

Emergency Response Law of the People's Republic of China  
Order of the President of the People's Republic of China

No. 69

The Emergency Response Law of the People's Republic of China, adopted at the 29th Meeting of the Standing Committee of the Tenth National People's Congress of the People's Republic of China on August 30, 2007, is hereby promulgated and shall go into effect as of November 1, 2007.

Hu Jintao

President of the People's Republic of China

August 30, 2007

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Chapter I

General Provisions

Article 1 This Law is enacted for the purpose of preventing and reducing the occurrence of emergencies, controlling, mitigating and eliminating the serious social harm caused by emergencies, regulating the

activities in response to emergencies, protecting the lives and property of the people, and maintaining national security, public security, environmental safety and public order.

Article 2 This Law is applicable to prevention of and preparation for response to emergencies, monitoring and early warning, emergency handling, rescue and relief, and post-emergency rehabilitation and reconstruction, and other activities in response to emergencies.

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

According to the degree of social harm done and the extent of repercussions and other factors, calamitous accidents and public health accidents are classified in four grades: especially serious, serious, relatively serious and common. Where laws, administrative regulations or regulations of the State Council provide otherwise, the provisions there shall prevail.

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

Article 4 The State establishes a system for administration of emergency response, which is characterized by unified leadership, all-round coordination, control according to grades, responsibility at different levels and, chiefly, territorial jurisdiction.

Article 5 The principle of giving priority to prevention and combining prevention with emergency response shall be adhered to in coping with emergencies. The State establishes a risk assessment system for serious emergencies, in order to make comprehensive assessment of potential emergencies, reduce the chance of their occurrence and mitigate their repercussions to the maximum extent.

Article 6 The State establishes an effective social mobilization mechanism, enhances all citizens' awareness of the importance of public security and risk prevention, and helps increase the ability of the entire society to avoid risks and give assistance.

Article 7 The people's governments at the county level shall be responsible for responding to emergencies which occur within their own administrative areas; where two or more administrative areas are involved in an emergency, the people's government at the next higher level, which the people's governments of the said administrative areas are subordinate to, shall assume responsibility, or the people's governments at the next higher level of the respective people's governments of the said administrative areas shall jointly assume responsibility.

After an emergency occurs, the people's government at the county level at the place where the emergency occurs shall, take immediate measures to keep the development of the situation under control, organize efforts for emergency rescue, relief and handling and, without delay, report the matter to the people's government at the next higher level or, when necessary, do so by bypassing the people's government at the next higher level.

Where the people's government at the county level at the place where an emergency occurs is unable to eliminate or keep under effective control the serious social harm caused by the emergency, it shall, in a timely

manner, report the matter to the people's government at a higher level, which shall take timely measures and exercise unified leadership in handling the emergency.

Where laws or administrative regulations provide that the relevant department of the State Council should take charge of responding to an emergency, such provisions shall prevail; and the local people's governments shall cooperate in a proactive way and provide the necessary support. Article 8 The State Council shall, under the leadership of the Premier, study, decide on, and make deployment for, response to especially serious emergencies; it shall, in light of actual need, establish a national command for emergency response, which shall be responsible for work in this respect; and when necessary, it may send a work team to guide the relevant work.

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

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

Article 9 The State Council and the local people's governments at or above the county level shall be the leading administrative organs for response to emergencies, and their working bodies and specific duties of such bodies shall be defined by the State Council.

Article 10 The decisions made and orders issued by the relevant people's government and its departments in response to emergencies shall be made known to the public in a timely manner.

Article 11 The measures taken by the relevant people's government and its departments in response to an emergency shall be commensurate with the nature, seriousness and extent of the social harm that may be caused by the emergency; and where there are more than one options available for choice, the one that is advantageous to protection of the rights and interests of citizens, legal persons and other organizations to the maximum extent shall be chosen.

Citizens, legal persons and other organizations shall be obligated to participate in responding to emergencies.

Article 12 To respond to an emergency, the relevant people's government and its departments may expropriate the property of units and individuals. After the use of the expropriated property or completion of the handling of the emergency, the property shall be returned to the owner in a timely manner. Where property is expropriated or the expropriated property is damaged or lost, compensation shall be made therefor.

Article 13 Where litigation, administrative reconsideration or arbitration cannot be conducted normally because of the adoption of emergency response measures, the provisions on suspension of limitation period or of proceedings shall apply, unless otherwise provided for by law.

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

Article 15 The Government of the People's Republic of China shall carry out cooperation and exchange with the governments of other countries and the international organizations concerned in matters of emergency prevention, monitoring, early warning, emergency handling, rescue and relief, and post-emergency rehabilitation and reconstruction.

Article 16 The decisions made and orders issued by the people's government at or above the county level in response to an emergency shall be submitted for the record to the standing committee of the people's congress at the corresponding level; and after handling of the emergency is completed, the said government shall make a special report on the work to the said standing committee.

## Chapter II

### Prevention of, and Preparation for Response to, Emergencies

Article 17 The State establishes a sound precautionary system for emergency response.

The State Council shall be responsible for making the overall precautionary plans in response to national emergencies and organizing the making of special precaution plans in response to specific national emergencies; and the relevant departments of the State Council shall, in compliance with their respective duties and the relevant precautionary plans made by the State Council, be responsible for making their departmental precautionary plans in response to national emergencies.

Local people's governments at all levels and the relevant departments of the local people's governments at or above the county level shall, in accordance with the relevant laws, regulations, rules, and the precautionary plans in response to emergencies made by the people's governments at higher levels and their relevant departments and in light of the actual local conditions, make appropriate precautionary plans in response to emergencies.

The authority making precautionary plans in response to emergencies shall make timely modification of the same according to actual needs and changes in the situation. The procedures for making and modifying precautionary plans in response to emergencies shall be formulated by the State Council.

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

Article 19 Urban or rural planning shall meet the need for prevention and handling of an emergency, overall arrangement shall be made for the equipment and infrastructure necessitated for emergency response, and the sites of shelters for emergency shall be rationally located.

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

The people's government of a province or of a city divided into districts shall, within its administrative area, check and register the sources of danger, which are liable to give rise to especially serious or serious emergencies, and the dangerous areas, and assess the risks, organize inspection and monitoring of such sources and areas, and order the units concerned to take safety and prevention measures.

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

Article 21 The people's governments at the county level and their relevant departments, the people's governments at the township level, the neighbourhood offices, the residents' committees and the villagers' committees shall, in a timely manner, mediate and handle the conflicts and disputes which may cause incidents endangering public security.

Article 22 Every unit shall establish a sound safety control system, regularly inspect the implementation of all its safety and prevention measures, and eliminate the hidden dangers in a timely manner; it shall grasp the problems existing in the unit which may cause incidents endangering public security and deal with them in a timely manner, in order to prevent the conflicts from intensifying and the situation from going out of control; and it shall report, in a timely manner and as required, the emergency which may occur in the unit and the safety and prevention measures taken therefor to the people's government or its relevant department at the place where the unit is located. Article 23 Mines, construction units, and the units manufacturing, distributing, storing, transporting or using such hazardous articles as inflammable and explosive substances, hazardous chemicals and radioactive substances shall make precautionary plans in response to specific emergencies, conduct screening inspection of the production and business premises and the buildings and structures where hazardous articles are placed and the peripheries, to see if there are hidden dangers, and take timely measures to eliminate them, if any, in order to prevent the occurrence of emergencies.

Article 24 The units that operate or manage public means of transportation, public places or other places with a high concentration of people shall make precautionary plans in response to specific emergencies, install alarm devices and the necessary emergency rescue and relief equipment and facilities on the means of transportation and in the relevant places, clearly indicate their usage, mark the passages and routes for safe evacuation, and ensure that the safety passages and exits are unblocked.

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

Article 25 People's governments at or above the county level shall establish a sound training system for control of emergencies and provide regular training to the staff members of the people's governments and of their relevant departments who are charged with the duty to handle emergencies.

Article 26 People's governments at or above the county level shall mobilize their resources for emergency response, and organize or designate teams for all-round emergency rescue and relief. The relevant departments of the people's governments may, in light of actual need, organize professional teams for emergency rescue and relief.

People's governments at or above the county level and their relevant departments may organize emergency rescue teams which are composed of adult volunteers. Each unit shall organize a full-time or part-time team for emergency rescue, which is composed of the staff members of the unit.

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

Article 27 The relevant departments of the State Council, and of the local people's governments at or above the county level and their relevant departments, and the units concerned shall purchase life and accident insurance for professional emergency rescuers, and provide them with the necessary protective gears and instruments to reduce the personal risks of the emergency rescuers.

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

Article 29 People's governments at the county level and their relevant departments, people's governments at the township level, and the neighbourhood offices shall organize and conduct dissemination of the knowledge on emergency response and the necessary emergency response drills.

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

The news media shall, for the public good, disseminate gratis the knowledge on prevention of and response to emergencies, and on self-rescue and mutual rescue.

Article 30 Different types of schools at various levels shall include the knowledge on emergency response in their teaching curriculums, and educate students in the said knowledge, in order to help them foster their awareness of the importance of safety and acquire the ability of self-rescue and mutual rescue.

The departments in charge of education shall give guidance to and supervise the schools in their efforts to spread knowledge on emergency response among the students.

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

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

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

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

Article 33 The State establishes a sound guarantee system for emergency communications, improve the public communications network, build an emergency communications system whereby wired and wireless communications are combined and the basic telecommunications network is integrated with the mobile communications system, in order to ensure unblocked communications for emergency response.

Article 34 The State encourages citizens, legal persons and other organizations to provide materials, funds and technical support and make donations to the people's governments for the work on response to emergencies.

Article 35 The State develops the insurance industry, establishes a risk insurance system for huge disasters, which is financed by the government, and encourages units and citizens to purchase insurance.

Article 36 The State encourages and supports the teaching and scientific research institutions which meet the appropriate conditions to train people to become professionals in administration of emergency response, and encourages and supports such institutions and the enterprises concerned to research and develop new technologies, equipment and instruments for prevention, monitoring and early warning of emergencies and for emergency handling and rescue.

### Chapter III

#### Monitoring and Early Warning

Article 37 The State Council shall establish a unified national information system for emergencies.

Local people's governments at or above the county level shall establish or designate unified local information systems for emergencies, to collect, store, analyze and transmit information on emergencies, and to have their systems interconnected with the emergency information systems of the people's governments at higher levels and their relevant departments, the people's governments at lower levels and their relevant departments, the specialized institutions and the emergency monitoring networks, in order to strengthen inter-departmental and inter-regional exchange of information and intelligence cooperation.

Article 38 People's governments at or above the county level and their relevant departments and the specialized institutions shall collect information on emergencies through a variety of channels.

The people's governments at the county level shall establish a full-time or part-time information reporter system in the resident's committees, the villagers' committees and the units concerned.

The citizens, legal persons and other organizations that get information on emergencies shall immediately report to the local people's governments, the relevant competent departments or the designated specialized institutions.

Article 39 Local people's governments at various levels shall, in compliance with the relevant State regulations, submit information on emergencies to the people's governments at higher levels. The relevant competent departments of the people's governments at or above the county level shall circulate the information on emergencies among the relevant departments of the said people's governments. The specialized institutions, monitoring networks and information reporters shall, in a timely manner, impart information on emergencies to the local people's governments and to the relevant competent departments of the same.

When the units and persons concerned who submit or report information on emergencies, they shall do it in a timely and objective manner and make sure that the information is authentic, and they may not delay such submission or report, give false report, or conceal or omit certain facts.

Article 40 Local people's governments at or above the county level shall, in a timely manner, collect and analyze the information on the hidden dangers that may lead to emergencies and the early warnings about emergencies and, when necessary, they shall organize consultation among the departments concerned, professional technicians, experts and scholars to assess the possibility of occurrence of emergencies and the repercussions of the emergencies; and if they believe that a serious or especially serious emergency is likely to occur, they shall report the matter to the people's government at the higher level without delay and notify the relevant departments of the people's government at the higher level, the army units stationed there and the people's governments of the adjacent or related areas which may be endangered.

Article 41 The State establishes a sound emergency monitoring system.

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

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

According to degree of urgency of an emergency, its trend of development and the extent of damage it may cause, the early warnings about natural disasters, calamitous accidents and public health incidents that may be forewarned shall be classified in four grades: Grade 1, Grade 2, Grade 3 and Grade 4, which shall be indicated respectively in red, orange, yellow and blue, Grade 1 being the highest one.

The standard for classifying the grades of early warnings shall be established by the State Council or the departments designated by the State Council.



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

Article 44 After giving the alarm of Grade 3 or 4 and declaring the beginning of the period of early warning, the local people's government at or above the county level shall, in light of the characteristics of the imminent emergency and the damage it may cause, take the following measures:

- (1) launching the precautionary plan in response to emergency;
- (2) instructing the relevant departments, specialized institutions, monitoring networks and the persons charged with specified duties to collect and report the relevant information in a timely manner, announcing to the public the channels through which to report information about emergencies, and strengthening the monitoring, forecasting and forewarning of the occurrence and development of the emergency;
- (3) organizing the relevant departments and institutions, professional technicians and the related experts and scholars to analyze and assess information on the emergency at any time, to predict the possibility of its occurrence, the scale and intensity of its repercussions and the grade of the potential emergency;
- (4) regularly announcing the information forecast and the results of analysis and assessment in respect of the emergency which concerns the general public, and keeping control of the coverage of the relevant information; and
- (5) according to relevant regulations, issuing warning to the public in a timely manner about the damage that the emergency may inflict on them, disseminating common knowledge about ways to avoid and mitigate the damage, and announcing telephone numbers for information.

Article 45 After giving the alarm of Grade 1 or 2 and declaring the beginning of the period of early warning, local people's governments at or above the county level shall, in addition to the measures specified in Article 44 of this Law, take one or more of the following measures in light of the characteristics of the imminent emergency and the damage it may cause:

- (1) instructing the emergency rescue teams and the persons charged with specified duties to await orders, and mobilizing the reserves to be well prepared for participating in emergency rescue and handling;
- (2) assembling the materials, equipment and instruments needed for emergency rescue, preparing facilities and shelters for emergency use, and ensuring that they are in good repair and ready for normal use at any time;
- (3) strengthening protection of the safety of key units, key positions and key infrastructures, and maintaining public security order;

(4) taking the necessary measures to guarantee safety and normal operation of such public facilities as the ones for transportation, communications, water supply, drainage, power supply, gas supply and heat supply;

(5) announcing to the public in a timely manner suggestions and advice on taking special measures to avoid or mitigate damage;

(6) helping the persons who are vulnerable to damage in the emergency to move to other places, disperse or evacuate, and having them properly resettled, and moving important property to other places;

(7) closing or restricting the use of such places as are vulnerable to damage in the emergency, and controlling or restricting such activities in public places as are liable to cause the expansion of the scale of damage; and

(8) other necessary preventive and protective measures as are provided for by laws, administrative regulations and rules.

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

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

Where there are facts to prove that the occurrence of an emergency is unlikely or the danger has been eliminated, the people's government that gives the alarm shall immediately announce the lifting of the alarm, terminate the period of early warning and call off the relevant measures taken.

#### Chapter IV

##### Emergency Handling and Rescue

Article 48 After an emergency occurs, the people's government that performs the duty of unified leadership or organizes the handling of the emergency shall, in light of the nature, characteristics and degree of damage of the emergency, immediately organize the relevant departments, deploy the emergency rescue teams and people from different sectors of the society, and take measures for handling the emergency in accordance with the provisions in this Chapter and the provisions of the relevant laws, administrative regulations and rules.

Article 49 After a natural disaster, calamitous accident or public health incident occurs, the people's government performing the duty of unified leadership may take one or more of the following measures for handling the emergency:

(1) organizing the rescue and treatment of victims, dispersing and evacuating persons exposed to danger and having them properly resettled, or taking other measures to help them;

(2) promptly keeping the source of danger under control, clearly marking the endangered areas, blockading the endangered places, demarcating the security areas, exercising traffic control, and taking other control measures;

(3) immediately doing rush repairs of such damaged public facilities as the ones for transportation, communications, water supply, drainage, power supply, gas supply and heat supply, providing the victims with shelters and daily necessities, and giving them first aid, and taking sanitation and anti-epidemic measures and other safeguard measures;

(4) prohibiting or restricting the use of the relevant equipment and facilities, closing or restricting the use of related places, suspending the activities which draw a high density of people or the production or business activities which may lead to increased scale of damage, and taking other protective measures;

(5) bringing into use the fiscal reserve funds set aside and the emergency rescue materials reserved by the said people's government and, when necessary, appropriating other materials, equipment, facilities and instruments which are urgently needed;

(6) organizing citizens to participate in emergency rescue and handling, and requiring the ones with given specialties to provide services;

(7) guaranteeing the supply of food, drinking water, fuels and other basic daily necessities;

(8) in accordance with law, imposing severe punishment on persons who disrupt market order by hoarding and cornering, forcing up prices, making and selling counterfeit goods, etc., to stabilize market prices and maintain market order;

(9) in accordance with law, imposing severe punishment on persons who disrupt public order by looting, and interfering with and sabotaging emergency handling, etc., to maintain public security; and

(10) taking necessary measures for preventing the occurrence of secondary and derivative incidents.

Article 50 After a social safety incident occurs, the people's government responsible for organizing the handling of the emergency shall immediately mobilize the relevant departments, and the public security organs shall, in light of the nature and characteristics of the incident and in accordance with the relevant law, administrative regulations and other relevant regulations of the State, take one or more of the following measures for handling the emergency:

(1) compulsorily keeping apart the parties that fight each other with tools or participate in conflicts with violence, properly resolving the disputes and controversies on the spot, and taking control of the development of the situation;

(2) taking control of the buildings, means of transportation, equipment and facilities and the supply of fuels, gas, power and water in a given area;

(3) blockading the related places and roads, examining the identity certificates of the persons at the scene, and restricting the activities held in the related public places;

(4) keeping close guard of the key organs and units which are vulnerable to attack, and posting temporary security cordons around such units as the State organs, military organs, State news agencies, radio and TV broadcasting stations, and foreign embassies and consulates in China; and

(5) taking other necessary measures as specified by laws and administrative regulations and by the State Council.

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

Article 51 Where the occurrence of an emergency seriously affects the normal operation of the national economy, the State Council or the relevant competent departments authorized by the State Council may take safeguard and controlling measures and other necessary emergency measures, to guarantee the basic daily necessities of the people and mitigate the effects of the emergency to the maximum extent.

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

The people's government performing the duty of unified leadership or being responsible for organizing the handling of an emergency shall organize and coordinate the units engaged in transportation, to give priority to the transportation of the materials, equipment, and instruments needed for emergency handling, the emergency rescue persons and victims of the emergency.

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

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

Article 55 The residents' committees, villagers' committees and other organizations in the place where an emergency occurs shall, according to the decisions and orders of the local people's government, conduct publicity and mobilization, organize the people to rescue themselves and each other, and help maintain social order.

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

if its own staff members constitute the main participants in the incident, the said unit shall, according to relevant regulations, report the matter to the authority at a higher level and promptly send its leading persons to rush to the scene and conduct persuasion and mediation.

The other units in the place where an emergency occurs shall obey the decisions and orders issued by the people's government, cooperate with the people's government in implementing the measures it adopts for handling the emergency, do a good job of self-rescue and proactively organizing persons to participate in emergency rescue and handling in the place where they are located.

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

## Chapter V

### Post-Emergency Rehabilitation and Reconstruction

Article 58 After the threat of and the damage caused by an emergency is brought under control or eliminated, the people's government performing the duty of unified leadership or being responsible for organizing the handling of the emergency shall terminate the implementation of the measures for handling the emergency which are taken in accordance with the provisions of this Law and shall, at the same time, shall take or continue to implement the necessary measures to prevent the occurrence of the secondary or derivative incidents of the natural disaster, calamitous accident or public health incident or the recurrence of the social safety incident.

Article 59 After completion of the handling of an emergency, the people's government performing the duty of unified leadership shall immediately arrange for assessing the losses caused by the emergency, organize rapid restoration of production, normal life and work and social order in the affected areas, make rehabilitation and reconstruction plans, and report the same to the people's government at the next higher level.

The people's government of the place affected by an emergency shall, in a timely manner, organize and coordinate the efforts of the relevant departments such as the public security, transportation, railway, civil aviation, post and telecommunications, and construction departments to restore public order and repair, as soon as possible, the damaged public facilities for transportation, communications, water supply, drainage, power supply, gas supply, heat supply, etc.

Article 60 When the people's government of the place affected by an emergency needs the support from the people's government at the next higher level in its effort to carry out rehabilitation and reconstruction, it may submit a request to the latter to such an effect, which shall, according to the losses suffered by the affected area and in light of the actual conditions, provide monetary and material support and technical guidance and organize other areas to provide support in terms of funds, materials and human resources.

Article 61 The State Council shall, according to the losses suffered by the area affected by an emergency, formulate preferential policies to support the development of the related industries in the said area.

The people's government of the area affected by an emergency shall, according to the losses suffered by the area, make plans for providing aid, making up the losses, offering consolation and making compensation, and helping in resettlement in the aftermath of the emergency, and arrange for the implementation of such plans, and shall properly settle the conflicts and disputes caused in the course of emergency handling.

During the period when a citizen participates in emergency rescue or helps in maintaining social order, his salary and welfare benefits given by his employing unit shall remain unchanged; if he has performed remarkably and made outstanding achievements during the period, the people's government at or above the county level shall commend or reward him.

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

Article 62 The people's government performing the duty of unified leadership shall, in a timely manner, ascertain the cause and the process of development of the emergency, analyze the experience and lessons in the handling of the emergency, introduce measures for improvement, and report the same to the people's government at the next higher level.

## Chapter VI

### Legal Liability

Article 63 Where a local people's governments or the relevant department of a people's government at or above the county level, in violation of the provisions of this Law, fails to perform its statutory duties, it shall be ordered by its superior administrative organ or a supervisory organ to make rectification; under one of the following circumstances, the leading person directly in charge and the other persons directly responsible shall be given sanctions according to law in light of the seriousness of the case:

(1) failing to take the required preventive measures, thus causing the occurrence of an emergency, or failing to take the necessary preventive measures, thus causing the occurrence of a secondary or derivative incident;

(2) delaying submission of report, or giving false report, on information about an emergency, concealing or omitting certain facts, or circulating, submitting or releasing false information, thus leading to adverse consequences;

(3) failing to give the alarm for an emergency or take measures for the period of early warning in a timely manner according to regulations, thus resulting in damage;

(4) failing to take timely measures for handling the emergency according to regulations, or failing to handle the emergency appropriately, thus causing adverse consequences;

(5) failing to follow the unified leadership, command and coordination of the people's government at a higher level or handling an emergency;

(6) failing, in a timely manner, to organize and carry out production for self-support, rehabilitation, reconstruction and other post-emergency work;

(7) withholding, misappropriating or illegally sharing the funds or materials for emergency rescue or illegally sharing them in disguised form; or

(8) failing to return the expropriated property of the units or individuals in a timely manner, or failing to compensate according to regulations the units or individuals whose property is expropriated.

Article 64 Under one of the following circumstances, a related unit shall be ordered by the local people's government performing the duty of unified leadership to suspend production or business operation, the said government shall have its permit or business license suspended or revoked, and in addition, impose on it a fine of not less than RMB50,000 yuan but not more than 200,000 yuan; and if its act constitutes a violation of the regulations for administration of public security, a penalty shall be imposed on it by the public security organ according to law:

(1) failing to take preventive measures according to regulations, thus causing the occurrence of a serious emergency;

(2) failing, in a timely manner, to remove the hidden danger it discovers which may lead to the occurrence of an emergency, thus causing the occurrence of a serious emergency;

(3) failing to do a good job of the routine maintenance and testing of the emergency equipment and facilities, thus causing the occurrence of a serious emergency or the expansion of the scale of the damage inflicted by the emergency; or

(4) failing, in a timely manner, to organize and carry out emergency rescue after the occurrence of an emergency, thus causing serious consequences.

Where other laws or administrative regulations provide that with respect to any of the violations specified in the preceding paragraph, a penalty shall be decided on by the relevant department of the people's government according to law, such provisions shall apply.

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

Article 66 Where any unit or individual, in violation of the provisions of this Law, fails to follow the decisions or orders of the local people's government and its relevant departments or refuses to act in coordination with the measures taken thereby according to law, which constitutes a violation of the regulations for administration of public security, a penalty shall be imposed on it/him by the public security organ according to law.

Article 67 Any unit or individual that violates the provisions of this Law, which leads to the occurrence of an emergency or the expansion of the scale of the damage, thus causing personal harm or property losses to another person, shall bear civil liability according to law.

Article 68 Anyone who violates the provisions of this Law, which constitutes a crime, shall be investigated for criminal responsibility according to law.

## Chapter VII

### Supplementary Provisions

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

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

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