



中华人民共和国电力法

Electric Power Law of the
People's Republic of China

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(1995 年 12 月 28 日第八届全国人民代表大会常务委员会第十七次会议通过 1995 年 12 月 28 日中华人民共和国主席令第 60 号公布 自 1996 年 4 月 1 日起施行)

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Electric Power Law of the People's Republic of China

(Adopted at the 17th Meeting of the Standing Committee of the Eighth National People's Congress on December 28, 1995, promulgated by Order No. 60 of the President of the People's Republic of China on December 28, 1995, and effective as of April 1, 1996)

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第一章 总 则

第一条 为了保障和促进电力事业的发展,维护电力投资者、经营者和使用者的合法权益,保障电力安全运行,制定本法。

第二条 本法适用于中华人民共和国境内的电力建设、生产、供应和使用活动。

第三条 电力事业应当适应国民经济和社会发展的需要,适当超前发展。国家鼓励、引导国内外的经济组织和个人依法投资开发电源,兴办电力生产企业。

电力事业投资,实行谁投资、谁收益的原则。

第四条 电力设施受国家保护。

禁止任何单位和个人危害电力设施安全或者非法侵占、使用电能。

第五条 电力建设、生产、供应和使用应当依法保护环境,采用新技术,减少有害物质排放,防治污染和其他

Chapter I General Provisions

Article 1 This Law is enacted to guarantee and promote the development of the electric power industry, to safeguard the lawful rights and interests of those who invest in, manage or consume electric power and to guarantee the safe operation of electric power.

Article 2 This Law shall apply to activities concerning the construction, generation, supply and consumption of electric power within the territory of the People's Republic of China.

Article 3 The electric power industry should meet the needs of the development of the national economy and the society and should therefore develop slightly ahead of the other sectors of the economy. The State encourages and provides guidance to lawful investment in the development of power resources and establishment of power - generating enterprises by economic organizations or individuals at home and abroad.

The principle of "whoever invests, benefits" shall be applied with regard to investment in the power industry.

Article 4 Electric power facilities shall be under the protection of the State.

No unit or individual may endanger the safety of electric power facilities or illegally take possession of or use electric power.

Article 5 In the construction, generation, supply and consumption of electric power, attention shall be paid to protecting the environment according to law and adopting new technology to decrease the discharge of poisonous waste, prevent and control

公害。

国家鼓励和支持利用可再生能源和清洁能源发电。

第六条 国务院电力管理部门负责全国电力事业的监督管理。国务院有关部门在各自的职责范围内负责电力事业的监督管理。

县级以上地方人民政府经济综合主管部门是本行政区域内的电力管理部门,负责电力事业的监督管理。县级以上地方人民政府有关部门在各自的职责范围内负责电力事业的监督管理。

第七条 电力建设企业、电力生产企业、电网经营企业依法实行自主经营、自负盈亏,并接受电力管理部门的监督。

第八条 国家帮助和扶持少数民族地区、边远地区和贫困地区发展电力事业。

第九条 国家鼓励在电力建设、生产、供应和使用过程中,采用先进的科学技术和方法,对在研究、开发、

pollution and other public hazards.

The State encourages and supports the generation of electricity through the use of renewable and clean energy resources.

Article 6 The electric power administration department under the State Council shall be responsible for supervision and control of the electric power industry throughout the country. The departments concerned under the State Council shall be responsible for supervision and control of the electric power industry within their own limits of authority.

The department in overall charge of the economy under the local people's government at or above the county level is the electric power administration department of that administrative region and shall be responsible for supervision and control of the electric power industry there. The departments concerned under the local people's government at or above the county level shall be responsible for supervision and control of the electric power industry within their own limits of authority.

Article 7 Enterprises engaged in construction and generation of electric power or operation of power networks shall make their own managerial decisions and be responsible for their own profits and losses in conformity with legal provisions, and they shall subject themselves to supervision by the electric power administration departments.

Article 8 The State assists and supports minority nationality regions, outlying areas and poverty – stricken areas in their efforts to develop their electric power industry.

Article 9 The State encourages adoption of advanced

采用先进的科学技术和方法等方面作出显著成绩的单位和个人给予奖励。

第二章 电力建设

第十条 电力发展规划应当根据国民经济和社会发展的需要制定,并纳入国民经济和社会发展计划。

电力发展规划,应当体现合理利用能源、电源与电网配套发展、提高经济效益和有利于环境保护的原则。

第十一条 城市电网的建设与改造规划,应当纳入城市总体规划。城市人民政府应当按照规划,安排变电设施用地、输电线路走廊和电缆通道。

任何单位和个人不得非法占用变电设施用地、输电线路走廊和电缆通道。

第十二条 国家通过制定有关政策,支持、促进电力建设。

地方人民政府应当根据电力发展规划,因地制宜,采

scientific, technical and managerial methods for construction, generation, supply and use of electric power and shall give awards to those units and individuals have achieved remarkable successes in research, development and adoption of advanced scientific, technical and managerial methods.

Chapter II Construction of Electric Power

Article 10 Plans for electric power development shall be drawn up in light of the needs of the national economic and social development and shall be included in the plans for national economic and social development.

In the plans for electric power development should be embodied the principles of making rational use of energy resources, coordinating the development of power supply and power networks, increasing economic results and benefiting environmental protection.

Article 11 Plans for the construction and rebuilding of power networks in urban areas shall be included in the overall plans for urban areas. The people's governments in urban areas shall arrange to provide land for transformation facilities, transmission line corridors and cable passages in accordance with the plans.

Illegal occupation by any units or individuals of land for transformation facilities, transmission line corridors or cable passages shall be forbidden.

Article 12 The State adopts relevant policies to support and promote electric power construction.

Local people's governments shall adopt varied measures in

取多种措施开发电源,发展电力建设。

第十三条 电力投资者对其投资形成的电力,享有法定权益。并网运行的,电力投资者有优先使用权;未并网的自备电厂,电力投资者自行支配使用。

第十四条 电力建设项目应当符合电力发展规划,符合国家电力产业政策。

电力建设项目不得使用国家明令淘汰的电力设备和技术。

第十五条 输变电工程、调度通信自动化工程等电网配套工程和环境保护工程,应当与发电工程项目同时设计、同时建设、同时验收、同时投入使用。

第十六条 电力建设项目使用土地,应当依照有关法律、行政法规的规定办理;依法征用土地的,应当依法支付土地补偿费和安置补偿费,做好迁移居民的安置工作。

电力建设应当贯彻切实保护耕地、节约利用土地的原则。

light of local conditions to develop power supply and promote power construction on the basis of the electric power development plans.

Article 13 Investors in electric power shall enjoy legal rights and interests with regard to the power generated with the help of their investment. They shall have priority in the use of the power incorporated into the power networks and authority over the control over and use of the power plants for self – supply that are not incorporated in power networks.

Article 14 Power construction projects shall conform to the electric power development plan as well as the State policies regarding the power industry.

No power facilities or technology announced obsolete by formal decree of the State shall be used in power construction projects.

Article 15 Auxiliary projects for power networks, such as transmission and transformation projects, dispatch communication automation projects, and environmental protection projects shall be designed, constructed, checked, accepted and put into operation simultaneously with the progress of the power – generating projects.

Article 16 Land use for power construction projects shall be handled in accordance with relevant laws and administrative rules and regulations. No requisition of land shall be regarded as legal until land compensation fees and settlement allowances have been paid and necessary arrangements have been made for the residents who moved away.

In power construction the principles of giving practical protection to cultivated land and economizing on land use shall be applied.

地方人民政府对电力事业依法使用土地和迁移居民,应当予以支持和协助。

第十七条 地方人民政府应当支持电力企业为发电工程建设勘探水源和依法取水、用水。电力企业应当节约用水。

第三章 电力生产与电网管理

第十八条 电力生产与电网运行应当遵循安全、优质、经济的原则。

电网运行应当连续、稳定,保证供电可靠性。

第十九条 电力企业应当加强安全生产管理,坚持安全第一、预防为主的方针,建立、健全安全生产责任制度。

电力企业应当对电力设施定期进行检修和维护,保证其正常运行。

第二十条 发电燃料供应企业、运输企业和电力生产企业应当依照国务院有关规定或者合同约定供应、运输和接卸燃料。

Local people's governments shall support and assist legal use of land and migration of residents in the interest of power construction.

Article 17 Local people's governments shall support electric power enterprises in their effort to explore water resources and develop the legal intake or use of water for the construction of power – generating projects. The electric power enterprises shall economize on the use of water.

Chapter III Generation of Electric Power and Administration of Power Networks

Article 18 Electric power shall be generated and the power networks shall be operated in accordance with the principles of safety, high quality and economy.

The operation of power networks shall be maintained in an uninterrupted and stable way and the reliability of electricity supply shall be guaranteed.

Article 19 Electric power enterprises shall strengthen administration over safe generation, adhere to the principle of putting safety and prevention first, and institute and keep improving the responsibility system of safe generation.

Electric power enterprises shall regularly examine and maintain their power facilities in order to guarantee normal operation.

Article 20 Enterprises engaged in the supply and transportation of power – generating fuels and in power generation shall supply, transport and unload the fuels in accordance with the relevant regulations of the State Council or contractual agreements.

第二十一条 电网运行实行统一调度、分级管理。

任何单位和个人不得非法干预电网调度。

第二十二条 国家提倡电力生产企业与电网、电网与电网并网运行。具有独立法人资格的电力生产企业要求将生产的电力并网运行的,电网经营企业应当接受。

并网运行必须符合国家标准或者电力行业标准。

并网双方应当按照统一调度、分级管理和平等互利、协商一致的原则,签订并网协议,确定双方的权利和义务;并网双方达不成协议的,由省级以上电力管理部门协调决定。

第二十三条 电网调度管理办法,由国务院依照本法的规定制定。

第四章 电力供应与使用

第二十四条 国家对电力供应和使用,实行安全用