



中华人民共和国矿山安全法

Law of the People's Republic of China
on Safety in Mines

中华人民共和国职业病防治法

Law of the People's Republic of China
on Prevention and Control of Desertification

中华人民共和国安全生产法

Law of the People's Republic of China
on Work Safety

(中英对照)

(Chinese-English)

法律出版社
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中华人民共和国主席令

第六十五号

《中华人民共和国矿山安全法》已由中华人民共和国第七届全国人民代表大会常务委员会第二十八次会议于 1992 年 11 月 7 日通过,现予公布,自 1993 年 5 月 1 日起施行。

中华人民共和国主席 杨尚昆

1992 年 11 月 7 日

Order of the President of the People's Republic of China

No.65

The Law of the People's Republic of China on Safety in Mines, adopted at the 28th Meeting of the Standing Committee of the Seventh National People's Congress of the People's Republic of China on November 7, 1992, is hereby promulgated and shall enter into force as of May 1, 1993.

Yang Shangkun

President of the People's Republic of China

November 7, 1992

中华人民共和国矿山安全法

(1992年11月7日第七届全国人民代表大会常务委员会第二十八次会议通过)

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第一章 总 则

第一条 为了保障矿山生产安全,防止矿山事故,保护矿山职工人身安全,促进采矿业的发展,制定本法。

第二条 在中华人民共和国领域和中华人民共和国管

Law of the People's Republic of China on Safety in Mines

(Adopted at 28th Meeting of the Standing Committee of the Seventh National People's Congress on November 7, 1992)

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Chapter I General Provisions

Article 1 This Law is formulated for the purpose of ensuring safety in production in mines, preventing accidents and protecting personal safety of workers and staff at mines and promoting the development of mining industry.

Article 2 All activities relating to exploitation of mineral

辖的其他海域从事矿产资源开采活动,必须遵守本法。

第三条 矿山企业必须具有保障安全生产的设施,建立、健全安全管理制度,采取有效措施改善职工劳动条件,加强矿山安全管理工作,保证安全生产。

第四条 国务院劳动行政主管部门对全国矿山安全工作实施统一监督。

县级以上地方各级人民政府劳动行政主管部门对本行政区域内的矿山安全工作实施统一监督。

县级以上人民政府管理矿山企业的主管部门对矿山安全工作进行管理。

第五条 国家鼓励矿山安全科学技术研究,推广先进技术,改进安全设施,提高矿山安全生产水平。

第六条 对坚持矿山安全生产,防止矿山事故,参加矿山抢险救护,进行矿山安全科学技术研究等方面取得显著成绩的单位和个人,给予奖励。

resources conducted within, the boundaries of the People's Republic of China, as well as in other sea areas under its jurisdiction must comply with this Law.

Article 3 Mining enterprises must possess facilities that ensure safety in production, establish and perfect the system of safety management, take effective measures to improve the working conditions for workers and staff and strengthen the work of safety control in mines in order to ensure safe production.

Article 4 The competent department of labour administration under the State Council shall exercise unified supervision over the work of safety control throughout the country.

The competent departments of labour administration of the local people's governments at or above the county level shall exercise unified supervision over the work of safety control in mines within their respective administrative regions.

The authorities in charge of mining enterprises under the people's governments at or above the county level shall administer safety work in mines.

Article 5 The State shall encourage research in science and technology relating to safety in mines, popularize advanced technology, improve safety facilities and enhance the level of safe production in mines.

Article 6 Units and individuals that have made outstanding achievements in persistent safe production in mines, prevention of accidents, participation in rescue work at mines and scientific and technological research relating to safety in mines shall be awarded.

第二章 矿山建设的安全保障

第七条 矿山建设工程的安全设施必须和主体工程同时设计、同时施工、同时投入生产和使用。

第八条 矿山建设工程的设计文件,必须符合矿山安全规程和行业技术规范,并按照国家规定经管理矿山企业的主管部门批准;不符合矿山安全规程和行业技术规范的,不得批准。

矿山建设工程安全设施的设计必须有劳动行政主管部门参加审查。

矿山安全规程和行业技术规范,由国务院管理矿山企业的主管部门制定。

第九条 矿山设计下列项目必须符合矿山安全规程和行业技术规范:

- (一)矿井的通风系统和供风量、风质、风速;
- (二)露天矿的边坡角和台阶的宽度、高度;
- (三)供电系统;
- (四)提升、运输系统;
- (五)防水、排水系统和防火、灭火系统;
- (六)防瓦斯系统和防尘系统;

Chapter II Guarantees for Safety in Mine Construction

Article 7 Safety facilities in mine construction projects must be designed, constructed and put into operation and use at the same time with the principal parts of the projects.

Article 8 The design papers for mine construction projects must comply with the safety rules and technological standards for mining industry and shall, according to regulations of the State, be subject to the approval of the authorities in charge of mining enterprises; those failing to comply with the safety rules and technological standards for mining industry may not be approved.

The designs of safety facilities in mine construction projects must be examined with the participation of the competent department of labour administration.

The safety rules and technological standards for mining industry shall be formulated by the authorities in charge of mining enterprises under the State Council.

Article 9 The following items in mining designs must comply with the safety rules and technological standards for mining industry:

- (1) ventilation system of the shaft, and quantity, quality and speed of underground air;
- (2) slope angles of an opencast mine and the width and height of its steps;
- (3) electricity supply system;
- (4) hoisting and transportation systems;
- (5) water control and drainage systems and fire control and fire-extinguishing systems;
- (6) gas control system and dust control system;

(七)有关矿山安全的其他项目。

第十条 每个矿井必须有两个以上能行人的安全出口,出口之间的直线水平距离必须符合矿山安全规程和行业技术规范。

第十一条 矿山必须有与外界相通的、符合安全要求的运输和通讯设施。

第十二条 矿山建设工程必须按照管理矿山企业的主管部门批准的设计文件施工。

矿山建设工程安全设施竣工后,由管理矿山企业的主管部门验收,并须有劳动行政主管部门参加;不符合矿山安全规程和行业技术规范的,不得验收,不得投入生产。

第三章 矿山开采的安全保障

第十三条 矿山开采必须具备保障安全生产的条件,执行开采不同矿种的矿山安全规程和行业技术规范。

第十四条 矿山设计规定保留的矿柱、岩柱,在规定的期限内,应当予以保护,不得开采或者毁坏。

第十五条 矿山使用的有特殊安全要求的设备、器材、

(7) other items concerning safety in mines.

Article 10 Each underground mine must have at least two walkable safety outlets and the direct horizontal distance between such outlets must comply with the safety rules and technological standards for mining industry.

Article 11 Mines must have transportation and communication facilities that link the mines with the outside and meet safety requirements.

Article 12 Mine construction projects must be constructed in accordance with the design papers approved by the authorities in charge of mining enterprises.

Upon completion, the safety facilities in mine construction projects shall be subject to inspection for acceptance by the authorities in charge of mining enterprises, with participation of the competent department of labour administration; those failing to comply with the safety rules and technological standards for mining industry may not pass inspection for acceptance, and may not be put into operation.

Chapter III Guarantees for Safety in Exploitation of Mines

Article 13 For exploitation of mines, requirements that ensure safe production must be met, and the safety rules and technological standards for mining industry corresponding to the exploitation of different types of minerals must be observed.

Article 14 Mine pillars and rock pillars to be preserved as specified in the mining designs shall, within the prescribed period of time, be protected and may not be exploited or damaged.

Article 15 Equipments, apparatus, protective appliances and

防护用品和安全检测仪器,必须符合国家安全标准或者行业安全标准;不符合国家安全标准或者行业安全标准的,不得使用。

第十六条 矿山企业必须对机电设备及其防护装置、安全检测仪器,定期检查、维修,保证使用安全。

第十七条 矿山企业必须对作业场所中的有毒有害物质和井下空气含氧量进行检测,保证符合安全要求。

第十八条 矿山企业必须对下列危害安全的事故隐患采取预防措施:

- (一)冒顶、片帮、边坡滑落和地表塌陷;
- (二)瓦斯爆炸、煤尘爆炸;
- (三)冲击地压、瓦斯突出、井喷;
- (四)地面和井下的火灾、水害;
- (五)爆破器材和爆破作业发生的危害;
- (六)粉尘、有毒有害气体、放射性物质和其他有害物质引起的危害;
- (七)其他危害。

第十九条 矿山企业对使用机械、电气设备,排土场、矸石山、尾矿库和矿山闭坑后可能引起的危害,应当采取预防措施。

safety testing instruments used in mines with special safety requirements must comply with the national safety standards or safety standards of the mining industry; those failing to comply with the national safety standards or safety standards of the mining industry shall not be put into use.

Article 16 Mining enterprises must regularly carry out inspection, maintenance and repair of mechanical and electrical equipments and protective installations thereof, as well as safety testing instruments, so as to ensure safe operation.

Article 17 Mining enterprises must conduct testing of poisonous and harmful substances at the work sites and of the percentage of oxygen in underground air to ensure that they meet safety requirements.

Article 18 Mining enterprises must adopt preventive measures against the following hidden dangers of accidents that jeopardise safety:

- (1) roof falling, slabbing, slope sliding, and surface collapsing;
- (2) gas blast and coal dust explosion;
- (3) bumps, gas outburst and blowout;
- (4) fire and flood on surface and underground;
- (5) perils arising from demolition apparatus and demolition operations;
- (6) perils caused by dust, poisonous and harmful gases, radioactive and other harmful substances; and
- (7) other perils.

Article 19 Mining enterprises shall take preventive measures against perils that may arise by using mechanical and electrical equipment, soil tips, mine tips, dams and lagoons, as well as from disused mine pits.

第四章 矿山企业的安全管理

第二十条 矿山企业必须建立、健全安全生产责任制。

矿长对本企业的安全生产工作负责。

第二十一条 矿长应当定期向职工代表大会或者职工大会报告安全生产工作,发挥职工代表大会的监督作用。

第二十二条 矿山企业职工必须遵守有关矿山安全的法律、法规和企业规章制度。

矿山企业职工有权对危害安全的行为,提出批评、检举和控告。

第二十三条 矿山企业工会依法维护职工生产安全的合法权益,组织职工对矿山安全工作进行监督。

第二十四条 矿山企业违反有关安全的法律、法规,工会有权要求企业行政方面或者有关部门认真处理。

矿山企业召开讨论有关安全生产的会议,应当有工会代表参加,工会有权提出意见和建议。

第二十五条 矿山企业工会发现企业行政方面违章指