



中华人民共和国防震减灾法

Law of the People's Republic of China
on Protecting Against and Mitigating Earthquake Disasters

中华人民共和国气象法

Meteorology Law of
the People's Republic of China

(中英对照)

(Chinese-English)

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中华人民共和国主席令

第九十四号

《中华人民共和国防震减灾法》已由中华人民共和国第八届全国人民代表大会常务委员会第二十九次会议于1997年12月29日通过,现予公布,自1998年3月1日起施行。

中华人民共和国主席 江泽民

1997年12月29日

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

No. 94

The Law of the People's Republic of China on Protecting Against and Mitigating Earthquake Disasters, adopted at the 29th Meeting of the Standing Committee of the Eighth National People's Congress of the People's Republic of China on December 29, 1997, is hereby promulgated and shall enter into force as of March 1, 1998.

Jiang Zemin

President of the People's Republic of China

December 29, 1997

中华人民共和国 防震减灾法

(1997年12月29日第八届全国人民代表大会常务委员会第二十九次会议通过
1997年12月29日中华人民共和国主席令第九十四号公布 自1998年3月1日起施行)

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第一章 总 则

第一条 为了防御与减轻地震灾害,保护人民生命和财产安全,保障社会主义建设顺利进行,制定本法。

第二条 在中华人民共和国境内从事地震监测预报、

Law of the People's Republic of China on Protecting Against and Mitigating Earthquake Disasters

(Adopted at the 29th Meeting of the Standing Committee of the Eighth National People's Congress on December 29, 1997)

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Chapter I General Provisions

Article 1 This Law is enacted in order to protect against and mitigate earthquake disasters, ensure the safety of the people's lives and property and the smooth progress of the socialist drive.

Article 2 This Law shall be applicable to earthquake monitoring

地震灾害预防、地震应急、震后救灾与重建等(以下简称防震减灾)活动,适用本法。

第三条 防震减灾工作,实行预防为主、防御与救助相结合的方针。

第四条 防震减灾工作,应当纳入国民经济和社会发展规划。

第五条 国家鼓励和支持防震减灾的科学技术研究,推广先进的科学研究成果,提高防震减灾工作水平。

第六条 各级人民政府应当加强对防震减灾工作的领导,组织有关部门采取措施,做好防震减灾工作。

第七条 在国务院的领导下,国务院地震行政主管部门、经济综合主管部门、建设行政主管部门、民政部门以及其他有关部门,按照职责分工,各负其责,密切配合,共同做好防震减灾工作。

县级以上地方人民政府负责管理地震工作的部门或者

and prediction, protection against earthquake disasters, measures for earthquake emergencies, post-earthquake relief and reconstruction, etc. which are carried out within the territory of the People's Republic of China (hereinafter referred to as protection against and mitigation of earthquake disasters for short).

Article 3 In the effort to protect against and mitigate earthquake disasters the principle of combining protective measures with rescue efforts while putting stress on the former shall be applied.

Article 4 Protection against and mitigation of earthquake disasters shall be incorporated into plans for national economic and social development.

Article 5 The State encourages and supports scientific and technological research in protection against and mitigation of earthquake disasters and spreads the use of advanced research results in order to improve the work of protection against and mitigation of earthquake disasters.

Article 6 People's governments at different levels shall strengthen leadership over the work of protection against and mitigation of earthquake disasters and mobilize the relevant departments to take measures for successful protection against and mitigation of earthquake disasters.

Article 7 Under the leadership of the State Council, the competent administrative departments under the State Council that are responsible respectively for seismic work, comprehensive management of the economy, construction, civil affairs and the other relevant departments shall join efforts and closely cooperate with each other, while acting in accordance with the division of their functions and duties, to make a success of the work for protection against and mitigation of earthquake disasters.

The administrative departments or institutions for seismic work

机构和其他有关部门在本级人民政府的领导下,按照职责分工,各负其责,密切配合,共同做好本行政区域内的防震减灾工作。

第八条 任何单位和个人都有依法参加防震减灾活动的义务。

中国人民解放军、中国人民武装警察部队和民兵应当执行国家赋予的防震减灾任务。

第二章 地震监测预报

第九条 国家加强地震监测预报工作,鼓励、扶持地震监测预报的科学技术研究,逐步提高地震监测预报水平。

第十条 国务院地震行政主管部门负责制定全国地震监测预报方案,并组织实施。

省、自治区、直辖市人民政府负责管理地震工作的部

and the other departments concerned under the local people's governments at or above the county level shall, under the leadership of the said people's governments, join efforts and closely cooperate with each other, while acting in accordance with the division of their functions and duties, to make a success of the work for protection against and mitigation of earthquake disasters within their own administrative areas.

Article 8 All units and individuals are obligated to take part in protecting against and mitigating earthquake disasters in accordance with law.

The Chinese People's Liberation Army, the Chinese People's Armed Police Forces and the People's Militia shall carry out the tasks of protecting against and mitigating earthquake disasters assigned to them by the State.

Chapter II Earthquake Monitoring and Prediction

Article 9 The State strengthens the work of earthquake monitoring and prediction, encourages and gives aid to scientific and technological research in earthquake monitoring and prediction in order to promote such monitoring and prediction gradually.

Article 10 The competent administrative department for seismic work under the State Council shall be responsible for formulating national plans of earthquake monitoring and prediction and making arrangements for their implementation.

The administrative departments for seismic work under the people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall be

门,根据全国地震监测预报方案,负责制定本行政区域内的地震监测预报方案,并组织实施。

第十一条 国务院地震行政主管部门根据地震活动趋势,提出确定地震重点监视防御区的意见,报国务院批准。

地震重点监视防御区的县级以上地方人民政府负责管理地震工作的部门或者机构,应当加强地震监测工作,制定短期与临震预报方案,建立震情跟踪会商制度,提高地震监测预报能力。

第十二条 国务院地震行政主管部门和县级以上地方人民政府负责管理地震工作的部门或者机构,应当加强对地震活动与地震前兆的信息检测、传递、分析、处理和对可能发生地震的地点、时间和震级的预测。

第十三条 国家对地震监测台网的建设,实行统一规划,分级、分类管理。

全国地震监测台网,由国家地震监测基本台网、省级地震监测台网和市、县地震监测台网组成,其建设所需投资,

responsible for formulating plans of earthquake monitoring and prediction for their own administrative areas in accordance with the national plans of earthquake monitoring and prediction and making arrangements for their implementation respectively.

Article 11 The competent administrative department for seismic work under the State Council shall, on the basis of the tendency of seismicity, submit suggestions on delimiting key areas for earthquake surveillance and protection to the State Council for approval.

The administrative departments or institutions for seismic work under the people's governments at or above the county level located in the key areas for earthquake surveillance and protection shall improve their work in earthquake monitoring, work out plans for short-term and imminent earthquake prediction, establish the system for the tracking of and consultation about earthquake situations and enhance their capability of earthquake monitoring and prediction.

Article 12 The competent administrative department for seismic work under the State Council and the administrative departments or institutions for seismic work under the local people's governments at or above the county level shall improve their work in examining, transmitting, analysing and processing information about seismicity and precursors of earthquakes and in forecasting the place, time and magnitude of a possible earthquake.

Article 13 The State makes unified plans for the building of earthquake monitoring stations and networks, and divides them into different levels and types for their administration.

The national earthquake monitoring network is composed of the primary national earthquake monitoring stations and the earthquake monitoring stations at the provincial, municipal and county levels, and the investment needed for its building shall be borne by the central and local governments according to the principle of unified administrative

按照事权和财权相统一的原则,由中央和地方财政承担。

为本单位服务的地震监测台网,由有关单位投资建设和管理,并接受所在地的县级以上地方人民政府负责管理地震工作的部门或者机构的指导。

第十四条 国家依法保护地震监测设施和地震观测环境,任何单位和个人不得危害地震监测设施和地震观测环境。地震观测环境应当按照地震监测设施周围不能有影响其工作效能的干扰源的要求划定保护范围。

本法所称地震监测设施,是指地震监测台网的监测设施、设备、仪器和其他依照国务院地震行政主管部门的规定设立的地震监测设施、设备、仪器。

第十五条 新建、扩建、改建建设工程,应当避免对地震监测设施和地震观测环境造成危害;确实无法避免造成危害的,建设单位应当事先征得国务院地震行政主管部门或者其授权的县级以上地方人民政府负责管理地震工作的部门或者机构的同意,并按照国务院的规定采取相应的措施后,方可建设。

and financial powers.

An earthquake monitoring station and network for the use of a particular unit shall be built with the investment of that unit, administered by it and brought under the guidance of the administrative department or institution for seismic work under the local people's government at or above the county level.

Article 14 The State protects the facilities for earthquake monitoring and the environment for seismicity observation in accordance with law. No unit or individual may jeopardize such facilities or environment. The area of the environment for seismicity observation shall be delimited for protection in conformity with the requirement that there be no disturbance sources in the neighborhood that affect the operating efficiency of the earthquake monitoring facilities.

The facilities for earthquake monitoring mentioned in this Law refers to the monitoring facilities, equipment, instruments used at the earthquake monitoring stations and other such facilities, equipment and instruments provided in accordance with the regulations of the competent administrative department for seismic work under the State Council.

Article 15 In building, expanding or rebuilding a project, attention shall be paid to avoiding jeopardizing the facilities for earthquake monitoring and the environment for seismicity observation. Where it is truly impossible to avoid it, the unit concerned shall obtain approval of the competent administrative department for seismic work under the State Council or the administrative department or institution for seismic work under the local people's government at or above the county level authorized by the said department under the State Council and take the necessary measures as required by the State Council before it may start building, expanding or rebuilding the project.

第十六条 国家对地震预报实行统一发布制度。

地震短期预报和临震预报,由省、自治区、直辖市人民政府按照国务院规定的程序发布。

任何单位或者从事地震工作的专业人员关于短期地震预测或者临震预测的意见,应当报国务院地震行政主管部门或者县级以上地方人民政府负责管理地震工作的部门或者机构按照前款规定处理,不得擅自向社会扩散。

第三章 地震灾害预防

第十七条 新建、扩建、改建建设工程,必须达到抗震设防要求。

本条第三款规定以外的建设工程,必须按照国家颁布的地震烈度区划图或者地震动参数区划图规定的抗震设防要求,进行抗震设防。

重大建设工程和可能发生严重次生灾害的建设工程,必须进行地震安全性评价;并根据地震安全性评价的结果,