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The Emergency Response Law of the People's Republic of China, which was adopted at the 29th session of the Standing Committee of the Tenth National People's Congress of the People's Republic of China on August 30, 2007, is hereby promulgated, and shall be effective as of November 1, 2007.

(相关资料: [法律 5 篇](#) [行政法规 9 篇](#) [部门规章 47 篇](#) [司法解释 4 篇](#) [其他规范性文件 3 篇](#) [地方法规 784 篇](#) [条文释义 相关论文 29 篇](#))

President of the People's Republic of China: Hu Jintao
August 30, 2007

《中华人民共和国突发事件应对法》已由中华人民共和国第十届全国人民代表大会常务委员会第二十九次会议于 2007 年 8 月 30 日通过, 现予公布, 自 2007 年 11 月 1 日起施行。

Emergency Response Law of the People's Republic of China
(Adopted at the 29th session of the Standing Committee of the Tenth National People's Congress of the People's Republic of China on August 30, 2007)

中华人民共和国主席 胡锦涛
2007 年 8 月 30 日

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中华人民共和国突发事件应对法
(2007 年 8 月 30 日第十届全国人民代表大会常务委员会第二十九次会议通过)

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Chapter I General Provisions

第一章 总 则

Article 1 This Law has been made to prevent and reduce the occurrences of emergency incidents, control, mitigate and eliminate the serious social

第一条 为了预防和减少突发事件的发生, 控制、减轻和消除突发事件引

damage caused by emergency incidents, standardize the emergency response activities, protect the life and property safety of the people, and maintain the national security, public safety, environment safety and social order.

Article 2 This Law shall apply to such emergency response activities as prevention and preparedness, surveillance and warning, response operations and rescue, and post-emergency response rehabilitation and reconstruction.

Article 3 An emergency incident as mentioned in this Law shall refer to a natural disaster, accidental disaster, public health incident or social safety incident, which takes place by accident, has caused or might cause serious social damage and needs the adoption of emergency response measures.

According to such factors as degree of social damage and extent of effects, the natural disasters, accidental disasters and public health incidents shall be divided into four levels: especially serious, serious, large and ordinary, except as otherwise provided for by a law or administrative regulation or the State Council.

The standards for such division of levels of emergency incidents shall be made by the State Council or a department as determined by the State Council.

Article 4 The state shall establish an emergency response management system mainly featuring the uniform leadership, comprehensive coordination, categorized management, graded responsibility and territorial management.

Article 5 The work on emergency response shall adhere to the principle of giving priority to prevention and combining prevention with emergency response. The state shall establish a risk assessment system for major emergency incidents to conduct comprehensive assessment of possible emergency incidents, reduce the occurrences of major emergency incidents, and maximally mitigate the effects of major emergency incidents.

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

起的严重社会危害，规范突发事件应对活动，保护人民生命财产安全，维护国家安全、公共安全、环境安全和社会秩序，制定本法。

（相关资料: [地方法规 1 篇 条文释义](#)）

第二条 突发事件的预防与应急准备、监测与预警、应急处置与救援、事后恢复与重建等应对活动，适用本法。

（相关资料: [地方法规 1 篇 条文释义](#) [相关论文 1 篇](#)）

第三条 本法所称突发事件，是指突然发生，造成或者可能造成严重社会危害，需要采取应急处置措施予以应对的自然灾害、事故灾难、公共卫生事件和社会安全事件。

按照社会危害程度、影响范围等因素，自然灾害、事故灾难、公共卫生事件分为特别重大、重大、较大和一般四级。法律、行政法规或者国务院另有规定的，从其规定。

突发事件的分级标准由国务院或者国务院确定的部门制定。

（相关资料: [地方法规 1 篇 条文释义](#) [相关论文 2 篇](#)）

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

（相关资料: [地方法规 2 篇 条文释义](#)）

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

（相关资料: [行政法规 1 篇](#) [地方法规 2 篇 条文释义](#)）

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

（相关资料: [行政法规 1 篇](#) [地方法规 4 篇 条文释义](#)）

Article 7 The people's government at the county level shall be responsible for responding to an emergency incident within its administrative region; where two or more administrative regions are involved, the common people's government at the next higher level of the relevant administrative regions shall be responsible, or the people's governments at the next higher level of the relevant administrative regions shall be jointly responsible.

After the occurrence of an emergency incident, the people's government at the county level at the place of occurrence shall immediately take measures to control the developments of the incident, organize and carry out the emergency response rescue and operations, and immediately report on it to the people's government at the next higher level, or report without regard to the levels when necessary.

The people's government at the county level at the place of occurrence of an emergency incident that cannot eliminate or effectively control the serious social damage caused by the emergency incident shall timely report on it to the people's government at the next higher level. The people's government at the next higher level shall timely take measures and uniformly lead the emergency response operations.

Where a law or administrative regulation provides that a relevant department of the State Council shall be responsible for responding to an emergency incident, such a law or administrative regulation shall apply; and the local people's government shall offer assistance and necessary support.

Article 8 Under the leadership of the Premier, the State Council shall study, decide and deploy response to an especially serious emergency incident; as needed in reality, shall form a state emergency response command body to be responsible for responding to the emergency incident; and when necessary, may send a task group to guide the relevant work.

Every local people's government at or above the county level shall form an emergency response command body made up of the principals of the people's government, the persons in charge of the relevant departments and the relevant persons in charge of the local stationed People's Liberation Army of China and People's Armed Police Force to uniformly lead and coordinate the emergency response by all relevant departments of the people's government and the people's governments at the lower levels; as needed in reality, shall form an emergency response command body for a relevant category of emergency incidents to organize, coordinate and command the emergency response.

In their respective capacities, the competent departments of the higher people's governments shall guide and assist the lower people's governments and their relevant departments in response to a relevant emergency incident.

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

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

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

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

（相关资料: [条文释义](#)）

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

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

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

(相关资料: [地方法规 6 篇](#) [条文释义 相关论文 1 篇](#))

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

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

(相关资料: [行政法规 1 篇](#) [地方法规 4 篇](#) [条文释义](#))

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

第十条 有关人民政府及其部门作出的应对突发事件的决定、命令,应当及时公布。

(相关资料: [条文释义](#))

Article 11 The emergency response measures taken by a relevant people's government and its departments shall be appropriate for the nature, degree and extent of social damage caused by an emergency incident; and where multiple measures are available for selection, those conducive to the maximum protection of the rights and interests of citizens, legal persons and other organizations shall be selected. Citizens, legal persons and other organizations are obligated to participate in the emergency response.

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

公民、法人和其他组织有义务参与突发事件应对工作。

(相关资料: [条文释义](#))

Article 12 A relevant people's government and its departments may requisition the property of entities and individuals in response to an emergency incident. The requisitioned property shall be timely returned after use or after the emergency response operations terminate. Compensations shall be made for the requisitioned property or property damaged or destroyed after requisition.

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

(相关资料: [行政法规 1 篇](#) [地方法规 5 篇](#) [条文释义](#))

Article 13 Where, for the adoption of any emergency response measure, any litigation, administrative reconsideration or arbitration cannot proceed normally, the provisions on the suspension of limitations and proceedings shall apply, except as otherwise provided for by a law.

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

(相关资料: [条文释义](#))

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

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

(相关资料: [地方法规 3 篇](#) [条文释义](#))

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

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

Chapter II Prevention and Emergency Response Preparedness

Article 17 The state shall establish and enhance an emergency response plan system.

The State Council shall make the overall state emergency response plans, and organize and make the specialized state emergency response plans; and the relevant departments of the State Council shall make the departmental state emergency response plans in their respective capacities in line with the relevant emergency response plans of the State Council.

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

The organ making an emergency response plan shall amend the plan from time to time according to the practical needs and change of situations. The procedures for making and amending an emergency response plan shall be made by the State Council.

Article 18 An emergency response plan shall provide in detail for the organizational and command system and responsibilities for emergency response management, emergency incident prevention and warning mechanisms, operating procedures, emergency response protective measures, post-emergency response rehabilitation and reconstruction measures, etc., in terms of the nature and characteristics of and social damage likely to be caused by the emergency incident in accordance with this Law and other relevant laws and administrative regulations.

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

(相关资料: [条文释义](#))

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

(相关资料: [条文释义](#))

第二章 预防与应急准备

第十七条 国家建立健全突发事件应急预案体系。

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

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

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

(相关资料: [行政法规 1 篇](#) [地方法规 5 篇](#) [条文释义](#) [相关论文 1 篇](#))

第十八条 应急预案应当根据本法和其他有关法律、法规的规定，针对突发事件的性质、特点和可能造成的社会危害，具体规定突发事件应急管理工作的组织指挥体系与职责和突发事件的预防与预警机制、处置程序、应急保障措施以及事后恢复与重建措施等内容。

(相关资料: [地方法规 2 篇](#) [条文释义](#) [相](#)

[关论文 1 篇](#)

Article 19 The urban or rural planning shall meet the needs for emergency incident prevention and response operations, overall arrangements shall be made on the equipment and infrastructure construction necessary for emergency response, and emergency shelters shall be reasonably determined.

Article 20 The people's government at the county level shall investigate, register and assess the risks of, regularly inspect and monitor, and order the relevant entities to take safety preventative and control measures for the danger sources and danger areas tending to cause natural disasters, accidental disasters and public health incidents within its administrative region.

The people's government at the provincial level or the people's government of a city with districts shall investigate, register and assess the risks of, organize the inspection and monitoring of, and order the relevant entities to take safety preventative and control measures for the danger sources and danger areas tending to cause especially serious and serious emergency incidents within its administrative region.

The danger sources and danger areas registered by the local people's government at or above the county level according to this Law shall be timely made available to the public according to the provisions of the state.

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

Article 22 Every entity shall establish and enhance a safety management system, regularly examine the implementation of all its safety preventative and control measures, and timely eliminate hidden incident risks; control and timely handle existing problems in the entity likely to cause social safety incidents, and prevent the intensification of conflicts and expansion of situations; and timely report on the emergency incidents likely to occur and on the safety preventative and control measures taken in the entity to the people's government at the place where the entity is located or the relevant departments of the people's government as required.

Article 23 A mine or building construction entity or an entity producing, operating, storing, transporting or using such dangerous substances as flammable or explosive substances, hazardous chemicals or radioactive

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

(相关资料: [地方法规 4 篇](#) [条文释义](#))

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

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

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

(相关资料: [地方法规 6 篇](#) [条文释义](#))

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

(相关资料: [条文释义](#))

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

(相关资料: [地方法规 1 篇](#) [条文释义](#))

第二十三条 矿山、建筑施工单位和易燃易爆物品、危险化学品、放射性物品等危险物品的生产、经营、储运、

substances shall make a specific emergency response plan, investigate hidden risks in the production or business operation premises, buildings and structures where dangerous substances exist and the surrounding environment, and timely take measures to eliminate hidden risks and prevent the occurrences of emergency incidents.

Article 24 An entity operating or managing public transportation vehicles, public places or other places with a high density of people shall make a specific emergency response plan, install alarm devices and necessary emergency response rescue equipment and facilities to the transportation vehicles or relevant places, clearly explain how to use them and illustrate the passages and routes for safety evacuation, and ensure free safety passages and exits.

The relevant entity shall regularly examine, test and maintain its alarm devices and emergency response rescue equipment and facilities, keep them in a good condition, and ensure the normal use of them.

Article 25 The people's government at or above the county level shall establish and enhance a training system for emergency response management to conduct regular training of the working staff with responsibility for emergency incident operations of the people's government and its relevant departments.

Article 26 The people's government at or above the county level shall adjust emergency response resources, and establish or determine general emergency response rescue teams. The relevant departments of the people's government may set up specialized emergency response rescue teams as needed.

The people's government at or above the county level and its relevant departments may establish emergency response rescue teams made up of adult volunteers. An entity shall establish a full-time or part-time emergency response rescue team made up of its employees.

The people's government at or above the county level shall strengthen the cooperation between specialized and non-specialized emergency response rescue teams, conduct the joint training or drilling, and raise the abilities of synthesized and cooperative emergency response.

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

使用单位，应当制定具体应急预案，并对生产经营场所、有危险物品的建筑物、构筑物及周边环境开展隐患排查，及时采取措施消除隐患，防止发生突发事件。

（相关资料: [地方法规 4 篇 条文释义](#)）

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

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

（相关资料: [地方法规 3 篇 条文释义](#)）

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

（相关资料: [地方法规 2 篇 条文释义](#)）

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

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

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

（相关资料: [行政法规 1 篇 地方法规 8 篇 条文释义](#)）

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

reduce the personal risks on the part of the emergency response rescuers.

Article 28 The People's Liberation Army of China, the People's Armed Police Force and the militia organizations shall organize and carry out specialized emergency response exercise as planned.

Article 29 The people's governments at the county level and their relevant departments, the people's governments at the township level and the sub-district offices shall organize and carry out the publicity and dissemination of emergency response knowledge and necessary emergency response drilling.

The residents' committees, the villagers' committees, enterprises and institutions shall carry out the publicity and dissemination of knowledge on the response to an emergency incident and necessary emergency response drilling, according to the requirements of the people's government at the place where they are located, in combination with their respective realities.

The news media shall carry out the free publicity of knowledge on the emergency incident prevention and response, self-rescue and mutual rescue for the public good.

Article 30 The schools at various levels and of various descriptions shall include the emergency response knowledge education in their teaching to educate students on emergency response knowledge and foster the safety awareness and abilities of self-rescue and mutual rescue on the part of students.

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

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

Article 32 The state shall establish and enhance an emergency response material reserve security system to improve the supervision, production, reserve, allocation and urgent distribution systems of the major emergency response materials.

The people's government at or above the level of a city with districts or the people's government at the county level at the place where emergency incidents tend to occur or occur frequently shall establish the emergency response rescue material, living necessity and emergency response operation equipment reserve systems.

Every local people's government at or above the county level shall enter

身风险。

(相关资料: [条文释义](#))

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

(相关资料: [地方法规 3 篇](#) [条文释义](#))

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

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

新闻媒体应当无偿开展突发事件预防与应急、自救与互救知识的公益宣传。

(相关资料: [地方法规 4 篇](#) [条文释义](#))

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

教育主管部门应当对学校开展应急知识教育进行指导和监督。

(相关资料: [地方法规 6 篇](#) [条文释义](#))

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

(相关资料: [地方法规 5 篇](#) [条文释义](#))

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

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

县级以上地方各级人民政府应当根据本地区的实际情况,与有关企业签订

into agreements with the relevant enterprises to ensure the production and supply of emergency response rescue materials, living necessities and emergency response operation equipment according to its local reality.

Article 33 The state shall establish and enhance an emergency response communication security system, improve the public communication network, establish an emergency response communication system characterized by the combination of cable and wireless communication and the integration of basic telecommunication networks and standby communication systems, to ensure free communication in the work on the response to emergency incidents.

Article 34 The state shall encourage citizens, legal persons and other organizations to provide materials, funds, technical support and donations to the people's governments in the work on the response to emergency incidents.

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

Article 36 The state shall encourage and support the teaching and scientific research institutions meeting corresponding conditions to foster talents specializing in emergency response management, and encourage and support the teaching and scientific research institutions and relevant enterprises to conduct research and development of new technologies, new equipment and new instruments for the emergency incident prevention, surveillance and warning and the emergency response operations and rescue.

Chapter III Surveillance and Warning

Article 37 The State Council shall establish a nationally uniform emergency incident information system. Every local people's government at or above the county level shall establish or determine a locally uniform emergency incident information system, converge, store, analyze and transmit information on emergency incidents, and realize the interconnection with the emergency incident information systems of the people's governments at higher levels and their relevant departments, the people's government at lower levels and their relevant departments, the specialized institutions and the surveillance points to strengthen the cross-department and cross-region

协议,保障应急救援物资、生活必需品和应急处置装备的生产、供给。

(相关资料: [地方法规 5 篇 条文释义](#))

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

(相关资料: [地方法规 2 篇 条文释义](#))

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

(相关资料: [行政法规 1 篇 地方法规 2 篇 条文释义](#))

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

(相关资料: [行政法规 1 篇 地方法规 4 篇 条文释义 相关论文 1 篇](#))

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

(相关资料: [行政法规 1 篇 地方法规 2 篇 条文释义](#))

第三章 监测与预警

第三十七条 国务院建立全国统一的突发事件信息系统。

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

information exchange and intelligence cooperation.

Article 38 The people's governments at and above the county level and their relevant departments and the specialized institutions shall collect incident information through various channels.

The people's government at the county level shall establish a full-time or part-time information reporter system in the residents' committees, the villagers' committees and the relevant entities.

A citizen, legal person or any other organization acquiring emergency incident information shall immediately report on it to the local people's government, the relevant competent department or the designated specialized institution.

Article 39 A local people's government at any level shall submit emergency incident information to the people's government at a higher level according to the relevant provisions of the state. The relevant competent departments of the people's government at or above the county level shall notify in writing the relevant department of the same-level people's government of the emergency incident information. A specialized institution, surveillance point or information reporter shall timely report on the emergency incident information to the local people's government and the relevant competent departments of the people's government.

The emergency incident information submitted or reported by the relevant entities and persons shall be timely, objective and true, and it shall be prohibited to delay the reporting, falsify the reporting, conceal the reporting or omit the reporting of such information.

Article 40 Every local people's government at or above the county level shall timely summarize and analyze information on the hidden risks and warning of emergency incidents, and when necessary, organize the relevant departments, specialized technicians, experts and scholars to conduct consultations and make assessment of the possibility of occurrence of an emergency incident and the effects likely to be caused by the emergency incident; and when deeming that a serious or especially serious emergency incident is likely to occur, shall immediately report on it to the higher people's government, and notify in writing the relevant departments of the higher people's government, the local stationed army and the people's government at the adjacent or relevant place likely to be damaged.

Article 41 The state shall establish and enhance an emergency incident surveillance system.

The people's government at or above the county level and its relevant departments shall establish and enhance a basic information database,

(相关资料: [地方法规 2 篇 条文释义](#))

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

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

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

(相关资料: [地方法规 2 篇 条文释义](#))

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

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

(相关资料: [地方法规 2 篇 条文释义 相关论文 1 篇](#))

第四十条 县级以上地方各级人民政府应当及时汇总分析突发事件隐患和预警信息,必要时组织相关部门、专业技术人员、专家学者进行会商,对发生突发事件的可能性及其可能造成的影响进行评估;认为可能发生重大或者特别重大突发事件的,应当立即向上级人民政府报告,并向上级人民政府有关部门、当地驻军和可能受到危害的毗邻或者相关地区的人民政府通报。

(相关资料: [地方法规 3 篇 条文释义](#))

第四十一条 国家建立健全突发事件监测制度。

县级以上人民政府及其有关部门应当根据自然灾害、事故灾难和公共卫生

improve surveillance networks, divide surveillance regions, determine surveillance points, define surveillance items, provide necessary equipment and facilities, and assign full-time or part-time personnel, to monitor emergency incidents likely to occur, according to the categories and characteristics of natural disasters, accidental disasters and public health incidents,.

Article 42 The state shall establish and enhance an emergency incident warning system.

The levels of warning of natural disasters, accidental disasters and public health incidents that may be warned of shall be divided into level 1, level 2, level 3 and level 4 according to the emergency degree of, trend of development of and degree of damage likely to be caused by an emergency incident, and shall be marked in red, orange, yellow and blue respectively, with level 1 being the highest level.

The criteria for division of levels of warning shall be made by the State Council or the department as determined by the State Council.

Article 43 Where a natural disaster, accidental disaster or public health incident that may be warned of is about to occur or the possibility of occur grows, in accordance with the powers and procedures as provided for by the relevant laws and administrative regulations and the State Council, a local people's government at or above the county level shall issue a relevant level of warning, decide and declare that a relevant region enters on a period of warning, and report on it to the people's government at the next higher level at the same time, and when necessary, may report without regard to the levels, and notify the local stationed army and the people's government at the adjacent or relevant place likely to be damaged.

Article 44 After issuing a level 3 or level 4 warning and declaring the entry into a period of warning, a local people's government at or above the county level shall take the following measures according to the characteristics of and the damage likely to be caused by an emergency incident that is about to occur:

1. Activating the emergency response plan;
2. Ordering the relevant departments, specialized institutions, surveillance points and personnel with particular responsibility to timely collect and report the relevant information, announcing channels for the public to report emergency incident information, and strengthening the surveillance, forecast and warning of the occurrence and development of an emergency incident;
3. Organizing the relevant departments and institutions, specialized technicians and relevant experts and scholars to analyze and assess

事件的种类和特点, 建立健全基础信息数据库, 完善监测网络, 划分监测区域, 确定监测点, 明确监测项目, 提供必要的设备、设施, 配备专职或者兼职人员, 对可能发生的突发事件进行监测。

(相关资料: [地方法规 3 篇 条文释义](#))

第四十二条 国家建立健全突发事件预警制度。

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

预警级别的划分标准由国务院或者国务院确定的部门制定。

(相关资料: [地方法规 3 篇 条文释义](#))

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

(相关资料: [地方法规 3 篇 条文释义](#))

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

(一) 启动应急预案;

(二) 责令有关部门、专业机构、监测网点和负有特定职责的人员及时收集、报告有关信息, 向社会公布反映突发事件信息的渠道, 加强对突发事件发生、发展情况的监测、预报和预警工作;

(三) 组织有关部门和机构、专业技术人员、有关专家学者, 随时对突发

emergency incident information at any time, forecast the degree of possibility of occurrence, extent of effects and scale of intensity of an emergency incident as well as the level of an emergency incident likely to occur;

4. Issuing the forecast information and analysis and assessment results on an emergency incident concerning the general public in fixed time, and managing the coverage on the relevant information; and

5. Issuing timely a warning that damage is likely to be caused by an emergency incident to the society according to the relevant provisions, publicizing the general knowledge on the avoidance and mitigation of damage, and announcing the consulting telephone numbers.

Article 45 After issuing a level 1 or level 2 warning and declaring the entry into a period of warning, a local people's government at or above the county level shall take any or more of the following measures according to the characteristics of and the damage likely to be caused by an emergency incident that is about to occur, in addition to the measures set forth in Article 44 of this Law:

1. Ordering the emergency response rescue team and personnel with particular responsibility to stand by to await order, and mobilizing the reserve personnel to be well prepared to attend the emergency response rescue and operations;
2. Mustering the materials, equipment and instruments necessary for emergency response rescue, preparing the emergency response facilities and shelters, and ensuring them to be in good condition and ready for being put into normal use at any time;
3. Strengthening the safety and defense of key entities, key positions and key infrastructures, and maintaining the social peace and order;
4. Taking necessary measures to ensure the safety and normal operation of such public utilities as transportation, communications, water supply, drainage, power supply, gas supply and heat supply;
5. Issuing timely suggestions and advice on taking special measures to avoid or mitigate damage;
6. Transferring, dispersing or evacuating and properly settling persons who are liable to the damage by an emergency incident, and transferring important property;
7. Shutting down or restricting the use of places that are liable to the damage by an emergency incident, and controlling or restricting the activities in public places that tend to cause the expansion of damage; and
8. Other necessary preventative, control and protective measures as provided for by laws and administrative regulations and rules.

Article 46 On a social safety incident that is about to occur or has

事件信息进行分析评估, 预测发生突发事件可能性的大小、影响范围和强度以及可能发生的突发事件的级别;

(四) 定时向社会发布与公众有关的突发事件预测信息和分析评估结果, 并对相关信息的报道工作进行管理;

(五) 及时按照有关规定向社会发布可能受到突发事件危害的警告, 宣传避免、减轻危害的常识, 公布咨询电话。

(相关资料: [地方法规 1 篇 条文释义](#))

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

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

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

(三) 加强对重点单位、重要部位和重要基础设施的安全保卫, 维护社会治安秩序;

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

(五) 及时向社会发布有关采取特定措施避免或者减轻危害的建议、劝告;

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

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

(八) 法律、法规、规章规定的其他必要的防范性、保护性措施。

(相关资料: [地方法规 1 篇 条文释义](#))

第四十六条 对即将发生或者已经发

occurred, a local people's government at or above the county level and its relevant competent department shall report to the people's government at the next higher level and its relevant competent department as required, and when necessary, may report without regard to the levels.

Article 47 The people's government issuing a warning of emergency incident shall properly adjust and reissue the level of warning, according to the development of situations.

Where facts prove that the occurrence of an emergency incident is impossible or the danger has been eliminated, the people's government issuing a warning shall immediately announce the rescission of warning, terminate the period of warning, and relax the relevant measures having been taken.

Chapter IV Emergency Response Operations and Rescue

Article 48 After an emergency incident occurs, the people's government performing the responsibility for uniform leadership or organizing the emergency response operations shall immediately organize the relevant departments, deploy the emergency response rescue teams and social forces, and take measures for emergency response operations in terms of the nature, characteristics and degree of damage of the emergency incidents in accordance with the provisions of this Chapter and the provisions of relevant laws and administrative regulations and rules.

Article 49 After a natural disaster, accidental disaster or public health incident occurs, the people's government performing the responsibility for uniform leadership may adopt any or more of the following measures for emergency response operations:

1. Organizing the rescue and treatment of victims, dispersing, evacuating and properly settling persons threatened and taking other rescue measures;
2. Controlling promptly the danger sources, marking the danger areas, blockading the danger places, demarcating the cordoned areas, implementing traffic controls and taking other control measures;
3. Repairing immediately such damaged public utilities as transportation, communications, water supply, drainage, power supply, gas supply and heat supply, providing the harmed persons with shelters and living necessities, and implementing medical rescue, hygienic, quarantine and other security measures;
4. Prohibiting or restricting the use of relevant equipment and facilities, shutting down or restricting the use of relevant places, terminating the activities with a high density of people or production or business operation activities likely to cause the expansion of damage, and taking other protective measures;

生的社会安全事件，县级以上地方各级人民政府及其有关主管部门应当按照规定向上一级人民政府及其有关主管部门报告，必要时可以越级上报。

（相关资料: [条文释义](#)）

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

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

（相关资料: [地方法规 3 篇 条文释义](#)）

第四章 应急处置与救援

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

（相关资料: [条文释义](#)）

第四十九条 自然灾害、事故灾难或者公共卫生事件发生后，履行统一领导职责的人民政府可以采取下列一项或者多项应急处置措施：

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

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

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

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

5. Activating the use of the fiscal reserve funds and emergency response rescue material reserve set aside by the people's government, and when necessary, mustering other materials, equipment, facilities and instruments for use;
6. Organizing citizens to attend the emergency response rescue and operations, and requiring those with specialties to provide services;
7. Safeguarding the supply of food, drinking water, fuels and other basic living necessities;
8. Imposing stricter punishments against forestalling, bidding up prices, making and selling fake products and other violations of the market order according to law, to stabilize the market prices and maintain the market order;
9. Imposing stricter punishments against looting property, interfering with the emergency response operations and other violations of the social order according to law, to maintain the social peace and order; and
10. Taking necessary measures for preventing the occurrences of secondary and derivative incidents.

Article 50 After a social safety incident occurs, the people's government organizing the response operations shall immediately organize the relevant departments, and the public security organs shall take any or more of the following measures for emergency response operations in terms of the nature and characteristics of the incident according to laws and administrative regulations and other relevant provisions of the state:

1. Coercively insulating the parties who confront each other with instruments or participate in conflicts in a violent way, and properly resolving disputes and contradictions on the spot, and controlling the development of situations;
2. Controlling the buildings, transportation vehicles, equipment, facilities and supply of fuels, gas, power and water in particular regions;
3. Blockading the relevant places and roads, examining the identity certificates of persons on the spot, and restricting the activities in the relevant public places;
4. Strengthening the guard of central organs and entities liable to the impact, and setting up temporary cordons near the state organs, military organs, state news agency, radio and television stations, foreign embassies in China; and
5. Other necessary measures as provided for by laws, administrative regulations and the State Council.

When an incident seriously endangering the social peace and order occurs, the public security organs shall immediately send out police forces, take relevant coercive measures legally according to the situations on the spot, and bring the social order back to normal as soon as possible.

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

(六) 组织公民参加应急救援和处置工作，要求具有特定专长的人员提供服务；

(七) 保障食品、饮用水、燃料等基本生活必需品的供应；

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

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

(十) 采取防止发生次生、衍生事件的必要措施。

(相关资料: [地方法规 3 篇 条文释义](#))

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

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

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

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

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

(五) 法律、行政法规和国务院规定的其他必要措施。

严重危害社会治安秩序的事件发生时，公安机关应当立即依法出动警力，根据现场情况依法采取相应的强制性措

施，尽快使社会秩序恢复正常。

（相关资料: [地方法规 1 篇](#) [条文释义](#)）

Article 51 Where the occurrence of an emergency incident seriously affects the normal operation of the national economy, the State Council or the relevant competent departments empowered by the State Council may take security, control and other necessary emergency response measures to secure the basic living necessities of the people and maximally mitigate the effects of the emergency incident.

Article 52 When necessary, the people's government performing the responsibility for uniform leadership or organizing the emergency response operations may requisition equipment, facilities, premises, transportation vehicles and other materials from entities and individuals, request other local people's governments to provide human, material and financial resources or technical support, require enterprises that produce or supply living necessities and emergency response rescue materials to organize production and ensure supply, and require organizations that provide medical, transportation and other public services to provide the relevant services.

The people's government performing the responsibility for uniform leadership or organizing the emergency response operations shall organize and coordinate entities engaging in transportation to give priority to the transportation of materials, equipment, instruments and emergency response rescuers necessary for the emergency response operations and the victims of the emergency incident.

Article 53 The people's government performing the responsibility for uniform leadership or organizing the emergency response operations shall uniformly, accurately and timely release information on the development of situations of an emergency incident and emergency response operations according to relevant provisions.

Article 54 No entity or individual shall fabricate or disseminate false information on the development of situations of an emergency incident or emergency response operations.

Article 55 The residents' committees, villagers' committees and other organizations at the place of occurrence of an emergency incident shall conduct publicity and mobilization, organize people to carry out self-rescue and mutual rescue, and assist in maintaining the social order according to the decisions and orders of the local people's government.

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

（相关资料: [条文释义](#)）

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

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

（相关资料: [地方法规 3 篇](#) [条文释义](#)）

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

（相关资料: [地方法规 3 篇](#) [条文释义](#)）

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

（相关资料: [地方法规 3 篇](#) [条文释义](#) [相关论文 1 篇](#)）

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

(相关资料: [条文释义](#))

Article 56 An entity damaged by a natural disaster or where an accidental disaster or public health incident occurs shall immediately organize its emergency response rescue team and working staff to rescue the victims, disperse, evacuate and settle persons threatened, control danger sources, demarcate danger areas, blockade danger premises, take other measures necessary for the prevention of expansion of damage, and at the same time, report to the people's government at the county level at the place where it is located; for a social safety incident that is caused by a problem with the entity or mainly involves the personnel of the entity, the relevant entity shall report on it to a higher authority as required and promptly send out persons in charge to the site to conduct persuasion and guidance.

Any other entity at the place of occurrence of an emergency incident shall obey the decisions and orders issued by the people's government, assist the people's government in taking the measures for emergency response operations, do a good job in its emergency response rescue, and actively organize personnel to attend the emergency response rescue and operations at the place where it is located.

Article 57 A citizen at the place of occurrence of an emergency incident shall obey the direction and arrangements of the people's government, residents' committees, villagers' committees or entity where he or she is employed, assist the people's government in taking the measures for emergency response operations, actively attend the emergency response rescue, and assist in maintaining the social order.

Chapter V Post-Emergency Response Rehabilitation and Reconstruction

Article 58 After the threats and damage caused by an emergency incident have been controlled or eliminated, the people's government performing the responsibility for uniform leadership or organizing the emergency response operations shall terminate the implementation of the measures for emergency response operations taken according to this Law, and at the same time, take or continue implementing necessary measures to prevent the occurrences of secondary or derivative incidents of a natural disaster, accidental disaster or public health incident or re-occurrence of a social safety incident.

Article 59 After the end of emergency response operations, the people's government performing the responsibility for uniform leadership shall immediately organize the assessment of losses caused by the emergency incident, organize the affected areas to restore the production, living, working and social order as soon as possible, make rehabilitation and

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

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

(相关资料: [条文释义](#))

第五十七条 突发事件发生地的公民应当服从人民政府、居民委员会、村民委员会或者所属单位的指挥和安排, 配合人民政府采取的应急处置措施, 积极参加应急救援工作, 协助维护社会秩序。

(相关资料: [条文释义](#) [相关论文 2 篇](#))

第五章 事后恢复与重建

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

(相关资料: [条文释义](#))

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

reconstruction plans, and report them to the people's government at the next higher level.

The people's government in an area affected by the emergency incident shall timely organize and coordinate with the public security, transportation, railway, civil aviation, postal, construction and other relevant departments to restore the social peace and order and repair such damaged public utilities as transportation, communications, water supply, drainage, power supply, gas supply and heat supply as soon as possible.

Article 60 Where the rehabilitation and reconstruction to be carried out by the people's government in an area affected by an emergency incident require the support by the people's government at the next higher level, a request may be submitted to the people's government at the next higher level. According to the losses suffered by the affected area and its actual conditions, the people's government at the next higher level shall provide fund and material support and technical guidance and organize other areas to provide fund, material and human resource support.

Article 61 According to the losses suffered by an area affected by an emergency incident, the State Council shall make preferential policies supporting the development of relevant industries in the area.

The people's government in an area affected by an emergency incident shall make and organize the implementation of work plans on assistance, compensation, conciliation, relief, settlement, etc. according to the losses suffered by the area, and properly resolve conflicts and disputes caused by the emergency response operations.

During the period of a citizen's attending the emergency response rescue or assisting in maintaining the social order, his or her salary treatment and welfare in its employing entity shall be unchanged; where the citizen has performed remarkably or made great achievements, the people's government at or above the county level shall commend or reward him. The people's government at or above the county level shall grant relief to persons injured or dead when participating in the emergency response rescue according to law.

Article 62 The people's government performing the responsibility for uniform leadership shall timely found out the process of and causes for the occurrence of an emergency incident, summarize the experience and lessons learned from the emergency response operations, make improvement measures, and report them to the people's government at the next higher level.

Chapter VI Legal Liability

Article 63 Where a local people's government or a relevant department of

重建计划，并向上一级人民政府报告。

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

（相关资料: [条文释义](#)）

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

（相关资料: [条文释义](#)）

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

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

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

县级以上人民政府对在应急救援工作中伤亡的人员依法给予抚恤。

（相关资料: [条文释义](#)）

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

（相关资料: [条文释义](#)）

第六章 法律责任

第六十三条 地方各级人民政府和县

a people's government at or above the county level fails to perform its statutory functions in violation of this Law, its higher administrative organ or the supervisory organ shall order it to make correction; and a sanction shall be imposed on the directly responsible persons in charge and other directly liable persons as the case may be, under any of the following circumstances:

1. Failure to take preventative measures as required and causing the occurrence of an emergency incident, or failure to take necessary preventative and control measures and causing the occurrence of a secondary or derivative incident;
2. Delay, falsification, concealment or omission in reporting the information on an emergency incident, or notification in writing, submission or release of false information, and causing consequences;
3. Failure to timely issue an emergency incident warning or take measures of entry into the period of warning as required and causing the occurrence of damage;
4. Failure to timely take measures for emergency response operations as required or making improper emergency response operations, and causing consequences;
5. Disobedience to the higher people's government's uniform leadership, command and coordination of emergency response operations;
6. Failure to timely organize and carry out production self-rescue, rehabilitation and reconstruction and other post-emergency response work;
7. Interception, misappropriation, private distribution or private distribution in a disguised form of the emergency response rescue funds or materials; or
8. Failure to timely return the requisitioned property of entities or individuals, or failure to compensate the entities or individuals whose property is requisitioned as required.

Article 64 For a relevant entity under any of the following circumstances, the people's government performing the responsibility for uniform leadership at the place where the entity is located shall order it to cease production or business, suspend or cancel its license or business license, and impose a fine of not less than 50,000 yuan but not more than 200,000 yuan; where a violation of the public security administration is constituted, the public security organ shall impose a penalty according to law:

1. Failing to take preventative measures as required and causing the occurrence of a serious emergency incident;
2. Failing to timely eliminate discovered hidden risks likely to cause an emergency incident and causing the occurrence of a serious emergency incident;
3. Failing to do a good job in the daily maintenance and testing of emergency response equipment and facilities and causing the occurrence

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

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

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

（三）未按规定及时发布突发事件警报、采取预警期的措施，导致损害发生的；

（四）未按规定及时采取措施处置突发事件或者处置不当，造成后果的；

（五）不服从上级人民政府对突发事件应急处置工作的统一领导、指挥和协调的；

（六）未及时组织开展生产自救、恢复重建等善后工作的；

（七）截留、挪用、私分或者变相私分应急救援资金、物资的；

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

（相关资料: [地方法规 2 篇 条文释义](#)）

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

（一）未按规定采取预防措施，导致发生严重突发事件的；

（二）未及时消除已发现的可能引发突发事件的隐患，导致发生严重突发事件的；

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

of a serious emergency incident or the expansion of damage caused by an emergency incident; or

4. Failing to timely organize and carry out the emergency response rescue and causing serious consequences, after the occurrence of an emergency incident.

Where any other law or administrative regulation provides that the relevant department of the people's government shall decide on the punishment against any of the violations in the preceding paragraph, such a provision shall apply.

Article 65 Where an entity or individual in violation of this Law fabricates and disseminates false information on the development of situations of an emergency incident or emergency response operations, or knowingly disseminates false information on the development of situations of an emergency incident or emergency response operations, it or he shall be ordered to make correction, and a warning shall be imposed; where serious consequences are caused, the business operation or practicing license of the entity or individual shall be ceased or cancelled according to law; where the directly liable persons are state functionaries, they shall be sanctioned according to law; and where a violation of the public security administration is constituted, the public security organ shall impose a penalty according to law.

Article 66 Where an entity or individual in violation of the provisions of this Law disobeys a decision or order issued by the people's government at the place where the entity or individual is located or its relevant department or refuses to assist in the measures legally taken, which constitutes a violation of the public security administration, the public security organ shall impose a penalty on the entity or individual according to law.

Article 67 Any entity or individual that violates any provision of this Law, causes the occurrence of an emergency incident or expansion of damage and inflicts damage to the body or property of any other person shall assume the civil liability according to law.

Article 68 Where a violation of any provision of this Law constitutes a crime, the offender shall be pursued for criminal liability.

Chapter VII Supplementary Provisions

Article 69 Where an especially serious emergency incident occurs, which posts a serious threat to the life or property safety of the people, national security, public safety, environmental safety or social order, and its

(四) 突发事件发生后, 不及时组织开展应急救援工作, 造成严重后果的。

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

(相关资料: [地方法规 1 篇 条文释义](#))

第六十五条 违反本法规定, 编造并传播有关突发事件事态发展或者应急处置工作的虚假信息, 或者明知是有关突发事件事态发展或者应急处置工作的虚假信息而进行传播的, 责令改正, 给予警告; 造成严重后果的, 依法暂停其业务活动或者吊销其执业许可证; 负有直接责任的人员是国家工作人员的, 还应当对其依法给予处分; 构成违反治安管理行为的, 由公安机关依法给予处罚。

(相关资料: [条文释义](#))

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

(相关资料: [条文释义](#))

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

(相关资料: [条文释义](#))

第六十八条 违反本法规定, 构成犯罪的, 依法追究刑事责任。

(相关资料: [条文释义](#))

第七章 附 则

第六十九条 发生特别重大突发事件, 对人民生命财产安全、国家安全、公共安全、环境安全或者社会秩序构成

serious social damage cannot be eliminated or effectively controlled or mitigated by taking the emergency response operation measures as provided for in this Law and other relevant laws and administrative regulations and rules, and therefore it is necessary to enter a state of emergency, the Standing Committee of the National People's Congress or the State Council shall decide in accordance with the powers and procedures as provided for by [the Constitution](#) and other relevant laws. The exceptional measures taken during the period of a state of emergency shall be subject to the provisions of relevant laws or shall be separately provided for by the Standing Committee of the National People's Congress.

Article 70 This Law shall be effective as of November 1, 2007.

重大威胁,采取本法和其他有关法律、法规、规章规定的应急处置措施不能消除或者有效控制、减轻其严重社会危害,需要进入紧急状态的,由全国人民代表大会常务委员会或者国务院依照[宪法](#)和其他有关法律规定的权限和程序决定。

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

(相关资料: [法律 1 篇 条文释义](#))

第七十条 本法自 2007 年 11 月 1 日起施行。

(相关资料: [条文释义](#))

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