检查中发现城乡消防安全布局、公共消防设施不符合消防安全要求，或者发现本地区存在影响公共安全的重大火灾隐患的，应当由应急管理部门书面报告本级人民政府。

Article 55 When it is found in fire fighting and prevention supervision and inspection that the layout of the fire fighting and prevention facilities in urban and rural areas or public fire fighting and prevention facilities do not meet the requirements for fire fighting and prevention safety, or that there exist in their areas major potential fire hazards that affect public safety, the emergency management department shall report the matter in writing to the people's government at the same level.

接到报告的人民政府应当及时核实情况，组织或者责成有关部门、单位采取措施，予以整改。

The people's government that receives such report shall verify the relevant information in a timely manner, organize or order the relevant departments or entities to take measures to effect rectification.

第五十六条   住房和城乡建设主管部门、消防救援机构及其工作人员应当按照法定的职权和程序进行消防设计审查、消防验收、备案抽查和消防安全检查，做到公正、严格、文明、高效。

Article 56 Competent departments of housing and urban-rural development, fire protection and rescue agencies and their personnel shall, according to their statutory functions, powers and procedures, conduct fire protection design examinations, fire protection acceptance checks, record-filing spot checks and fire protection safety inspections in an impartial, strict, civilized and efficient manner.

住房和城乡建设主管部门、消防救援机构及其工作人员进行消防设计审查、消防验收、备案抽查和消防安全检查等，不得收取费用，不得利用职务谋取利益；不得利用职务为用户、建设单位指定或者变相指定消防产品的品牌、销售单位或者消防技术服务机构、消防设施施工单位。

When conducting examination of fire prevention design, fire prevention acceptance, filing for random inspection and fire safety inspection, the housing and urban-rural development authorities, firefighting and rescue organisations and their personnel shall not collect fees, make use of their official powers to seek gains, make use of their official powers to designate brands or sellers of firefighting products or technical services organisations for firefighting or construction units for firefighting facilities for users or developers directly or under any pretext.

第五十七条   住房和城乡建设主管部门、消防救援机构及其工作人员执行职务，应当自觉接受社会和公民的监督。

Article 57 When performing their duties, the competent departments of housing and urban-rural development, fire fighting and rescue organizations, and their staff shall consciously accept the supervision of the society and citizens.

任何单位和个人都有权对住房和城乡建设主管部门、消防救援机构及其工作人员在执法中的违法行为进行检举、控告。收到检举、控告的机关，应当按照职责及时查处。

All organisations and individuals shall have the right to report or sue the housing and urban-rural development authorities, fire control and rescue organisations and their personnel that have committed an illegal act in the enforcement process. The organ that receives such reports or accusations shall promptly handle the case according to their respective functions and duties.

第六章 法律责任

Chapter 6 Legal Liabilities

第五十八条   违反本法规定，有下列行为之一的，由住房和城乡建设主管部门、消防救援机构按照各自职权责令停止施工、停止使用或者停产停业，并处三万元以上三十万元以下罚款：

Article 58 Where any of the following acts is committed in violation of the provisions hereof, the competent department of housing and urban-rural development and the fire fighting and rescue institution shall, according to their respective functions and powers, order the relevant entity to stop the construction, use, production or business, and impose a fine of not less than CNY30,000 but not more than CNY300,000:

（一）依法应当进行消防设计审查的建设工程，未经依法审查或者审查不合格，擅自施工的；

1. Carrying out construction activities at its own discretion for a construction project that is required by law to have its fire prevention design examined;

（二）依法应当进行消防验收的建设工程，未经消防验收或者消防验收不合格，擅自投入使用的；

(II) Putting into use a construction project which is required by law to undergo fire protection acceptance check without completing or passing the acceptance check;

（三）本法第十三条规定的其他建设工程验收后经依法抽查不合格，不停止使用的；

(III) not stopping the use of the other construction projects prescribed in Article 13 of this Law which fail to pass the legal spot check after acceptance; or

（四）公众聚集场所未经消防安全检查或者经检查不符合消防安全要求，擅自投入使用、营业的。

(IV) Putting a public gathering place into use or into business operation without authorization when the place has not undergone fire safety and protection inspections or has failed to satisfy fire safety and protection requirements.

建设单位未依照本法规定在验收后报住房和城乡建设主管部门备案的，由住房和城乡建设主管部门责令改正，处五千元以下罚款。

Where the developer failed to file record with the housing and urban-rural development authorities upon acceptance inspection pursuant to the provisions of this Law, the housing and urban-rural development authorities shall order the developer to make correction and impose a fine of not more than RMB5,000.

第五十九条   违反本法规定，有下列行为之一的，由住房和城乡建设主管部门责令改正或者停止施工，并处一万元以上十万元以下罚款：

Article 59 Where any entity, in violation of the Law, commits any of the following acts, the competent department of housing and urban-rural development shall order it to make corrections or stop the construction and impose a fine of not less than CNY10,000 but not more than CNY100 ,000:

（一）建设单位要求建筑设计单位或者建筑施工企业降低消防技术标准设计、施工的；

1. Construction units requiring construction design units or construction enterprises to design or construct the project below fire protection technical standards;

（二）建筑设计单位不按照消防技术标准强制性要求进行消防设计的；

(II) Where the architectural designers fail to conduct fire protection design in accordance with the compulsory requirements of fire protection technical standards;

（三）建筑施工企业不按照消防设计文件和消防技术标准施工，降低消防施工质量的；

(III) Construction enterprises fail to construct in accordance with fire protection design documents and technical standards and lower the quality of fire protection construction;

（四）工程监理单位与建设单位或者建筑施工企业串通，弄虚作假，降低消防施工质量的。

(IV) Where the project supervision unit colludes with the development unit or construction enterprise to practice fraud and lower the quality of fire control construction.

第六十条   单位违反本法规定，有下列行为之一的，责令改正，处五千元以上五万元以下罚款：

Article 60 Any entity that, in violation of this Law, commits any of the following acts shall be ordered to make corrections and be fined not less than CNY5,000 but not more than CNY50,000:

（一）消防设施、器材或者消防安全标志的配置、设置不符合国家标准、行业标准，或者未保持完好有效的；

1. Where the installation or setting up of fire protection facilities or equipment or fire protection safety signs fails to comply with the national or industrial standards or such installation or setting fails to remain in good conditions and functional;

（二）损坏、挪用或者擅自拆除、停用消防设施、器材的；

2. Damaging, misappropriating, or dismantling or, without permission, stopping the use of fire fighting facilities or equipment;

（三）占用、堵塞、封闭疏散通道、安全出口或者有其他妨碍安全疏散行为的；

(III) Occupying, blocking or closing evacuation passageways or safety exits or committing other acts impeding safe evacuation;

（四）埋压、圈占、遮挡消火栓或者占用防火间距的；

(IV) Piling things upon, occupying or shielding fire hydrants or occupying firebreaks;

（五）占用、堵塞、封闭消防车通道，妨碍消防车通行的；

(V) occupying, blocking or closing passageways for fire engines, or obstructing the passage of fire engines;

（六）人员密集场所在门窗上设置影响逃生和灭火救援的障碍物的；

(VI) Obstacles that hinder escape, fire extinguishment and rescue are set up in the doors and windows in assembly occupancies;

（七）对火灾隐患经消防救援机构通知后不及时采取措施消除的。

(VII) failing to take timely measures to remove a potential fire hazard after being notified by the fire protection and rescue organ.

个人有前款第二项、第三项、第四项、第五项行为之一的，处警告或者五百元以下罚款。

Any individual that commits the act specified in item (2), (3), (4) or (5) shall be given a warning or a fine of not more than 500 yuan.

有本条第一款第三项、第四项、第五项、第六项行为，经责令改正拒不改正的，强制执行，所需费用由违法行为人承担。

If an individual commits any of the acts specified in Items (3), (4), (5) and (6) of Paragraph 1 of this Article and refuses to make rectifications after being ordered to do so, the rectifications shall be enforced against him at the expense of the violator.

第六十一条   生产、储存、经营易燃易爆危险品的场所与居住场所设置在同一建筑物内，或者未与居住场所保持安全距离的，责令停产停业，并处五千元以上五万元以下罚款。

Article 61 Where a place for the production, storage or operation of flammable or explosive hazardous substances, shares the same building with a residential place, or fails to maintain a safe distance from the residential place, it shall be ordered to suspend its production or business operations and shall be subject to a fine of between CNY5,000 and CNY50,000.

生产、储存、经营其他物品的场所与居住场所设置在同一建筑物内，不符合消防技术标准的，依照前款规定处罚。

Where a place for the production, storage or operation of other articles and a residential place are located in the same building, and they do not conform to the technical standards for fire protection, they shall be punished in accordance with the provisions of the preceding paragraph.

第六十二条   有下列行为之一的，依照《中华人民共和国治安管理处罚法》的规定处罚：

Article 62 Whoever commits any of the following acts shall be punished in accordance with the provisions of the Law of the People's Republic of China on Penalties for the Violation of Public Security Administration:

（一）违反有关消防技术标准和管理规定生产、储存、运输、销售、使用、销毁易燃易爆危险品的；

1. The production, storage, transportation, sale, use or destruction of flammable or explosive hazardous substances in violation of technical standards and administrative provisions for fire protection;

（二）非法携带易燃易爆危险品进入公共场所或者乘坐公共交通工具的；

2. Illegally carrying flammable or explosive hazardous substances to public places or into public transport vehicles;

（三）谎报火警的；

(III) making a false report of fire alarm;

（四）阻碍消防车、消防艇执行任务的；

4. Obstructing fire engines or fire boats in the execution of their tasks; or

（五）阻碍消防救援机构的工作人员依法执行职务的。

(V) Where they obstruct the staff of the fire protection and rescue agencies in the performance of their duties in accordance with the law.

第六十三条   违反本法规定，有下列行为之一的，处警告或者五百元以下罚款；情节严重的，处五日以下拘留：

Article 63 A person who, in violation of the provisions of this Law, commits any of the following acts shall be given a warning or be fined not more than CNY500; and if the circumstances are serious, he shall be detained for not more than five days:

（一）违反消防安全规定进入生产、储存易燃易爆危险品场所的；

1. Entering a place producing or storing flammable or explosive hazardous substances, in violation of the provisions on fire safety;

（二）违反规定使用明火作业或者在具有火灾、爆炸危险的场所吸烟、使用明火的。

(II) violating regulations by using naked fire for operations or by smoking or using naked fire in places that are exposed to fire or explosion hazards.

第六十四条   违反本法规定，有下列行为之一，尚不构成犯罪的，处十日以上十五日以下拘留，可以并处五百元以下罚款；情节较轻的，处警告或者五百元以下罚款：

Article 64 A person who, in violation of the provisions of this Law, commits any of the following acts, which does not constitute a crime, shall be detained for not less than 10 days but not more than 15 days and may, in addition, be fined not more than CNY500; and if the circumstances are relatively minor, he shall be given a warning or be fined not more than CNY500:

（一）指使或者强令他人违反消防安全规定，冒险作业的；

1. Directing or ordering others to carry out risky operations in violation of fire safety provisions;

（二）过失引起火灾的；

2. causing fire by negligence;

（三）在火灾发生后阻拦报警，或者负有报告职责的人员不及时报警的；

(III) After the occurrence of a fire, preventing others from making a report, or persons who are responsible for reporting on fire failing to make a fire report in time;

（四）扰乱火灾现场秩序，或者拒不执行火灾现场指挥员指挥，影响灭火救援的；

(IV) Disrupting the order of a fire scene, or refusing to obey the command of the commanders at the scene, thus obstructing the fire fighting or rescue efforts; or

（五）故意破坏或者伪造火灾现场的；

(V) intentionally destroying or fabricating a fire scene; or

（六）擅自拆封或者使用被消防救援机构查封的场所、部位的。

(VI) Without authorization, unsealing or using places or locations that have been sealed up by fire protection and rescue organizations.

第六十五条   违反本法规定，生产、销售不合格的消防产品或者国家明令淘汰的消防产品的，由产品质量监督部门或者工商行政管理部门依照《中华人民共和国产品质量法》的规定从重处罚。

Article 65 Persons who violate the provisions of this Law in manufacturing or sale of unqualified fire control products or fire control products which are explicitly listed as obsolete products by the State shall be severely punished by the product quality supervision authorities or the administration for industry and commerce pursuant to the provisions of the Product Quality Law of the People's Republic of China.

人员密集场所使用不合格的消防产品或者国家明令淘汰的消防产品的，责令限期改正；逾期不改正的，处五千元以上五万元以下罚款，并对其直接负责的主管人员和其他直接责任人员处五百元以上二千元以下罚款；情节严重的，责令停产停业。

Persons who have used unqualified fire control products or fire control products which are explicitly listed as obsolete products by the State at crowded premises shall be ordered to make correction within a stipulated period; where correction is not made within the stipulated period, a fine ranging from RMB5,000 to RMB50,000 shall be imposed, and the person (s) -in-charge who is/are directly accountable and other directly accountable personnel shall be subject to a fine ranging from RMB500 to RMB2,000; where the case is serious, the offender shall be ordered to suspend production and business operation.

消防救援机构对于本条第二款规定的情形，除依法对使用者予以处罚外，应当将发现不合格的消防产品和国家明令淘汰的消防产品的情况通报产品质量监督部门、工商行政管理部门。产品质量监督部门、工商行政管理部门应当对生产者、销售者依法及时查处。

For circumstances stipulated in the second paragraph of this Article, the fire control and rescue organisation shall, in addition to imposing punishment on the user pursuant to the law, notify the product quality supervision authorities or the administration for industry and commerce of the information on unqualified fire control products and fire control products which are explicitly listed as obsolete products by the State discovered. The product quality supervision authorities or the administration for industry and commerce shall promptly investigate and punish the manufacturer or the seller pursuant to the law.

第六十六条   电器产品、燃气用具的安装、使用及其线路、管路的设计、敷设、维护保养、检测不符合消防技术标准和管理规定的，责令限期改正；逾期不改正的，责令停止使用，可以并处一千元以上五千元以下罚款。

Article 66 Persons who have installed or used electrical products or gas appliances which do not comply with fire control technical standards and administrative provisions, or electrical products or gas appliances in which the design, laying, maintenance and testing of their wiring and pipelines do not comply with fire control technical standards and administrative provisions shall be ordered to make correction within a stipulated period; where correction is not made within the stipulated period, the offender shall be ordered to stop using the products or appliances and may be subject to a fine ranging from RMB1,000 to RMB5,000.

第六十七条   机关、团体、企业、事业等单位违反本法第十六条、第十七条、第十八条、第二十一条第二款规定的，责令限期改正；逾期不改正的，对其直接负责的主管人员和其他直接责任人员依法给予处分或者给予警告处罚。

Article 67 Agencies, bodies, enterprises, institutions, etc which violate the provisions of Article 16, Article 17, Article 18 or the second paragraph of Article 21 of this Law shall be ordered to make correction within a stipulated period; where correction is not made within the stipulated period, the person (s) -in-charge who is/are directly accountable and other directly accountable personnel shall be punished pursuant to the law or be subject to a warning.

第六十八条   人员密集场所发生火灾，该场所的现场工作人员不履行组织、引导在场人员疏散的义务，情节严重，尚不构成犯罪的，处五日以上十日以下拘留。

Article 68 In the event of a fire breakout at crowded premises, where the personnel present at the site failed to perform their obligations in organising or guiding persons at the site to evacuate and where the case is serious but does not constitute a criminal offence, the offender shall be detained for a period of more than five days but less than 10 days.

第六十九条   消防产品质量认证、消防设施检测等消防技术服务机构出具虚假文件的，责令改正，处五万元以上十万元以下罚款，并对直接负责的主管人员和其他直接责任人员处一万元以上五万元以下罚款；有违法所得的，并处没收违法所得；给他人造成损失的，依法承担赔偿责任；情节严重的，由原许可机关依法责令停止执业或者吊销相应资质、资格。

Article 69 Technical services organisations for fire control such as fire control product quality certification, fire control facilities inspection, etc which have issued false documents shall be ordered to make correction and be subject to a fine ranging from RMB50,000 to RMB100,000, and the directly accountable person (s) -in-charge and other directly accountable personnel shall be subject to a fine ranging from RMB10,000 to RMB50,000; illegal income, if any, shall be confiscated; the offender shall bear compensation liability for losses suffered by others thereto pursuant to the law; in serious cases, the original licensing authorities shall order the offender to suspend practice or revoke the corresponding accreditation or qualification of the offender pursuant to the law.

前款规定的机构出具失实文件，给他人造成损失的，依法承担赔偿责任；造成重大损失的，由原许可机关依法责令停止执业或者吊销相应资质、资格。

Where an organisation stipulated in the preceding paragraph has issued a false document and caused others to suffer from losses, it shall bear compensation liability pursuant to the law; where the losses are serious, the original licensing authorities shall order the organisation to suspend practice or revoke the corresponding accreditation or qualification of the organisation pursuant to the law.

第七十条   本法规定的行政处罚，除应当由公安机关依照《中华人民共和国治安管理处罚法》的有关规定决定的外，由住房和城乡建设主管部门、消防救援机构按照各自职权决定。

Article 70 Administrative punishment stipulated in this Law shall be decided by the housing and urban-rural development authorities and firefighting and rescue organisations pursuant to their respective duties, except where the decision on administrative punishment stipulated by the public security authorities pursuant to the relevant provisions of the Law of the People's Republic of China on Security Administration and Punishment.

被责令停止施工、停止使用、停产停业的，应当在整改后向作出决定的部门或者机构报告，经检查合格，方可恢复施工、使用、生产、经营。

Anyone who is ordered to stop the construction, use, manufacture, and/or business shall report to the department or organ that made the decision after rectification, and shall not resume the construction, use, manufacture, and/or business until it is found to be qualified upon inspection.

当事人逾期不执行停产停业、停止使用、停止施工决定的，由作出决定的部门或者机构强制执行。

If the party concerned has failed to implement the decisions to stop production, business operation, use, and construction work, the department or the institution making the decisions shall force implementation.

责令停产停业，对经济和社会生活影响较大的，由住房和城乡建设主管部门或者应急管理部门报请本级人民政府依法决定。

Where an order for suspension of production or business has a relatively significant impact on the economy and social livelihood, the housing and urban-rural development authorities or the emergency response administrative authorities shall report to the People's Government of counterpart level for decision pursuant to the law.

第七十一条   住房和城乡建设主管部门、消防救援机构的工作人员滥用职权、玩忽职守、徇私舞弊，有下列行为之一，尚不构成犯罪的，依法给予处分：

Article 71 Any staff member of a competent department of housing and urban-rural development or a fire fighting and rescue organization who commits any of the following acts by abusing his power, neglecting his duty or engaging in malpractice for personal gains which does not constitute a crime shall be punished in accordance with the law:

（一）对不符合消防安全要求的消防设计文件、建设工程、场所准予审查合格、消防验收合格、消防安全检查合格的；

(I) Where the fire protection design documents, construction projects or premises that do not meet the fire protection requirements are allowed to pass, fire protection acceptance is allowed, or the fire safety inspection is made qualified;

（二）无故拖延消防设计审查、消防验收、消防安全检查，不在法定期限内履行职责的；

(II) Delaying the examination of fire protection design, fire protection acceptance, and fire safety check without reason and failing to perform his duties within the statutory time limit;

（三）发现火灾隐患不及时通知有关单位或者个人整改的；

3. Failing to promptly notify relevant entities or individuals of a potential fire hazard upon discovery thereof;

（四）利用职务为用户、建设单位指定或者变相指定消防产品的品牌、销售单位或者消防技术服务机构、消防设施施工单位的；

(IV) Making use of his/her authority to designate or concealingly designate brands of fire protection products, sales entities of fire protection products, entities providing fire protection technical services or fire facility construction entities for users or construction project owners;

（五）将消防车、消防艇以及消防器材、装备和设施用于与消防和应急救援无关的事项的；

(V) Using fire engines, fire boats or fire-fighting equipment or facilities for purposes irrelevant to fire fighting or emergency rescue; or

（六）其他滥用职权、玩忽职守、徇私舞弊的行为。

(VI) Other acts of abusing powers, neglecting duties or practicing favoritism for himself or his relative.

产品质量监督、工商行政管理等其他有关行政主管部门的工作人员在消防工作中滥用职权、玩忽职守、徇私舞弊，尚不构成犯罪的，依法给予处分。

Staff of product quality supervision, administration for industry and commerce and other relevant administrative authorities guilty of abusing official powers, dereliction of duties and corruption in fire control work which does not constitute a criminal offence shall be punished pursuant to the law.

第七十二条   违反本法规定，构成犯罪的，依法追究刑事责任。

Article 72 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

第七十三条   本法下列用语的含义：

Article 73 Terms used in this Law are defined as follows:

（一）消防设施，是指火灾自动报警系统、自动灭火系统、消火栓系统、防烟排烟系统以及应急广播和应急照明、安全疏散设施等。

1. "Fire-fighting facilities" shall refer to automatic fire alarm systems, automatic fire extinguishing systems, fire hydrant systems, smoke prevention and evacuation systems, emergency broadcasting systems, emergency lighting, safe evacuation facilities, and other facilities.

（二）消防产品，是指专门用于火灾预防、灭火救援和火灾防护、避难、逃生的产品。

(II) Fire control products shall mean products used specifically for prevention of fire disasters, fire extinguishment and rescue operations and fire protection, evacuation and escape.

（三）公众聚集场所，是指宾馆、饭店、商场、集贸市场、客运车站候车室、客运码头候船厅、民用机场航站楼、体育场馆、会堂以及公共娱乐场所等。

(III) "Public gathering places" shall refer to hotels, restaurants, marketplaces, bazaars, waiting rooms at passenger transport stations, waiting rooms at passenger terminals, terminals of civil airports, stadiums, halls, public entertainment places, etc.

（四）人员密集场所，是指公众聚集场所，医院的门诊楼、病房楼，学校的教学楼、图书馆、食堂和集体宿舍，养老院，福利院，托儿所，幼儿园，公共图书馆的阅览室，公共展览馆、博物馆的展示厅，劳动密集型企业的生产加工车间和员工集体宿舍，旅游、宗教活动场所等。

(IV) Assembly occupancies refer to public assembly places, outpatient buildings and inpatient buildings of hospitals, the teaching buildings, libraries, canteens and dormitories of schools, old people's homes, welfare houses, nurseries, kindergartens, reading rooms of public libraries, public exhibition halls, exhibition halls of museums, production and processing workshops and employee dormitories of labor-intensive enterprises, tourism places, religious places, etc.

第七十四条   本法自2009年5月1日起施行。

Article 74 This Law shall be effective 1 May 2009.