

中华人民共和国劳动人事部颁发  
国家进出口商品检验局

# 中华人民共和国进出口锅炉压力容器监督管理办法（试行）

PROVISIONS FOR  
THE PEOPLE'S REPUBLIC OF CHINA  
ON THE SUPERVISION AND CONTROL  
OF THE IMPORT AND EXPORT  
BOILERS AND PRESSURE VESSELS

中華人民共和國輸出入  
ボイラー及び圧力容器の監督管理規則

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中華人民共和国輸出入ボイラー及び圧力容器の監督

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# 中华人民共和国 进出口锅炉压力容器监督 管理办法（试行）

## 第一章 总 则

**第一条** 为了加强进出口锅炉、压力容器的管理，维护我国经济权益和信誉，根据国务院发布的《中华人民共和国进出口商品检验条例》（以下简称《商检条例》）和《锅炉压力容器安全监察暂行条例》（以下简称《锅炉监察条例》）的规定，特制订本办法。

**第二条** 本办法适用于根据对外贸易合同、各种契约、协议等（以下统称合约）进出口的锅炉、压力容器，但不适用于船舶、铁路机车、飞行器和军事装备上的锅炉和压力容器。

**第三条** 中华人民共和国国家进出口商品检验局（以下简称国家商检局）是统一监督管理全国进出口锅炉、压力容器检验工作的主管机关。各省、自治区、直辖市进出口商品检验局及其分支机构（以下统

称商检机构)监督管理本地区的进出口锅炉、压力容器检验工作。

**第四条** 劳动人事部锅炉压力容器安全监察局(以下简称锅炉监察局)主管全国进出口锅炉、压力容器安全性能的监督检查工作。各省、自治区、直辖市劳动部门锅炉压力容器安全监察机构(以下简称省级锅炉监察机构)负责管理本地区进出口锅炉、压力容器安全性能的监督检查工作。对于重大的监督检验项目,省级锅炉监察机构也可以商请劳动人事部锅炉压力容器检测研究中心进行监督检验,并报锅炉监察局备案。

**第五条** 一切进出口锅炉、压力容器必须经过检验。凡列入国家商检局制定的《商检机构实施检验的商品种类表》(以下简称《种类表》)的进出口锅炉、压力容器都必须经过商检机构和省级锅炉监察机构的监督检验。未列入《种类表》的锅炉、压力容器,由有关部门自行检验,检验结果报商检机构和省级锅炉监察机构备案。未经上述机构监督检验的或检验不合格的锅炉、压力容器不准出口,未经上述机构监督检验的进口锅炉、压力容器不得在我国安装使用。

凡需要对外出具商检证明的,均由商检机构统一出具商检证书,其中安全性能的检验报告由省级锅炉监察机构审核盖章后提供。

## 第二章 进口锅炉、压力容器 的监督检查

**第六条** 外贸经营单位和收用货单位应对进口锅炉、压力容器的先进性、合理性和可靠性负责。

外贸经营单位在签订进口锅炉、压力容器（包括成套设备中的锅炉、压力容器）合约时，应选派熟悉锅炉、压力容器业务的人员参加谈判，合约或其附加技术条款中必须明确下列各项：

1、设计、制造、安装、检验依据的规程、规范和标准；

2、产品随机文件中应包括：总图、主要受压元件强度计算书、产品质量证明书、使用安装说明、安全阀和爆破片排量计算书；

3、是否需在制造国进行监造；

4、索赔期限、保证期限。

外贸经营单位签订合约后，应及时将上述内容报送省级锅炉监察机构备案。

**第七条** 凡列入《种类表》的进口锅炉、压力容器，收用货部门或代理接运部门必须向口岸或到达站的商检机构报验。货抵安装现场后，由当地商检机构和省级锅炉监察机构按照各自的分工分别组织检验。

**第八条** 进口锅炉、压力容器的安全性能监督检查项目包括：

- 1、校核第六条第2款所提出的技术文件；
- 2、进行产品安全性能检验。具体检验项目和数量由检验单位提出，省级锅炉监察机构核定；
- 3、合约中其他需要检验的安全性能项目。

**第九条** 进口锅炉、压力容器安全性能的监督检查由进口设备安装所在地的省级锅炉监察机构授权的锅炉压力容器检验所或委托具备检验条件的其他单位（以下统称检验单位）进行。

**第十条** 进口锅炉、压力容器进行安全性能检验后，由检验单位出具检验报告，经省级锅炉监察机构审核盖章后，提交收用货单位。需要对外索赔的，由收用货单位根据检验报告提出索赔要求，由商检机构审核后，出具商检证书。

**第十一条** 对于进口成套设备中由国内代外商加工制造的锅炉、压力容器的监督检查，原则上应在产地进行，由制造单位所在地的省级锅炉监察机构确定检验单位。货到安装现场后，可不重复检验。

### 第三章 出口锅炉、压力容器的监督检查

**第十二条** 出口锅炉压力容器设计、制造单位应

对产品性能和产品质量负责。

出口锅炉的设计图纸，必须经省级锅炉监察机构批准。承担出口压力容器的设计单位，必须持有设计批准书。承担出口锅炉压力容器制造的单位必须持有制造许可证。

**第十三条** 出口锅炉、压力容器的检验一律在产地进行。由制造厂所在地的省级锅炉监察机构授权或委托的检验单位按合同规定检验并出具检验报告。

**第十四条** 设计、制造、安装、检验依据的规程、规范、标准应按合约规定执行。合约中未作规定的，执行我国现行的规程、规范和标准。

**第十五条** 凡列入《种类表》的出口锅炉、压力容器，出口前，外贸经营单位必须持有指定的检验单位出具并经省级锅炉监察机构审核盖章的安全性能检验报告，向产地商检机构报验。无此报告者，商检机构不接受报验。

**第十六条** 列入《种类表》的锅炉、压力容器，出口合约规定出具商检证书的，外贸经营单位须持产地商检机构出具的合格检定单，向口岸商检机构报验。经查验合格，出具商检证书（放行单或在报关单上加盖放行章），由海关监管放行。

**第十七条** 出口锅炉、压力容器安全性能检验内容，除合约另有规定外，均按《锅炉监察条例》及其实



施细则中有关制造厂产品出厂监督检验的要求进行。

## 第四章 监 督 检 查

**第十八条** 商检机构和省级锅炉监察机构按照各自分工对检验单位的检验工作进行监督检查。

**第十九条** 外贸经营单位、生产、收用货单位对进出口锅炉压力容器的质量情况，索赔情况要及时提供给商检机构和省级锅炉监察机构。

## 第五章 罚 则

**第二十条** 对违反本规定的单位和个人，应根据情节轻重，由商检机构和省级锅炉监察机构给予通报批评、罚款，或建议有关部门给予行政处分。情节严重的应提请司法机关追究刑事责任。

## 第六章 附 则

**第二十一条** 按本办法进行检验时，应按有关规定收取商检费和安全性能检验费。

**第二十二条** 进出口锅炉、压力容器检验人员在执行检验任务时，有关单位必须提供必要的工作条件。

**第二十三条** 受检单位对进出口锅炉、压力容器的检验结果有异议时，可向省级锅炉监察机构和商检

机构申请复验。对复验结果仍有异议的，可向锅炉监察局和国家商检局提出申诉，由锅炉监察局和国家商检局共同组织检验，并做出结论。

**第二十四条** 本办法由劳动人事部、国家商检局制定，未尽事宜按《商检条例》和《锅炉监察条例》及其实施细则中的有关规定办理。

**第二十五条** 各省、自治区、直辖市劳动人事厅、局（劳动局）和各地商检局可根据本办法，结合本地实际情况制定具体的实施措施。

**第二十六条** 本办法自一九八五年十一月一日起执行。



# **Provisions for the People's Republic of China on the Supervision and Control of the Import and Export Boilers and Pressure Vessels**

## *Chapter I General Provisions*

**Article 1** These Provisions are formulated in accordance with the Regulations on the Inspection of Import and Export Commodities of the People's Republic of China (hereinafter referred to as the Commodity Inspection Regulations) and the Provisional Act on Supervision of Safety Performance of Boilers and Pressure Vessels (hereinafter referred to as the Boiler Supervision Act), both promulgated by the State Council in order to strengthen control of import and export of boilers and pressure vessels and protect the rights, interests and credibility of the PRC.

**Article 2** These Provisions shall apply to boilers and pressure vessels imported or exported according to foreign trade contracts and agreements (hereinafter referred to as the contracts), but shall not apply to those boilers and pressure vessels used for and on

the ships, locomotives, aircraft and military equipment.

**Article 3** The State Administration of Import and Export Commodity Inspection of the People's Republic of China (hereinafter referred to as the State Administration of Commodity Inspection) is the competent authority in charge of unified supervision and administration of the inspection of import and export boilers and pressure vessels of the PRC. The import and export commodity inspection bureaus and their branches in various provinces, autonomous regions and municipalities directly under the central government (hereinafter referred to as the commodity inspection authorities) are authorized to supervise and administer the inspection of import and export boilers and pressure vessels in their own areas.

**Article 4** The Bureau of Boiler and Pressure Vessel Safety Supervision under the Ministry of Labour and Personnel (hereinafter referred to as the Boiler Supervision Bureau) is the competent authority in charge of supervision and examination of the Safety performance of import and export boilers and pressure vessels of the PRC. The boiler and pressure vessel safety supervision authorities of the labour bureaus in various provinces, autonomous regions

and municipalities (hereinafter referred to as the provincial boiler supervision authorities) are in charge of the supervision and examination of the safety performance of import and export boilers and pressure vessels in their own areas. For major items of supervision and inspection, the provincial boiler supervision authorities may directly apply to the Boiler and Pressure Vessel Testing and Research Centre under the Ministry of Labour and Personnel for supervision and inspection and shall report to the Boiler Supervision Bureau for the record.

**Article 5** All import and export boilers and pressure vessels are subject to inspection. The import and export boilers and pressure vessels covered in the List of Commodities Subject to Inspection issued by the State Administration of Commodity Inspection and enforced by the Import and Export Commodity Inspection Authorities (hereinafter referred to as the List of Commodities) are subject to supervision and inspection by the commodity inspection authorities and the provincial boiler supervision authorities. Those not covered in the List of Commodities are to be inspected by the related departments on their own, and the inspection results are to be reported to the commodity inspection authorities and the provincial boiler supervision authori-

ties for the record. Those boilers and pressure vessels not undergoing supervision and inspection or found not meeting the standards after inspection by the above-mentioned authorities shall not be permitted either to be exported or to be installed or otherwise put into use in the PRC.

In crises where inspection certificates are required the commodity inspection authorities are solely responsible for their issuance and the provincial boiler supervision authorities shall provide safety performance inspection reports affixed with their stamps.

## *Chapter II Supervision and Inspection of Import Boilers and Pressure Vessels*

**Article 6** Foreign trade agents, receivers and end-users are responsible for the advanced technology, rational structure and reliable performance of import boilers and pressure vessels.

In importing boilers and pressure vessels (including those in complete sets of equipment), foreign trade agents should ask those who are well versed in boiler and pressure vessel technology to take part in trade negotiations and the following clauses should be clearly stated in the import contracts or the related technical appendixes:

1. The rules, codes and standards on which the design, manufacture, installation and inspection are based;

2. Documents attached to products should include: the general drawings, strength calculations made to determine scantlings of the main pressure retaining parts or components, the product quality certificate, the installation and operating instruction manual and the relieving capacity calculations of safety valves and rupture disks;

3. Whether or not manufacture shall be done under supervision in the manufacturing country;

4. The time limit for compensation claims and the period of guarantee.

Foreign trade agents should, after signing the import contracts, report the above details to the provincial boiler supervision authorities for the record.

**Article 7** For those import boilers and pressure vessels covered in the List of Commodities, the receivers, end-users or forwarding agents shall apply to the commodity inspection authorities at the arrival port / station for inspection. Upon arrival at the installation site, the boilers and pressure vessels are to be inspected by the local commodity inspection authorities and the provincial boiler supervision authorities according to their division of work.



**Article 8** The supervision and inspection of the safety performance of import boilers and pressure vessels should include the following items:

1. Check of technical documents listed in the second paragraph of Article 6;

2. Inspection of the safety performance. The specific inspection items and the number of boilers and pressure vessels intended for inspection should be proposed by inspection organizations subject to the examination and approval of the provincial boiler supervision authorities;

3. Other inspection of the safety performance as stipulated in the contracts.

**Article 9** The supervision and inspection of the safety performance of import boilers and pressure vessels shall be carried out by boiler and pressure vessel inspection institutes or other lifted inspection organizations designated or authorized by the provincial boiler supervision authorities.

**Article 10** After the safety performance inspection of import boilers and pressure vessels, an inspection report shall be issued by the inspection organizations, which is subject to examination and affixing of a stamp by the provincial boiler supervision authorities before issuance to the receivers or end-users. When the receivers or end-users