

# Regulations on Safety Supervision of Special Equipment

Promulgated by Decree No. 373 of the State Council of the People's Republic of China on March 11, 2003 and amended in accordance with the Decision of the State Council on Amending the Regulations on Safety Supervision of Special Equipment on January 24, 2009.

## Chapter I General Provisions

**Article 1** These Regulations are formulated for the purpose of strengthening safety supervision of special equipment, preventing and reducing accidents, safeguarding people's lives and property, and promoting economic development.

**Article 2** The term "special equipment" in these Regulations means boilers, pressure vessels (including gas cylinders, the same below), pressure pipelines, elevators, lifting appliances, passenger ropeways, large amusement devices, and non-road vehicles, which relate to safety of human lives or have high risks.

The catalogue of the special equipment specified in the preceding paragraph shall be drawn up by the department of the State Council in charge of safety supervision administration of special equipment (hereinafter referred to as the department of the State Council for safety supervision administration of special equipment) and submitted to the State Council for approval before implementation.

**Article 3** Production (including design, manufacture, installation, alteration, maintenance and repair, the same below), service, inspection and testing, as well as supervision and examination of special equipment, shall be in conformity with these Regulations, except as otherwise provided in these Regulations.

These Regulations are not applicable to safety supervision of the special equipment used for military equipment, nuclear facilities, aerospace vehicles, locomotives, offshore installations, ships, and the special equipment used in underground mines and civil airports.

Supervision and administration of the installation and service of lifting appliances used on housing construction sites and municipal engineering sites, and the non-road vehicles, shall be exercised by the competent construction departments in accordance with the relevant laws and regulations.

**Article 4** The department of the State Council for safety supervision administration of special equipment is responsible for safety supervision of special equipment throughout the country, and the local departments in charge of safety supervision administration of special equipment at or above the county level are responsible for safety supervision of special equipment within their respective administrative areas

(hereinafter collectively referred to as the departments for safety supervision administration of special equipment).

**Article 5** Any unit producing or using special equipment shall establish a sound safety management system and a post-specific responsibility system for safety and energy conservation of special equipment.

The principal responsible person of a unit producing or using special equipment shall assume overall responsibility for the safety and energy conservation of special equipment.

Any unit producing or using special equipment and any special equipment inspection and testing institution shall accept the safety supervision of special equipment exercised by the department for safety supervision administration of special equipment according to law.

**Article 6** Special equipment inspection and testing institutions shall, in accordance with the provisions of these Regulations, conduct inspection and testing, and assume legal liability for its inspection and testing results and appraisal conclusions.

**Article 7** Local people's governments at or above the county level shall urge the departments for safety supervision administration of special equipment to perform their safety supervision duties in accordance with law and give them support, and timely co-ordinate and resolve major problems arising from safety supervision of special equipment.

**Article 8** The State encourages the application of scientific management methods and advanced technologies to upgrade the safety performance of special equipment and management level, and to enhance the capability of units producing or using special equipment to prevent accidents. Units or individuals that make outstanding achievements in this regard will be rewarded.

The State encourages the research, development, demonstration and dissemination of the energy-saving technology for special equipment, and promotes renovation in and application of such technology.

Any unit producing or using special equipment and any special equipment inspection and testing institution shall guarantee the necessary input in safety and energy conservation.

The State encourages the development of a liability insurance system for special equipment and strengthens the ability to compensate for the losses caused by special equipment accidents.

**Article 9** Any unit or individual has the right to report violation of these Regulations to the department for safety supervision administration of special equipment, the administrative supervisory department, or any other relevant department.

The department for safety supervision administration of special equipment shall establish a reporting system for safety supervision of special equipment, publish a

telephone number, mailbox or e-mail address for reporting, accept the reports on violations in the production, service, inspection and testing of special equipment and handle them promptly.

The department for safety supervision administration of special equipment, administrative supervisory department, or any other relevant department shall maintain the confidentiality of reporting persons and reward them in accordance with the relevant provisions of the State.

## **Chapter II Production of Special Equipment**

**Article 10** A unit producing special equipment shall carry out production in accordance with the provisions of these Regulations and the requirements of the safety technical codes formulated and published by the department of the State Council for safety supervision administration of special equipment (hereinafter referred to as the safety technical codes).

A unit producing special equipment shall assume responsibility for the safety performance and energy efficiency index of the special equipment produced by it, and shall not produce any special equipment that does not conform to the requirement on safety performance or the energy efficiency index, or any special equipment that is declared eliminated in the national industrial policies.

**Article 11** A unit designing pressure vessels may not design pressure vessels until it is licensed by the department of the State Council for safety supervision administration of special equipment.

A unit designing pressure vessels shall meet the following conditions:

- (1) being staffed with designers and design reviewers suitable for designing pressure vessels;
- (2) having premises and equipment suitable for designing pressure vessels; and
- (3) having a sound management and responsibility system suitable for designing pressure vessels.

**Article 12** The design documents for boilers, gas cylinders in pressure vessels (hereinafter referred to as gas cylinders), hyperbaric oxygen chambers, passenger ropeways, large amusement devices, and high energy-consuming special equipment may not be used for manufacture until they are appraised by an inspection and testing institution approved by the department of the State Council for safety supervision administration of special equipment.

**Article 13** With respect to the products or parts of special equipment for which a type test shall be conducted as required by the safety technical codes or the new products, parts or materials of special equipment subject to trial production, a type test and an energy efficiency testing must be conducted.

**Article 14** Units manufacturing, installing or altering boilers, pressure vessels,

elevators, lifting appliances, passenger ropeways, large amusement devices, as well as their safety accessories and safety protection devices, units manufacturing pipes, fittings, valves, flanges, compensators and safety protection devices used for pressure pipelines (hereinafter referred to as the pressure pipelines components), and units manufacturing or altering non-road vehicles, may not conduct the corresponding activities until they are licensed by the department of the State Council for safety supervision administration of special equipment.

Units manufacturing, installing or altering the special equipment specified in the preceding paragraph shall meet the following conditions:

- (1) being staffed with professional technical personnel and skilled workers suitable for manufacture, installation or alteration of the special equipment;
- (2) having production conditions and testing means suitable for manufacture, installation or alteration of the special equipment; and
- (3) having a sound quality control system and a sound responsibility system.

**Article 15** The special equipment shall, upon being released from manufacturer, be attached with the documents required by the safety technical codes, such as the design documents, the certificate of compliance, the manual on installation, service, maintenance and repair, and the supervision and inspection certificate.

**Article 16** Units maintaining and repairing boilers, pressure vessels, elevators, lifting appliances, passenger ropeways, large amusement devices or non-road vehicles shall have professional technical personnel and skilled workers suitable for maintenance and repair of special equipment, as well as necessary testing means, and may not conduct maintenance and repair activities until they are licensed by the departments for safety supervision administration of special equipment of provinces, autonomous regions or municipalities directly under the Central Government.

**Article 17** Installation, alteration, maintenance or repair of boilers, pressure vessels, lifting appliances, passenger ropeways or large amusement devices, or the alteration, maintenance or repair of non-road vehicles, shall be conducted by units that are licensed in accordance with these Regulations.

Installation, alteration, maintenance or repair of elevators shall be conducted by elevator manufacturers or by units that are licensed in accordance with these Regulations and commissioned through contract or permitted by elevator manufacturers. Elevator manufacturers shall be responsible for the quality and quality problems involved in safe operation of the elevators.

Units conducting installation, alteration, maintenance or repair of special equipment shall, before commencing their work, inform in writing the departments for safety supervision administration of special equipment of municipalities directly under the Central Government or cities divided into districts of the installation, alteration or maintenance and repair to be conducted, and may commence their work thereafter.

**Article 18** The building of elevator hoistway must comply with the quality

requirements for civil engineering projects. In the installation of elevators, installing units shall abide by the safety requirements for construction sites and adopt necessary measures for safety protection in sites. In the installation of elevators, relevant departments shall exercise safety supervision of construction sites in accordance with relevant laws and administrative regulations.

In the installation of elevators, installing units shall be subject to the safety management of construction sites by general contractors of building projects, and sign contracts defining responsibility between them.

**Article 19** The manufacture, installation, alteration, maintenance and repair of elevators shall be in strict compliance with the requirements of the safety technical codes. When commissioning or permitting other units to conduct the installation, alteration, maintenance or repair, elevator manufacturers shall render safety guidance and monitor thereto. After the installation, alteration, maintenance or repair of elevators, elevator manufacturers shall verify and debug the elevators as required in the safety technical codes and be responsible for the results of the verification and debug.

**Article 20** After the completion of installation, alteration, maintenance or repair of boilers, pressure vessels, elevators, lifting appliances, passenger ropeways or large amusement devices, or after the completion of alteration, maintenance or repair of non-road vehicles, the units conducting the installation, alteration, maintenance or repair shall transfer the technical materials to the units using the equipment within 30 days after the inspection for acceptance and, in respect of high energy-consuming special equipment, submit the report of energy efficiency testing as required by the safety technical codes; the units using the equipment shall keep these materials in the safety technical file of the special equipment.

**Article 21** The manufacture of boilers, pressure vessels, pressure pipe units, lifting appliances or large amusement devices and the installation, alteration, major maintenance or repair of boilers, pressure vessels, elevators, lifting appliances, passenger ropeways or large amusement devices shall be subject to the supervision inspection by the inspection and testing institutions approved by the department of the State Council for safety supervision administration of special equipment as required by the safety technical codes. Those that fail to pass the supervision inspection shall not be released from the manufacturer or delivered for service.

**Article 22** Units filling transportable pressure vessels or gas cylinders may not conduct the filling activities until they are licensed by the departments for safety supervision administration of special equipment of provinces, autonomous regions or municipalities directly under the Central Government.

Filling units shall meet the following conditions:

- (1) being staffed with managerial staff and technicians suitable for the filling and management;
- (2) having filling devices, testing means, premises, instruments, safety devices

suitable for filling and management;

(3) having a sound filling safety management system, a responsibility system and emergency measures.

Units filling gas cylinders shall provide gas users with gas cylinders that meet the requirements of the safety technical codes, guide gas users in safe use of gas cylinders, register the gas cylinders in service as required by the safety technical codes, and require gas cylinders to be inspected regularly.

### **Chapter III Service of Special Equipment**

**Article 23** Units using special equipment shall ensure the safe service of the special equipment in strict accordance with these Regulations and the laws and administrative regulations on work safety.

**Article 24** Units using special equipment shall use the special equipment that meets the requirements of safety technical codes. Before using special equipment, such units shall check whether the equipment is attached with the relevant documents required by Article 15 of these Regulations.

**Article 25** Before putting any special equipment into service or within 30 days after putting special equipment into service, units using such special equipment shall register with the department for safety supervision administration of special equipment of municipalities directly under the Central Government or of cities divided into districts. The registration mark shall be placed or attached to a conspicuous position of the special equipment.

**Article 26** Units using special equipment shall keep a safety technical file on special equipment. The safety technical file shall include the following contents:

(1) the special equipment's design documents, manufacturers, certificate of compliance, manual on service and maintenance, etc., as well as the technical documents and data of installation;

(2) the special equipment's periodic inspection and regular self-check records;

(3) the special equipment's daily operation records;

(4) daily maintenance records of the special equipment and its safety accessories, safety protection devices, measuring and controlling devices and auxiliary instruments and gauges;

(5) the special equipment's break-down and accident record; and

(6) in respect of high energy-consuming special equipment, the energy efficiency testing report, the records of energy consumption and the technical data for energy-saving alteration.

**Article 27** Units using special equipment shall conduct frequent daily maintenance of the special equipment in service and carry out regular self-check.

Units using special equipment shall carry out self-check of the special equipment in service at least once a month and keep records of such self-check. If anything abnormal

is found in self-check or daily maintenance of the special equipment in service, the units using special equipment shall deal with it in due time.

Units using special equipment shall regularly calibrate and repair the safety accessories, safety protection devices, measuring and controlling devices, and auxiliary instruments and gauges of the special equipment in service, and shall keep records of such calibration and repair.

Units using boilers shall, as required by the safety technical codes, treat the water (medium) used for their boilers, and accept the periodic inspection on the water (medium) quality by the special equipment inspection and testing institution.

Boiler cleaning units shall clean boilers as required by the safety technical codes and accept the supervision inspection on the cleaning process by the special equipment inspection and testing institution.

**Article 28** Any unit using special equipment shall, as required by the safety technical codes on periodic inspection, make a request for periodic inspection to the special equipment inspection and testing institution one month before the period of validity of last safety inspection expires.

Upon receipt of the request for periodic inspection, the special equipment inspection and testing institution shall, in a timely manner, conduct the inspection on safety performance and the energy efficiency testing as required by the safety technical codes.

Special equipment that is not subject to periodic inspection or fails to pass such inspection shall be suspended from service.

**Article 29** In case of breakdown or abnormality of any special equipment, the unit using such special equipment shall make an all-round check and eliminate any hidden danger before putting such special equipment into service anew.

Where any special equipment fails to comply with the energy efficiency index, the unit using such special equipment shall adopt corresponding measures for rectification.

**Article 30** Where any special equipment has serious hidden dangers of accident, is not worthy of alteration or maintenance and repair, or exceeds the service life laid down in the safety technical codes, the unit using such special equipment shall scrap such special equipment in due time and cancel the registration with the department for safety supervision administration of special equipment with which it originally registered.

**Article 31** The daily maintenance of elevators must be conducted by the installing, altering, maintaining or repairing units that are licensed in accordance with these Regulations or conducted by the elevator manufacturers.

Elevators shall be cleaned, lubricated, adjusted and checked at least once every 15 days.

**Article 32** Units conducting daily maintenance of elevators shall, in maintenance of elevators, strictly comply with the requirements laid down in the safety technical codes

of the State, guarantee safety performance of the elevators maintained by them, and implement the on-site safety protection measures to ensure work safety.

Units conducting daily maintenance of elevators shall be responsible for the safety performance of the elevators that they maintain. Upon receipt of any notice of break-down, they shall run to the site at once and adopt necessary emergency and rescue measures.

**Article 33** Units running special equipment for public service, such as elevators, passenger ropeways, or large amusement devices shall set up a special equipment safety management department or appoint full-time safety managers. Units using other special equipment shall, on the basis of their own conditions, set up special equipment safety management departments or appoint full-time or part-time safety managers.

Safety managers of special equipment shall make frequent checks on the service of special equipment and handle the problems immediately upon discovery. In case of any emergency, they may decide to suspend the special equipment concerned from service and promptly report the matter to the responsible persons of the units.

**Article 34** Units running passenger ropeways or large amusement devices shall conduct trial operation of, and make routine check on the passenger ropeways or large amusement devices before putting them into service on each day, and shall check the reliability of the safety devices thereof.

Units running elevators, passenger ropeways or large amusement devices shall place the safety instructions and warning marks for elevators, passenger ropeways or large amusement devices in a conspicuous position easily noticed by the passengers.

**Article 35** Principal responsible persons of units running passenger ropeways or large amusement devices shall be well acquainted with the related safety knowledge of passenger ropeways or large amusement devices and be fully responsible for the safe service of the passenger ropeways or large amusement devices.

Principal responsible persons of units running passenger ropeways or large amusement devices shall convene a meeting at least once a month to urge and check the safe service of the passenger ropeways or large amusement devices.

Units running passenger ropeways or large amusement devices shall, by taking into consideration their own actual conditions, equip themselves with appropriate amount of rescue equipment and first-aid stuffs.

**Article 36** Passengers of elevators, passenger ropeways or large amusement devices shall comply with safety instructions for operation and follow the direction of the relevant staff.

**Article 37** After an elevator is put into service, the elevator manufacturer shall conduct follow-up inquiries into the safe operation of the elevator manufactured thereby, make proposals to the unit conducting daily maintenance of the elevator or the unit using the elevator on resolving the problems in safe operation and render necessary



technical assistance. Upon discovery of any serious hidden danger of accident, the elevator manufacturer shall make a timely report to the department for safety supervision administration of special equipment. The elevator manufacturer shall keep records of the information learned in follow-up inquiries.

**Article 38** Operators and the relevant managerial staff of boilers, pressure vessels, elevators, lifting appliances, passenger ropeways, large amusement devices or non-road vehicles (hereinafter referred to as the operators of special equipment) shall not engage in corresponding operation or management until they, as required by the State, pass the examination organized by the department for safety supervision administration of special equipment and acquire the certificates for special equipment operators with a nationally unified format.

**Article 39** Units using special equipment shall educate and train their operators of special equipment in safety and energy conservation, so as to ensure that they acquire the necessary knowledge about safe operation and energy conservation of special equipment.

Operators of special equipment shall, in the operation, strictly comply with the operational rules of special equipment and the related safety rules.

**Article 40** Upon discovery of any hidden danger or other unsafe factors in operation, operators of special equipment shall make a timely report to the safety managers on the spot and the relevant responsible persons of the units.

#### **Chapter IV Inspection and Testing**

**Article 41** Any special equipment inspection and testing institution engaged in the supervision inspection, periodic inspection and type test as required in these Regulations, as well as the special equipment inspection and testing institution specially engaged in no-destructive test for production, service, inspection and testing of special equipment, shall be subject to the approval of the department of the State Council for safety supervision administration of special equipment.

Upon approval of the department of the State Council for safety supervision administration of special equipment, any special equipment inspection and testing institution set up by a unit using special equipment shall, within the scope of approval, be responsible for the periodic inspection of the special equipment in the unit.

**Article 42** Any special equipment inspection and testing institution shall meet the following conditions:

- (1) being staffed with inspectors and testers competent for inspection and testing work they are engaged in;
- (2) being equipped with instruments and equipment suitable for inspection and testing work; and
- (3) having a sound inspection and testing management system and a sound

inspection and testing responsibility system.

**Article 43** Supervision inspection, periodic inspection, type test and non-destructive test of special equipment shall be conducted by a special equipment inspection and testing institution as approved in accordance with these Regulations.

The inspection and testing work shall be in conformity with the safety technical codes.

**Article 44** Inspectors and testers engaged in supervision inspection, periodic inspection, type test and non-destructive test of special equipment shall not conduct inspection and testing until they pass the examination organized by the department of the State Council for safety supervision administration of special equipment and acquire the certificates for inspectors and testers.

Inspectors and testers, when conducting inspection and testing, must practise in a special equipment inspection and testing institution, but shall not simultaneously practise in two or more institutions.

**Article 45** Special equipment inspection and testing institutions and their inspectors and testers shall follow the good faith doctrine and the principle of offering convenience to enterprises, so as to provide reliable and convenient service to units producing or using special equipment.

Special equipment inspection and testing institutions and their inspectors and testers shall be obligated to keep confidential the commercial secrets of the units subject to the inspection and testing.

**Article 46** Special equipment inspection and testing institutions and their inspectors and testers shall issue inspection and testing results and appraisal conclusions in an objective, impartial and prompt way. The inspectors or testers shall affix their signatures to the inspection and testing results and appraisal conclusions, which shall then be officially signed by the responsible person of the inspection and testing institution.

Special equipment inspection and testing institutions and their inspectors and testers shall be responsible for the inspection and testing results and appraisal conclusions.

The department of the State Council for safety supervision administration of special equipment shall organize random checks of the inspection and testing results and appraisal conclusions issued by the special equipment inspection and testing institutions. Local departments in charge of the safety supervision administration of special equipment at or above the county level may organize random checks within their respective administrative areas; repeated checks, however, shall be avoided. Results of the random checks shall be made public.

**Article 47** Special equipment inspection and testing institutions and their inspectors and testers shall not engage in the production or sale of special equipment or,

in their own names, recommend special equipment or supervise the manufacture or sale of special equipment for promotional purpose.

**Article 48** Upon discovery of any serious hidden danger or serious non-conformity to the energy efficiency standards in the inspection and testing of special equipment, any special equipment inspection and testing institution shall promptly inform the unit using the special equipment and immediately report the matter to the department for safety supervision administration of special equipment.

**Article 49** Where the special equipment inspection and testing institutions and their inspectors and testers deliberately make things difficult for the units producing or using special equipment by taking advantages of their inspection and testing, the units producing or using the special equipment shall have the right to make complaints to the departments for safety supervision administration of special equipment. The departments for safety supervision administration of special equipment that receive the complaints shall timely investigate and handle the complaints.

## **Chapter V Supervision and Examination**

**Article 50** Departments for safety supervision administration of special equipment shall, in accordance with the provisions of these Regulations, exercise safety supervision over the units producing or using special equipment and over inspection and testing institutions.

Departments for safety supervision administration of special equipment shall place a high priority on the safety supervision over the special equipment used in public-gathering places such as schools, kindergartens, stations, passenger wharves, stores, stadiums and gyms, exhibition halls and parks.

**Article 51** When investigating and handling any suspected violation of the provisions of these Regulations on the basis of information or evidence of suspected violation, the department for safety supervision administration of special equipment may exercise the following functions and powers:

(1) to look into and find out any suspected violation of these Regulations in the production, service or inspection and testing of special equipment from the legal representatives, principal responsible persons and other relevant persons of the units producing or using special equipment or of inspection and testing institutions;

(2) to consult or duplicate the relevant contracts, invoices, account books and other relevant materials of the units producing or using special equipment or of inspection and testing institutions; and

(3) to seal up or impound the special equipment if there is evidence showing that they are not in compliance with the safety technical codes or they have serious hidden dangers or serious non-conformity to the energy efficiency standards.

**Article 52** Any department for safety supervision administration of special equipment that exercises licensing, approval and registration in accordance with the provisions of these Regulations shall examine the relevant matters in strict accordance with the conditions specified in these Regulations and the requirements of the safety technical codes, and may not grant licensing, approval or registration where such conditions or requirements are not met. Where, in examining the application for licensing or approval, the department for safety supervision administration of special equipment finds that the applicant conducts relevant activities concerning special equipment without licensing or forges the relevant licensing or approval certificate, the said department shall not accept such application or grant the license or approval and, within one year therefrom, shall not accept the applicant's any application for licensing or approval.

Where a unit without lawful license, approval or registration engages in the production, use or inspection and testing of special equipment, the department for safety supervision administration of special equipment shall handle the matter in accordance with law.

Where the licensing of a unit is canceled in accordance with law for its violation of these Regulations, the department for safety supervision administration of special equipment shall not accept any application from such unit within three years from the date of such cancellation.

**Article 53** The department for safety supervision administration of special equipment shall make public the procedures for acceptance, examination, licensing and approval when handling the matters in respect of administrative approval specified in these Regulations, and shall decide on whether to grant approval or licensing within 30 days from the date of acceptance of application; if no approval or licensing is granted, the department shall give written reasons to the applicant.

**Article 54** Local departments for safety supervision administration of special equipment at various levels shall not institute local protectionism or regional blockades in any ways, nor grant repeated licensing to units producing special equipment which are licensed in other localities according to the provisions of these Regulations, nor exercise repeated inspection and testing on special equipment which has already passed inspection and testing in other localities according to the provisions of these Regulations.

**Article 55** Safety supervisors from any department for safety supervision administration of special equipment (hereinafter referred to as special equipment safety supervisors) shall be well acquainted with the relevant laws, regulations, rules and the safety technical codes, have corresponding professional knowledge and work experience, and acquire certificates for special equipment safety supervisors upon examination by the department of the State Council for safety supervision administration of special equipment.

Special equipment safety supervisors shall be devoted to their duties, adhere to

principles and enforce the law impartially.

**Article 56** When exercising safety supervision over units producing or using special equipment or over inspection and testing institutions, the department for safety supervision administration of special equipment shall, for that purpose, assign at least two special equipment safety supervisors, who shall present their valid credentials.

**Article 57** When exercising safety supervision over units producing or using special equipment or over inspection and testing institutions, any department for safety supervision administration of special equipment shall keep records of the supervised items, problems discovered and solutions therefor and place such records on file after both the special equipment safety supervisors who participate in the safety supervision and the responsible persons of the inspected units have signed their names. If the responsible persons of the inspected units reject to sign their names, the special equipment safety supervisors shall keep this on file.

**Article 58** Where, in exercising safety supervision over a unit producing or using special equipment or over an inspection and testing institution, the department for safety supervision administration of special equipment finds any violation of these Regulations or the safety technical codes, or finds that any special equipment in service has hidden danger or fails to conform to the energy efficiency index, the said department shall issue a written instruction on safety supervision of special equipment, ordering the unit concerned to take prompt measures to make corrections or eliminate the hidden dangers. Where immediate measures are taken in emergency cases, a written notification shall be issued afterwards.

**Article 59** Where, in exercising safety supervision over a unit producing or using special equipment or over an inspection and testing institution, any department for safety supervision administration of special equipment finds a grave violation or serious hidden danger, the said department shall take necessary measures, and concurrently make a timely report to the department for safety supervision administration of special equipment at higher levels. The department for safety supervision administration of special equipment receiving the report shall take necessary measures to handle the matter in time.

If the support and co-ordination from the local people's government and the relevant departments are needed to handle the violation or serious hidden dangers or non-conformity to the energy efficiency index, the departments for safety supervision administration of special equipment shall report to local people's governments and notify other relevant departments. The local people's governments and other relevant departments shall take necessary measures to handle the matter in time.

**Article 60** The department of the State Council for safety supervision administration of special equipment and departments for safety supervision administration of special equipment in all provinces, autonomous regions and

municipalities directly under the Central Government shall announce the safety status and energy efficiency of the special equipment to the public on a regular basis.

The announcement of the safety status and energy efficiency of the special equipment includes:

- (1) quality safety of the special equipment;
- (2) information, characteristics and reasons of, and preventive measures against, the accidents of the special equipment;
- (3) the energy efficiency of the special equipment; and
- (4) other information that needs to be announced.

## **Chapter XI Accident Prevention, Investigation and Disposition**

**Article 61** Any of the following circumstances constitutes a devastating accident:

- (1) a special equipment accident results in the death of not less than 30 persons, serious injury (including acute industrial poisoning, the same below) of not less than 100 persons, or the direct economic loss of not less than 100 million yuan;
- (2) a boiler with the capacity of not less than 600 megawatts explodes;
- (3) the poisonous medium in pressure vessels or pressure pipelines leaks, which results in the evacuation of not less than 150,000 persons; or
- (4) not less than 100 persons are trapped in the air in a passenger cableway or large amusement facility for not less than 48 hours.

**Article 62** Any of the following circumstances constitutes a major accident:

- (1) a special equipment accident results in the death of not less than 10 but less than 30 persons, serious injury of not less than 50 but less than 100 persons, or the direct economic loss of not less than 50 million but less than 100 million yuan;
- (2) a boiler with the capacity of not less than 600 megawatts stops operation for not less than 240 hours caused by breakdown due to lack of safety;
- (3) the poisonous medium in pressure vessels or pressure pipelines leaks, which results in the evacuation of not less than 50,000 but less than 150,000 persons; or
- (4) not less than 100 persons are trapped in the air in a passenger cableway or large amusement facility for not less than 24 but less than 48 hours.

**Article 63** Any of the following circumstances constitutes a serious accident:

- (1) a special equipment accident results in the death of not less than 3 but less than 10 persons, serious injury of not less than 10 but less than 50 persons, or the direct economic loss of not less than 10 million but less than 50 million yuan;
- (2) a boiler, pressure vessel or pressure pipeline explodes;
- (3) the poisonous medium in pressure vessels or pressure pipelines leaks, which results in the evacuation of not less than 10,000 but less than 50,000 persons;
- (4) a lifting appliance collapses entirely; or
- (5) people are trapped in the air in a passenger cableway or large amusement facility for not less than 12 hours.

**Article 64** Any of the following circumstances constitutes an ordinary accident:

(1) a special equipment accident results in the death of less than 3 persons, serious injury of less than 10 persons, or the direct economic loss of not less than 10,000 but less than 10 million yuan;

(2) the poisonous medium in pressure vessels or pressure pipelines leaks, which results in the evacuation of not less than 500 but less than 10,000 persons;

(3) people are trapped in a elevator cabin for not less than two hours;

(4) the primary load-bearing member of a lifting appliance breaks down or the lifting mechanism of a lifting appliance falls;

(5) people are trapped in the air in a passenger cableway for not less than 3.5 but less than 12 hours; or

(6) people are trapped in a large amusement facility in the high air for not less than one hour but less than 12 hours.

Besides the provisions in the preceding paragraph, the department of the State Council for safety supervision administration of special equipment may make supplementary provisions on other circumstances of ordinary accidents.

**Article 65** The department for safety supervision administration of special equipment shall formulate a preparedness plan for special equipment. The unit using special equipment shall formulate a special preparedness plan for special equipment accidents and regularly conduct drills for handling special equipment accidents.

Where a pressure vessel or pressure pipeline explodes or leaks, the properties of its medium shall be identified in the rescue work, and the procedures specified in the corresponding preparedness plan shall be strictly followed to prevent the secondary explosion.

**Article 66** Upon the occurrence of a special equipment accident, the unit where the accident happens shall immediately activate the preparedness plan for accidents, organize the rescue to prevent the accident from escalating and to minimize casualties and property losses. It shall also make a timely report to the department for safety supervision administration of special equipment and the departments concerned at or above the county level of the place where the accident occurs.

Upon receiving the accident report, the department for safety supervision administration of special equipment at or above the county level shall verify the relevant situation as soon as possible and immediately report the matter to the local government, and the information about the accident shall be submitted upwards level by level. When necessary, the department for safety supervision administration of special equipment may bypass the level-by-level submission procedure and directly submit such information to much higher authority. For a devastating or major accident, the department of the State Council for safety supervision administration of special equipment shall report the matter to the State Council and notify the work safety department and other relevant departments of the State Council.

**Article 67** A devastating accident shall be investigated by an investigation team

organized by the State Council or the relevant departments authorized by the State Council.

A major accident shall be investigated by an investigation team organized by the department of the State Council for safety supervision administration of special equipment jointly with the departments concerned.

A serious accident shall be investigated by an investigation team organized by the department for safety supervision administration of special equipment of the province, autonomous region or municipality directly under the Central Government jointly with the departments concerned.

An ordinary accident shall be investigated by an investigation team organized by the department for safety supervision administration of special equipment of the city divided into districts jointly with the departments concerned.

**Article 68** With respect to an accident investigation report, the local government of the department for safety supervision administration of special equipment that organizes the investigation team shall give an official reply thereto, and such report shall be submitted to the department for safety supervision administration of special equipment at the next higher level for the record.

The relevant authorities shall, in accordance with the official reply and the power and procedure specified in laws and administrative regulations, impose administrative penalties on the units or persons culpable for the accident, and give sanctions to the State functionaries who are accountable for the accident.

**Article 69** The department for safety supervision administration of special equipment shall arrange for the investigation and handling of special equipment accident under the leadership of the relevant local people's government.

The relevant local people's government shall give support to or coordinate with people's government at a higher level or the department for safety supervision administration of special equipment in the investigation and handling of accidents, and offer all the necessary conveniences for the same.

**Article 70** The department for safety supervision administration of special equipment shall analyze the cause of the accident, and evaluate the relevant safety technical codes on the basis of the management and technical characteristics of special equipment and accident conditions; and the relevant safety technical codes shall be formulated or revised accordingly in time when necessary.

**Article 71** The term "not less than" in this Chapter includes the given figure, and term "less than" does not include the given figure.

## **Chapter VI Legal Liability**

**Article 72** Where anyone is engaged in design of pressure vessels without due



licensing, the department for safety supervision administration of special equipment shall ban such designing activities and impose on it a fine of not less than 50,000 yuan but not more than 200,000 yuan, and confiscate the illegal income, if any. If the criminal law is violated, the person in charge bearing direct responsibility and other persons directly responsible therefor shall be investigated for criminal liability in accordance with the provisions of the criminal law on the crime of illegal operation or other crimes.

**Article 73** Where the design documents of boilers, gas cylinders, hyperbaric oxygen chambers, passenger ropeways, large amusement devices or high energy-consuming special equipment are used for manufacture without the appraisal of an inspection and testing institution approved by the department of the State Council for safety supervision administration of special equipment, the department for safety supervision administration of special equipment shall order corrections to be made, confiscate the products illegally manufactured, and impose a fine of not less than 50,000 yuan but not more than 200,000 yuan. If the criminal law is violated, the person in charge bearing direct responsibility and other persons directly responsible therefor shall be investigated for criminal liability in accordance with the provisions of the criminal law on the crime of producing or marketing fake or substandard products, the crime of illegal operation or other crimes.

**Article 74** Where no product or part type test is conducted for the products or parts of special equipment for which a type test shall be conducted as required by the safety technical codes, or for the trial production of new products or parts of special equipment, the department for safety supervision administration of special equipment shall order corrections to be made within a specified time limit or, if no corrections are made upon expiry of the specified time limit, impose a fine of not less than 20,000 yuan but not more than 100,000 yuan.

**Article 75** Where anyone without due licensing is engaged in the manufacture, installation or alteration of boilers, pressure vessels, elevators, lifting appliances, passenger ropeways, large amusement devices, non-road vehicles or the safety accessories and safety protection devices thereof, or is engaged in the manufacture of pressure pipeline components, the department for safety supervision administration of special equipment shall ban such activities, confiscate the products illegally manufactured, order those that are installed or altered to be restored to the original status or to be re-installed or re-altered by licensed unit within a specified time limit, and impose a fine of not less than 100,000 yuan but not more than 500,000 yuan. If the criminal law is violated, the person in charge bearing direct responsibility and other persons directly responsible therefor shall be investigated for criminal liability in accordance with the provisions of the criminal law on the crime of producing or marketing fake or substandard products, the crime of illegal operation, the crime of negligently causing a serious accident or other crimes.

**Article 76** Where the special equipment, before being released from the

manufacturer, are not attached with design documents, certificate of compliance, manual on installation, service, maintenance and repair, as well as the supervision inspection certificate as required by the safety technical codes, the department for safety supervision administration of special equipment shall order corrections to be made or, if the circumstances are serious, order a suspension of manufacture or marketing, impose a fine of not more than 30 percent of the value of the products illegally manufactured or sold, and confiscate illegal income, if any.

**Article 77** Where anyone without due licensing is engaged in maintenance, repair or routine maintenance of boilers, pressure vessels, elevators, lifting appliances, passenger ropeways, large amusement devices or non-road vehicles, the department for safety supervision administration of special equipment shall ban such maintenance, repair or routine maintenance, impose a fine of not less than 10,000 yuan but not more than 50,000 yuan, and confiscate illegal income, if any. If the criminal law is violated, the person in charge bearing direct responsibility and other persons directly responsible therefor shall be investigated for criminal liability in accordance with the provisions of the criminal law on the crime of illegal operation, the crime of negligently causing a serious accident or other crimes.

**Article 78** Where any unit conducting installation, alteration, maintenance or repair of boilers, pressure vessels, elevators, lifting appliances, passenger ropeways or large amusement devices or any unit engaged in alteration, maintenance or repair of non-road vehicles fails to, before commencing their work, inform in writing the department for safety supervision administration of special equipment of a municipality directly under the Central Government or of a city divided into districts of the installation, alteration or maintenance and repair to be conducted, or fails to transfer the technical materials within 30 days after inspection acceptance to the unit using boilers, pressure vessels, elevators, lifting appliances, passenger ropeways or large amusement devices, the department for safety supervision administration of special equipment shall order corrections to be made within a specified time limit or, if no corrections are made upon expiry of the specified time limit, impose a fine of not less than 2,000 yuan but not more than 10,000 yuan.

**Article 79** Where the manufacture of boilers, pressure vessels, pressure pipe units, lifting appliances or large amusement devices, or the installation, alteration or major maintenance and repair of boilers, pressure vessels, elevators, lifting appliances, passenger ropeways or large amusement devices, or the cleaning of boilers, fails to pass the supervision inspection by the inspection and testing institution approved by the department of the State Council for safety supervision administration of special equipment in accordance with the safety technical codes, the department for safety supervision administration of special equipment shall order corrections to be made. If such special equipment is released from manufacturer, the products illegally manufactured or sold shall be confiscated. If the installation, alteration, major

maintenance and repair, or cleaning is conducted, the said department shall order supervision inspection to be exercised within a specified time limit, impose a fine of not less than 50,000 yuan but not more than 200,000 yuan, and confiscate the illegal income, if any. If the circumstances are serious, the said department shall cancel the licensing granted to the manufacturing, installing or altering unit or the maintaining and repairing unit, and the department for industry and commerce shall revoke the business license. If the criminal law is violated, the person in charge bearing direct responsibility and other persons directly responsible therefor shall be investigated for criminal liability in accordance with the provisions of the criminal law on the crime of producing or marketing fake or substandard products or other crimes.

**Article 80** Where anyone without due licensing is engaged in filling of transportable pressure vessels or gas cylinders, the department for safety supervision administration of special equipment shall ban such filling, confiscate the gas cylinders illegally filled, impose a fine of not less than 100,000 yuan but not more than 500,000 yuan, and confiscate the illegal income, if any. If the criminal law is violated, the person in charge bearing responsibility and other persons directly responsible therefor shall be investigated for criminal liability in accordance with the provisions of the criminal law on the crime of illegal operation or other crimes.

Where a unit engaged in filling of transportable pressure vessels or gas cylinders fails to conduct filling operation as required by the safety technical codes, the department for safety supervision administration of special equipment shall order it to make corrections and impose on it a fine of not less than 20,000 yuan but less than 100,000 yuan. If the circumstances are serious, it shall be disqualified from conducting the filling operation.

**Article 81** Where an elevator manufacturer comes under one of the following circumstances, the department for safety supervision administration of special equipment shall order it to make corrections within a specified time limit or, if no corrections are made upon the expiry of the specified time limit, circulate a notice of criticism:

(1) failing to verify and debug the elevator as required by Article 19 of these Regulations; or

(2) failing to make a timely report to the department for safety supervision administration of special equipment upon discovery of any serious hidden danger in conducting follow-up inquiries into the safe operation of the elevator.

**Article 82** Where any unit or institution that is granted licensing or approved for production or inspection and testing of special equipment comes under one of the following circumstances, the department for safety supervision administration of special equipment shall order it to make corrections and impose on it a fine of not less than 20,000 yuan but not more than 100,000 yuan. If the circumstances are serious, it shall be disqualified from conducting the operation concerned:

(1) failing to go through the formalities for renewing the licensing certificate as

required by the safety technical codes;

(2) continuing conducting the production or inspection and testing of special equipment after no longer meeting the provisions of these Regulations or the requirements of the safety technical codes;

(3) failing to conduct the production, inspection and testing of special equipment in accordance with the provisions of these Regulations or the requirements of the safety technical codes; or

(4) forging, altering, leasing, lending or transferring the licensing certificate or the supervision inspection report.

**Article 83** Where a unit using special equipment comes under one of the following circumstances, the department for safety supervision administration of special equipment shall order it to make corrections within a specified time limit or, if no corrections are made upon the expiry of the specified time limit, impose on it a fine of not less than 2,000 yuan but not more than 20,000 yuan. If the circumstances are serious, such unit shall be ordered to stop using the special equipment or suspend production or business for rectification:

(1) putting the special equipment into service without registering with the department for safety supervision administration of special equipment prior to the putting-into-service of the special equipment or within 30 days after such putting-into-service;

(2) failing to build a safety technical file on the special equipment as required by Article 26 of these Regulations;

(3) failing to, as required by Article 27 of these Regulations, conduct frequent daily maintenance of the special equipment in service, or to carry out periodic self-check, or to regularly calibrate and repair the safety accessories, safety protection devices, measuring and controlling installations and auxiliary instruments and gauges of the special equipment in service and keep records of such calibration and repair;

(4) failing to make a request for periodic inspection to the special equipment inspection and testing institution one month before the period of validity of the safety inspection expires in accordance with the requirements on periodic inspection specified in the safety technical codes;

(5) using special equipment which is not regularly inspected or has failed to pass the inspection;

(6) in case of breakdown or abnormality of special equipment, continuing to use such special equipment without making an all-round check and eliminating hidden dangers;

(7) failing to formulate a special preparedness plan for special equipment accidents;

(8) failing to clean, lubricate, adjust or check elevators as required by the second paragraph of Article 31 of these Regulations;

(9) failing to carry out the water (medium) treatment for the boiler in accordance with the safety technical codes; or

(10) failing to take timely measures to improve energy efficiency where the special equipment fails to conform to the energy efficiency index;

Where a unit using special equipment puts into service of the special equipment manufactured by an unlicensed producer or puts into service of non pressure-bearing boilers or non pressure vessels as pressure-bearing boilers or pressure vessels, the department for safety supervision administration of special equipment shall order it to stop using, confiscate the product, and impose on it a fine of not less than 20,000 but not more than 100,000 yuan.

**Article 84** Where special equipment has serious hidden dangers of an accident, or is not worthy of alteration or maintenance and repair, or has exceeded the service life laid down in the safety technical codes, but the unit using special equipment fails to scrap such equipment in due time and to cancel the registration with the department for safety supervision administration of special equipment it originally registered with, the department for safety supervision administration of special equipment shall order it to make corrections within a specified time limit or, if no corrections are made upon the expiry of the specified time limit, impose on it a fine of not less than 50,000 yuan but not more than 200,000 yuan.

**Article 85** Where the unit running elevators, passenger ropeways or large amusement devices comes under one of the following circumstances, the department for safety supervision administration of special equipment shall order it to make corrections within a specified time limit or, if no corrections are made upon the expiry of the specified time limit, order it to stop using the special equipment or suspend their production or business for rectification and impose on it a fine of not less than 10,000 yuan but not more than 50,000 yuan:

(1) failing to conduct trial operation of or make routine check on the passenger ropeways or large amusement devices before they are put into service on each day, or failing to check and make sure the safety of the safety installations; or

(2) failing to place the safety instructions and warning marks for elevators, passenger ropeways or large amusement devices in a conspicuous position easily noticed by the passengers.

**Article 86** Where the unit using special equipment comes under one of the following circumstances, the department for safety supervision administration of special equipment shall order it to make corrections within a specified time limit or, if no corrections are made upon the expiry of the specified time limit, order it to stop using the special equipment or suspend its production or business for rectification and impose on it a fine of not less than 2,000 yuan but not more than 20,000 yuan:

(1) failing to set up a special equipment safety management department or to appoint full-time or part-time safety managers as required by these Regulations;

(2) the operators of special equipment are engaged in operation without acquiring the corresponding certificate for special operator; or

(3) failing to educate and train the operators of special equipment in respect of the safe operation of special equipment.

**Article 87** Where a special equipment accident that occurs in a unit comes under any of the following circumstances, the department for safety supervision administration of special equipment shall impose on the unit a fine of not less than 50,000 yuan but not more than 200,000 yuan, and impose on its principal responsible person a fine of not less than 4,000 yuan but not more than 20,000 yuan. If he is a State functionary, he shall be given a sanction in accordance with law. If the criminal law is violated, criminal liability shall be investigated in accordance with the provisions of the criminal law on the crime of negligently causing a serious accident or other crimes:

(1) the principal responsible person of the unit using special equipment fails to organize an immediate rescue, or leave his post without permission or goes into hiding during the investigation and handling of the accident; or

(2) the principal responsible person of the unit using special equipment conceals facts, gives a false report or delays the report of the accident of special equipment.

**Article 88** The department for safety supervision administration shall impose on the unit culpable for a special equipment accident a fine in accordance with following provisions:

(1) a fine of not less than 100,000 yuan but not more than 200,000 yuan for an ordinary accident;

(2) a fine of not less than 200,000 yuan but not more than 500,000 yuan for a serious accident; or

(3) a fine of not less than 500,000 yuan but not more than two million yuan for a major accident.

**Article 89** Where the principal responsible person of a unit culpable for a special equipment accident fails to perform his duties in accordance with law, which results in occurrence of the accident, the department for safety supervision administration of special equipment shall impose on him a fine in accordance with the following provisions; if he is a State functionary, he shall be given a sanction in accordance with law. If the criminal law is violated, criminal liability shall be investigated in accordance with the provisions of the criminal law on the crime of negligently causing a serious accident or other crimes:

(1) a fine of 30 percent of annual income of the previous year shall be imposed for an ordinary accident;

(2) a fine of 40 percent of annual income of the previous year shall be imposed for a serious accident; or

(3) a fine of 60 percent of annual income of the previous year shall be imposed for a major accident.

**Article 90** Where an operator of special equipment violates operational rules of special equipment or related safety regulations or, upon discovery of any hidden dangers or other unsafe factors in the operation, fails to make a timely report to the safety managers on the spot and the relevant responsible persons of the units, he shall

be admonished or given a sanction by the unit using special equipment. If the circumstances are serious, he shall be disqualified from serving as an operator of special equipment. If the criminal law is violated, criminal liability shall be investigated in accordance with the provisions of the criminal law on the crime of negligently causing a serious accident or other crimes.

**Article 91** Where anyone without approval is engaged in the supervision inspection, periodic inspection, type test or non-destructive test specified in these Regulations, the department for safety supervision administration of special equipment shall ban such activities, impose on it a fine of not less than 50,000 yuan but not more than 200,000 yuan, and confiscate the illegal income, if any. If the criminal law is violated, the person in charge bearing direct responsibility and other persons directly responsible therefor shall be investigated for criminal liability in accordance with the provisions of the criminal law on the crime of illegal operation or other crimes.

**Article 92** Where a special equipment inspection and testing institution comes under one of the following circumstances, the department for safety supervision administration of special equipment shall impose on it a fine of not less than 20,000 yuan but not more than 100,000 yuan and, if the circumstances are serious, disqualify it from inspection and testing:

- (1) employing persons who fail to pass the examination organized by the department for safety supervision administration of special equipment and acquire the certificate for inspector and tester to conduct relevant inspection and testing; or
- (2) upon discovery of any serious hidden danger or serious non-conformity to the energy efficiency standards in the inspection and testing of special equipment, failing to promptly inform the unit using the special equipment and immediately report the matter to the department for safety supervision administration of special equipment.

**Article 93** Where a special equipment inspection and testing institution or any inspector or tester thereof issues false inspection and testing results or appraisal conclusions, or the inspection and testing results or appraisal conclusions are highly inconsistent with the facts, the department for safety supervision administration of special equipment shall confiscate the illegal income of the special equipment inspection and testing institution, impose on it a fine of not less than 50,000 yuan but not more than 200,000 yuan and, if the circumstances are serious, disqualify it from inspection and testing; and shall impose a fine of not less than 5,000 yuan but not more than 50,000 yuan on the inspector or tester and, if the circumstances are serious, disqualify him from conducting inspection and testing. If the criminal law is violated, the persons in charge bearing direct responsibility and other persons directly responsible therefor shall be investigated for criminal liability in accordance with the provisions of the criminal law on the crime of providing falsified testifying papers by personnel from intermediary agencies, crime of issuing testifying papers with major inaccuracy by personnel from intermediary agencies or other crimes.

Where a special equipment inspection and testing institution or any inspector or

tester thereof produces false inspection and testing results or appraisal conclusions, or the inspection and testing results or appraisal conclusions are highly inconsistent with the facts, thereby causing any damage, it/he shall assume liability for compensation.

**Article 94** Where any special equipment inspection and testing institution or any inspector or tester thereof engages in the production or sale of special equipment or, in its/his own name, recommends special equipment or supervises the manufacture or sale of special equipment for promotional purpose, the department for safety supervision administration of special equipment shall disqualify it/he from serving as an inspection and testing institution or as an inspector or tester, impose on it/him a fine of not less than 50,000 yuan but not more than 200,000 yuan, and confiscate the illegal income, if any.

**Article 95** Where any special equipment inspection and testing institution or any inspector or tester thereof deliberately makes things difficult for units producing or using special equipment by taking advantage of their inspection and testing, the department for safety supervision administration of special equipment shall order it/him to make corrections, or disqualify it/him from inspection and testing if it/he refuse to make corrections.

**Article 96** Where any inspector or tester, when conducting inspection and testing, does not practise in a special equipment inspection and testing institution, or simultaneously practises in two or more special equipment inspection and testing institutions, the department for safety supervision administration of special equipment shall order him to make corrections or, if the circumstances are serious, suspend his inspection and testing for not less than six months but not more than two years, and confiscate the illegal income, if any.

**Article 97** Where any department for safety supervision administration of special equipment or any special equipment safety supervisor commits any one of the following violations, the person in charge bearing direct responsibility and other persons directly responsible therefor shall be given the sanction of demotion or dismissal from their posts. If the criminal law is violated, criminal liability shall be investigated in accordance with the provisions of the criminal law on the crime of taking bribes, the crime of abuse of power, the crime of neglect of duty or other crimes:

(1) failing to exercise licensing, approval or registration in accordance with the conditions specified in these Regulations and the requirements of the safety technical codes;

(2) upon discovery, failing to ban or deal with unauthorized production, using or inspection and testing of special equipment conducted by a unit which is not licensed, approved or registered;

(3) failing to cancel the licensing granted to a unit producing or using special equipment when discovering that the unit does not meet the conditions specified in these Regulations any longer, or failing to, upon discovery, investigate and deal with



violations in the production or using of special equipment;

(4) failing to cancel the licensing granted to a inspection and testing institution of special equipment when discovering that such an institution does not meet the conditions specified in these Regulations any longer, or failing to investigate and deal with the acts of issuing false inspection and testing results or appraisal conclusions, or of acts of issuing inspection and testing results or appraisal conclusions that are highly inconsistent with the facts;

(5) granting repeated licensing to a unit producing special equipment which is licensed in another locality in accordance with the provisions of these Regulations, or exercising repeated inspection and testing on special equipment which has already passed inspection and testing in another locality in accordance with the provisions of these Regulations;

(6) upon discovery, failing to immediately handle any violation of these Regulations or the safety technical codes or any serious hidden dangers of special equipment in service;

(7) failing to make a timely report to the department for safety supervision administration of special equipment at a higher level upon discovery of any grave violation or serious hidden danger, or the department for safety supervision administration of special equipment receiving the report fail to take immediate measures to handle the matter;

(8) delaying the report of accidents or omitting, concealing or falsifying facts in the report of accidents; or

(9) hindering the rescue work or obstructing the investigation and handling of an accident.

**Article 98** Where a unit producing or using special equipment or an inspection and testing institution of special equipment refuses to accept the safety supervision conducted by the department for safety supervision administration of special equipment in accordance with law, the department for safety supervision administration of special equipment shall order it to make corrections within a specified time limit or, if no corrections are made upon expiry of the specified time limit, order it to suspend its production or business operation for rectification and impose upon it a fine of not less than 20,000 yuan but not more than 100,000 yuan. If the criminal law is violated, the criminal liability shall be investigated in accordance with the provisions of the criminal law on the crime of disrupting public service or other crimes.

Where a unit producing or using special equipment puts into service, exchanges, removes or destroys the sealed or impounded special equipment or the major parts thereof without authorization, the department for safety supervision administration of special equipment shall order it to make corrections and impose on it a fine of not less than 50,000 yuan but not more than 200,000 yuan. If the circumstances are serious, it shall be disqualified from conducting the corresponding operation.

## **Chapter VII Supplementary Provisions**

**Article 99** As used in these Regulations:

(1) a boiler means enclosed equipment which heats the liquid it holds to a certain parameter and outputs thermo power by using various fuels, electricity or other energy resources. It ranges from pressure-bearing steam boiler with volume not less than 30 liters, pressure-bearing hot-water boiler with outlet water pressure not less than 0.1 MPa (gauge pressure) and rated power not less than 0.1MW, to organic fluid boiler.

(2) a pressure vessel means enclosed equipment which is capable of holding gas or liquid and carrying a certain pressure. It ranges from stationary vessel or transportable vessel for gas or liquefied gas whose maximum working pressure is not less than 0.1 MPa (gauge pressure) and the product of whose pressure multiplied by volume is not less than 2.5 MPa·L or for liquid whose maximum working temperature is no lower than its standard boiling point, gas cylinder for gas or liquefied gas whose nominal working pressure is not less than 0.2 MPa (gauge pressure) and the product of whose pressure multiplied by volume is not less than 1.0MPa·L or for liquid whose standard boiling point is not more than 60°C, or to hyperbaric oxygen chamber, etc.

(3) a pressure pipeline means pipe-shaped equipment which is capable of transmitting gas or liquid under certain pressure. It is used to transmit gas, liquefied gas, steam medium whose maximum working pressure is not less than 0.1 MPa (gauge pressure), or liquid media which are flammable, explosive, toxic, corrosive and whose maximum working temperature is no lower than the standard boiling point and whose nominal diameter is larger than 25mm.

(4) an elevator means a kind of power-driven machinery used to provide vertical or horizontal transportation of humans or commodities using cars moving along a rigid rail or step-type conveyer moving along fixed rail. It falls into passenger (cargo) elevator, escalator, and automatic moving walk, etc.

(5) a lifting appliance means a kind of machinery used to provide vertical or vertical/horizontal transportation of heavy goods. It ranges from lifter whose rated lifting capacity is not less than 0.5 ton, and crane whose rated lifting capacity is not less than one ton and whose lifting height is not less than two meters, to fixed electric hoist.

(6) a passenger ropeway means a kind of power-driven equipment which transports people by using flexible ropes to haul carriages, including passenger aerial ropeway, passenger trolley, and passenger towing cableway.

(7) a large amusement device means amusement equipment used to transport passengers for business purposes. It is restricted to that whose design maximum operating linear velocity is not less than two m/s or whose operating height is no lower than two meters.

(8) a non-road vehicle means a specialized motor vehicle operating in specific areas such as factory premises, tourist attractions and amusement places, excluding vehicles for road traffic and agriculture.

Special equipment also includes the materials used, auxiliary safety accessories, safety protection devices and other related facilities.

**Article 100** The measures for safety supervision of design, installation and service of pressure pipelines shall be separately formulated by the State Council.

**Article 101** The department of the State Council for safety supervision administration of special equipment may authorize departments for safety supervision administration of special equipment of provinces, autonomous regions or municipalities directly under the Central Government to be responsible for the administrative licencing related to special equipment specified in these Regulations, and the specific measures therefore shall be formulated by the department of the State Council for safety supervision administration of special equipment.

**Article 102** Fees shall be collected in accordance with the relevant provisions of the State for the licencing, inspection and testing of special equipment.

**Article 103** These Regulations shall be effective as of June 1, 2003. The Provisional Regulations on Safety Supervision of Boilers and Pressure Vessels promulgated by the State Council on February 6, 1982 shall be repealed simultaneously.