Coal Mine Work Safety Regulations of the PRC

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Chapter I — General Provisions

Article 1 — These Regulations are formulated for the purposes of strengthening coal mine work safety, preventing and reducing coal mine production safety accidents, and safeguarding the safety of people's lives and property.

Article 2 — These Regulations apply to coal mine work safety within the territory of the People's Republic of China and in other sea areas under the jurisdiction of the People's Republic of China.

Article 3 — Coal mine work safety shall adhere to the leadership of the Communist Party of China.

Coal mine work safety shall be people-oriented, adhere to the supremacy of the people and the supremacy of life, give top priority to protecting the safety of people's lives, implement the concept of safe development, adhere to the policy of safety first, prevention first and comprehensive management, and prevent and resolve major safety risks at the source.

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Coal mine work safety shall be carried out under the principle that whoever administers the industry, the business, or the production and operation must administer safety, and the responsibilities for work safety shall be strengthened and implemented under the mechanisms of state supervision, local regulation and enterprise responsibility.

Article 4 — Coal mine enterprises shall fulfill the principal responsibility for work safety, strengthen work safety management, establish, improve and implement the responsibility system for work safety of all employees and the rules and regulations on work safety, increase input and support for work safety funds, materials, technologies and personnel, improve work safety conditions, strengthen the standardization and informatization of work safety, establish a dual prevention mechanism combining graded safety risk control with hidden danger investigation and treatment, improve the mechanism for preventing and resolving risks, raise the level of work safety, and ensure work safety.

The principal person in charge of a coal mine enterprise (including the actual controller, the same hereinafter) is the first person responsible for work safety of the enterprise and bears overall responsibility for the work safety of the enterprise. Other persons in charge shall bear responsibility for work safety within the scope of their respective duties.

Article 5 — People's governments at or above the county level shall strengthen leadership over coal mine work safety, establish and improve work coordination mechanisms, support and urge the relevant departments to perform their duties in coal mine work safety in accordance with the law, and promptly coordinate and resolve major issues in coal mine work safety.

Article 6 — The departments of people's governments at or above the county level that have supervision and administration duties for coal mine work safety shall exercise supervision and administration over coal mine work safety, and other relevant departments shall perform their duties related to coal mine work safety in accordance with the law according to the division of responsibilities.

Article 7 — The state implements a coal mine safety supervision system. The National Mine Safety Administration and the local mine safety supervision agencies established by it shall be responsible for coal mine safety supervision and shall, in accordance with the law, supervise and inspect the supervision and administration of coal mine work safety by local people's governments.

The National Mine Safety Administration and the local mine safety supervision agencies established by it shall perform their coal mine safety supervision duties in accordance with the law and shall not be subject to interference by any organization or individual.

Article 8 — The state implements a system of accountability for coal mine production safety accidents. Responsible organizations and responsible persons for coal mine production safety accidents shall be investigated for legal liability in accordance with these Regulations and the relevant laws and regulations.

The National Mine Safety Administration and the local mine safety supervision agencies established by it shall organize or participate in the investigation and handling of coal mine production safety accidents in accordance with the law.

Article 9 — The departments of people's governments at or above the county level that have supervision and administration duties for coal mine work safety, the National Mine Safety Administration and the local mine safety supervision agencies established by it shall establish a reporting system, publish reporting telephone numbers, mailboxes, e-mail addresses and other online reporting platforms, accept reports concerning coal mine work safety and handle them in a timely manner in accordance with the law; where the matter requires investigation and handling by other relevant departments, it shall be transferred to such other departments for handling.

Any organization or individual shall have the right to report hidden dangers of accidents or violations of work safety laws to the departments and agencies specified in the preceding paragraph. Where a report is verified

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to be true, a reward shall be given in accordance with the law and regulations.

Article 10 — Employees of coal mine enterprises shall have the right to obtain work safety safeguards in accordance with the law and shall perform their work safety obligations in accordance with the law.

Article 11 — The National Mine Safety Administration shall, in accordance with the requirements for ensuring coal mine work safety and under the guidance of the emergency management department of the State Council, promptly draft national standards or industry standards for coal mine work safety in accordance with the law, and shall be responsible for proposing projects, organizing drafting, soliciting comments and conducting technical review of mandatory national standards for coal mine work safety.

Article 12 — The state encourages and supports scientific and technological research on coal mine work safety and the promotion and application of advanced technologies and techniques for coal mine work safety, enhances the level of intelligent coal mining, promotes the scientific management of coal mine work safety, and raises the level of work safety.

Chapter II — Work Safety Responsibilities of Coal Mine Enterprises

Article 13 — Coal mine enterprises shall comply with the laws and regulations concerning work safety and the coal mine safety regulations, and implement the national standards or industry standards that guarantee work safety.

Article 14 — The construction unit of a new, reconstructed or expanded coal mine project (hereinafter collectively referred to as a coal mine construction project) shall commission a design unit qualified for construction engineering design to carry out the design of safety facilities.

The design of safety facilities shall include the prevention and control measures for major disasters such as water, fire, gas, rock burst, coal dust and roof of the coal mine, comply with the requirements of national standards or industry standards, and be submitted for review to the department of the people’s government of the province, autonomous region or municipality directly under the Central Government that has supervision and administration duties for coal mine work safety. Where the design of safety facilities requires major changes, it shall be resubmitted to the original reviewing department for review, and construction shall not proceed before approval or be carried out while the design is being modified.

Article 15 — The construction unit of a coal mine construction project shall conduct unified coordination and management of the design, construction, supervision and other units participating in the coal mine construction project, and bear overall responsibility for the safety management of the coal mine construction project.

The construction unit shall carry out construction in accordance with the approved design of safety facilities and shall not change the design content without authorization.

Article 16 — Before a coal mine construction project is completed and put into production or use, the construction unit shall organize acceptance of the safety facilities and be responsible for the acceptance results; the project may be put into production and use only after passing the acceptance.

Article 17 — A coal mine enterprise shall obtain a work safety license in accordance with the Regulations on Work Safety Licenses before carrying out production. It shall not carry out production without obtaining a work safety license.

Article 18 — The principal person in charge of a coal mine enterprise shall perform the following duties for work safety of the enterprise:

(1) establishing, improving and implementing the responsibility system for work safety of all employees and strengthening the standardization of work safety;

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(2) organizing the formulation and implementation of rules and regulations on work safety and the operating rules and procedures;

(3) organizing the formulation and implementation of work safety education and training plans;

(4) ensuring the effective implementation of work safety input;

(5) organizing the establishment and implementation of the dual prevention working mechanism combining graded safety risk control with hidden danger investigation and treatment, urging and inspecting work safety work, and promptly eliminating hidden dangers of accidents;

(6) organizing the formulation and implementation of emergency rescue plans for production safety accidents;

(7) promptly and truthfully reporting coal mine production safety accidents.

Article 19 — Coal mine enterprises shall establish work safety management bodies and employ full-time work safety management personnel. The work safety management bodies and work safety management personnel shall perform the following work safety duties:

(1) organizing or participating in the formulation of rules and regulations on work safety, operating rules and procedures, and emergency rescue plans for production safety accidents;

(2) organizing or participating in work safety education and training, and truthfully recording work safety education and training;

(3) organizing publicity and education on work safety laws and regulations;

(4) organizing the identification and assessment of safety risks and urging the implementation of major safety risk control measures;

(5) stopping and correcting illegal command, forced risky operations and violations of regulations, and, upon discovering an emergency that threatens safety, having the right to require immediate cessation of operations in the dangerous area and the evacuation of operating personnel;

(6) inspecting work safety conditions, promptly investigating hidden dangers of accidents, conducting statistical analysis of the investigation and treatment of hidden dangers, and putting forward suggestions for improving work safety management;

(7) organizing or participating in emergency rescue drills;

(8) urging the implementation of rectification measures for work safety.

Coal mine enterprises shall employ a principal technical person in charge and establish, improve and implement the technical management system.

Article 20 — Employees of coal mine enterprises shall perform the following work safety duties:

(1) complying with the rules and regulations on work safety and the operating rules and procedures of the coal mine enterprise, and strictly implementing the post safety responsibilities;

(2) participating in work safety education and training, mastering the work safety knowledge required for their own work, improving work safety skills, and enhancing the ability to prevent accidents and respond to emergencies;

(3) promptly reporting discovered hidden dangers of accidents or other unsafe factors.

Employees of coal mine enterprises shall have the right to refuse illegal command and forced risky operations and to report such acts to the department of the local people’s government at or above the county level that has supervision and administration duties for coal mine work safety and to the local mine safety supervision agency.

Coal mine enterprises shall not reduce the wages, benefits or other treatment of employees, transfer them from their posts without justifiable cause, or terminate the labor contracts concluded with them because they refused illegal command or forced risky operations.

Article 21 — The principal persons in charge and work safety management personnel of coal mine enterprises shall pass the assessment of work safety knowledge and management capability, and shall continuously maintain the corresponding level and capability.

Employees of coal mine enterprises may take up their posts only after passing work safety education and training. Special operation personnel of coal mine enterprises shall undergo special safety technical training and pass the assessment in accordance with the relevant provisions of the state, and obtain the corresponding qualifications.

Article 22 — Coal mine enterprises shall appoint for each coal mine a full-time mine manager and a chief engineer, deputy mine managers in charge of safety, production and mechanical and electrical work, and professional and technical personnel.

For coal mines with coal (rock) and gas (carbon dioxide) outburst hazards, high gas content, rock burst hazards, coal seams prone to spontaneous combustion, or complex or extremely complex hydrogeological conditions, the corresponding specialized prevention and control bodies shall be established, and full-time deputy chief engineers shall be appointed.

Article 23 — Coal mine enterprises shall, in accordance with the relevant provisions of the state, establish and improve the system of leadership shift-leading and strictly assess its implementation.

The persons in charge and the production and operation management personnel of underground coal mine enterprises shall take turns to lead shifts down the mine and shall establish a down-mine registration file.

Article 24 — Coal mine enterprises shall provide employees with labor protection articles that comply with national standards or industry standards, and supervise and educate employees to wear and use them in accordance with the rules of use.

A system of limits on the number of persons working underground in coal mines shall be implemented. Coal mine enterprises shall formulate the management system for underground working hours in accordance with the law. Labor dispatched workers shall not be used for underground working posts in coal mines.

Article 25 — The design, manufacture, installation, use, testing, maintenance, modification and scrapping of safety equipment used by coal mine enterprises shall comply with national standards or industry standards.

Coal mine enterprises shall establish ledgers and a traceability and management system for safety equipment, carry out regular maintenance and upkeep of safety equipment and conduct regular testing to ensure normal operation, and keep full-process records of the purchase, storage, use, maintenance, upkeep, testing, repair, modification and scrapping of safety equipment.

Coal mine enterprises shall not use equipment or techniques that should be eliminated and that endanger work safety; the specific catalogue shall be formulated and published by the National Mine Safety Administration.

Article 26 — The main production systems of a coal mine, such as mining, tunneling, mechanical and electrical, transportation, ventilation, drainage and dumping systems, and the safety facilities for gas prevention, prevention of coal (rock) and gas (carbon dioxide) outbursts, prevention of rock burst, fire prevention, water prevention and control, dust prevention, heat hazard prevention, landslide prevention, monitoring and communication, shall comply with the management and technical requirements stipulated in the coal mine safety regulations and the national standards or industry standards.

Coal mine enterprises and their relevant personnel shall not shut down or damage monitoring, alarm, protection or life-saving equipment or facilities that directly concern work safety, or tamper with, conceal or

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destroy their relevant data or information, and shall not affect their normal use in any manner.

Article 27 — Underground coal mines shall have safety exits, independent ventilation systems, safety monitoring systems, dust-prevention water supply systems, fire prevention and extinguishing systems, power supply and distribution systems and personnel transport devices that comply with the coal mine safety regulations and the national standards or industry standards, as well as drawings reflecting the actual conditions of the coal mine, and shall conduct identification of gas level, rock burst, spontaneous combustion tendency of coal seams and coal dust explosiveness in accordance with regulations.

Underground coal mines shall select the corresponding permissible explosives and electric detonators for coal mines according to the gas level of the mine, and blasting shall be carried out by full-time blasters.

Article 28 — Sufficient safety distances shall be maintained between the working slopes and waste-dump slopes of open-pit coal mines and important buildings and structures.

Coal mine enterprises shall regularly conduct slope stability evaluation of open-pit coal mines, and the scope of evaluation shall cover all slopes of the open-pit coal mine. Where the slope stability requirements are not met, the mining design shall be modified or safety measures shall be taken, and slope monitoring shall be strengthened at the same time.

Article 29 — Coal mine enterprises shall formulate emergency rescue plans for production safety accidents in accordance with the law, which shall be coordinated with the emergency rescue plans for production safety accidents formulated by the local people's governments at or above the county level where they are located, and shall organize regular drills.

Coal mine enterprises shall establish full-time rescue teams; where they do not have the conditions to establish full-time rescue teams, they shall establish part-time rescue teams and sign rescue agreements with adjacent full-time rescue teams. In the event of an accident, the full-time rescue team shall arrive at the coal mine within the prescribed time to carry out rescue.

Article 30 — Coal mine enterprises shall carry out production within the mining scope determined in accordance with the law and shall not mine beyond seams or boundaries.

Mining operations shall not mine safety coal pillars without authorization or adopt dangerous methods such as water inrush, blasting or roadway connection that may endanger the production safety of adjacent coal mines.

Article 31 — Coal mine enterprises shall not organize production beyond capacity, beyond intensity or beyond authorized staffing. Where the production capacity of a normally producing coal mine changes substantially due to changes in geological or production technical conditions, mining methods or techniques, its production capacity shall be re-approved in accordance with the law.

People's governments at or above the county level and their relevant departments shall not require coal mine enterprises that do not have the conditions for work safety to carry out production.

Article 32 — Coal mine enterprises shall carry out disaster control according to the degree and type of coal mine disasters, prepare annual disaster prevention and handling plans, and modify them in a timely manner according to specific circumstances.

Article 33 — Where coal mining falls under any of the following circumstances, a special design shall be prepared:

(1) where there is a hazard of coal (rock) and gas (carbon dioxide) outburst;

(2) where there is a hazard of rock burst;

(3) where mining is to be carried out under buildings, water bodies or railways that need to be protected, or where coal pillars are to be retained for main shafts and roadways;

(4) where the hydrogeological conditions are complex or extremely complex, or where there are old workings of mined-out areas in the vicinity;

(5) where coal seams prone to spontaneous combustion or subject to spontaneous combustion are to be mined;

(6) other circumstances requiring the preparation of a special design.

Article 34 — Where hazardous operations such as crosscut coal uncovering, water exploration and drainage, roadway connection, cleaning of coal bunkers, forced roof caving, sealing and unsealing of fire zones, hot work and other hazardous operations stipulated by the National Mine Safety Administration are carried out in coal mines, special safety technical measures shall be taken, and special personnel shall be arranged for on-site safety management.

Article 35 — Coal mine enterprises shall establish a graded safety risk control system, carry out identification and assessment of safety risks, and take corresponding control measures according to the grading of safety risks.

Coal mine enterprises shall establish and improve the system for the investigation and treatment of hidden dangers of accidents, and take technical and management measures to promptly discover and eliminate hidden dangers of accidents. The investigation and treatment of hidden dangers of accidents shall be truthfully recorded and regularly reported to employees. The written report on the investigation and treatment of major hidden dangers of accidents shall, after being signed by the person in charge of the coal mine enterprise, be submitted quarterly to the department of the people’s government at or above the county level that has supervision and administration duties for coal mine work safety and to the local mine safety supervision agency.

Coal mine enterprises shall strengthen the safety management of the coal mines under them and regularly conduct safety inspections of such coal mines.

Article 36 — Where a coal mine enterprise falls under any of the following circumstances, it constitutes a major hidden danger of an accident, and the enterprise shall immediately stop production and construction in the affected area and promptly eliminate the hidden danger:

(1) organizing production beyond capacity, beyond intensity or beyond authorized staffing;

(2) carrying out operations with gas exceeding the limit;

(3) a coal (rock) and gas (carbon dioxide) outburst mine failing to implement outburst prevention measures in accordance with regulations;

(4) a coal (rock) and gas (carbon dioxide) outburst mine or a high gas mine failing to establish a gas drainage system in accordance with regulations, or the system failing to operate normally;

(5) a ventilation system that is incomplete or unreliable;

(6) mining beyond seams or boundaries;

(7) serious water hazards without effective measures taken;

(8) rock burst hazards without effective measures taken;

(9) serious spontaneous combustion without effective measures taken;

(10) using equipment or techniques that should be eliminated and that endanger work safety;

(11) failing to establish a monitoring and communication system in accordance with regulations, or the system failing to operate normally;

(12) the slope angle of an open-pit coal mine exceeding the designed maximum value, or serious deformation of the slope without effective measures taken;

(13) failing to adopt a dual-circuit power supply system in accordance with regulations;

(14) a newly built coal mine carrying out production while still under construction; a coal mine, during reconstruction or expansion, carrying out production in the area being reconstructed or expanded, or carrying out production in other areas beyond the scope and scale stipulated in the design;

(15) after integrated contract operation of production and operation, carrying out production without re-obtaining or promptly changing the work safety license, or the contractor sub-contracting again, or outsourcing underground mining faces and shaft and roadway maintenance operations;

(16) during restructuring, merger or division, failing to clarify the persons responsible for work safety and the work safety management body, or, after completing the restructuring, merger or division, failing to re-obtain or promptly change the work safety license;

(17) other major hidden dangers of accidents.

Article 37 — Coal mine enterprises and their relevant personnel shall cooperate with the departments of people's governments at or above the county level that have supervision and administration duties for coal mine work safety and with the National Mine Safety Administration and the local mine safety supervision agencies established by it in performing their duties in accordance with the law, truthfully provide relevant information as required, and shall not conceal information or refuse or obstruct the performance of duties.

Coal mine enterprises shall immediately rectify hidden dangers of accidents investigated and handled by the departments of people's governments at or above the county level that have supervision and administration duties for coal mine work safety and by the National Mine Safety Administration and the local mine safety supervision agencies established by it, and report the rectification results as required.

Article 38 — Coal mine enterprises shall promptly and fully arrange funds such as work safety expenses to ensure compliance with work safety requirements. The decision-making bodies and principal persons in charge of coal mine enterprises shall bear responsibility for the consequences caused by insufficient capital input necessary for work safety.

Chapter III — Supervision and Administration of Coal Mine Work Safety

Article 39 — Coal mine work safety shall implement the work safety responsibility system of local Party and government leading officials, and the local management of coal mine work safety shall be strengthened.

Article 40 — The people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall, in accordance with the principle of graded and classified supervision, define the subjects responsible for work safety supervision of coal mine enterprises.

The relevant departments of people's governments at or above the county level shall investigate and deal with those who carry out coal mine production without obtaining a work safety license or other required permits in accordance with the law.

Where a township people's government discovers, within its jurisdiction, coal mine production being carried out without obtaining a work safety license or other required permits in accordance with the law, it shall take effective measures to stop it and report it to the relevant department of the people's government at the county level.

Article 41 — The departments of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government that have supervision and administration duties for coal mine work safety shall, within 30 days from the date of acceptance, complete the review of the design of safety facilities of coal mine construction projects, sign opinions of approval or disapproval, and reply in

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writing.

The departments of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government that have supervision and administration duties for coal mine work safety shall strengthen supervision and verification of the acceptance activities and acceptance results of safety facilities by construction units.

Article 42 — The departments of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government that have supervision and administration duties for coal mine work safety shall be responsible for the issuance and administration of work safety licenses of coal mine enterprises, and shall accept supervision by the National Mine Safety Administration and the local mine safety supervision agencies established by it.

Article 43 — The departments of local people's governments at or above the county level that have supervision and administration duties for coal mine work safety shall prepare annual supervision and inspection plans for coal mine work safety and carry out supervision and inspection in accordance with the plans.

The annual supervision and inspection plans for coal mine work safety shall be copied to the local mine safety supervision agency.

Article 44 — The departments of local people's governments at or above the county level that have supervision and administration duties for coal mine work safety shall conduct supervision and inspection of coal mine enterprises in accordance with the law, and shall take the on-site work safety conditions of coal mines as a key part of the supervision and inspection. The following measures may be taken in supervision and inspection:

(1) entering coal mine enterprises for inspection, focusing on inspecting front-line production workplaces, consulting relevant materials, and understanding the situation from relevant organizations and personnel;

(2) correcting on the spot or requiring correction within a time limit of violations of work safety laws discovered during inspection;

(3) ordering the immediate elimination of hidden dangers of accidents discovered during inspection; where safety cannot be ensured before or during the elimination of major hidden dangers of accidents, ordering the evacuation of operating personnel from the dangerous area and ordering temporary suspension of production or cessation of use of relevant facilities and equipment;

(4) sealing up or seizing facilities, equipment and instruments that are reasonably considered not to comply with the national standards or industry standards guaranteeing work safety.

Supervision and inspection shall not affect the normal production and operation activities of coal mine enterprises.

Article 45 — The departments of local people's governments at or above the county level that have supervision and administration duties for coal mine work safety shall include major hidden dangers of accidents in the relevant information systems, establish and improve the supervision system for the treatment of major hidden dangers of accidents, and urge coal mine enterprises to eliminate major hidden dangers of accidents.

Article 46 — The departments of local people's governments at or above the county level that have supervision and administration duties for coal mine work safety shall strengthen supervision of coal mine work safety technical service agencies.

Coal mine work safety technical service agencies undertaking duties such as safety evaluation, certification, testing and inspection shall carry out work safety technical service activities in accordance with the relevant laws and regulations and the national standards or industry standards, and shall be responsible for the

reports they issue, and shall not lease qualifications, operate under borrowed qualifications, or issue false reports.

Article 47 — People's governments at or above the county level and their relevant departments shall, in accordance with the law and regulations, impose disciplinary measures for breach of trust on coal mine enterprises, coal mine work safety technical service agencies and relevant employees that have committed acts of work safety dishonesty.

Article 48 — During the period of suspension of production for rectification, the relevant local people's governments shall take effective measures to supervise and inspect coal mine enterprises ordered to suspend production for rectification.

Where a coal mine enterprise is ordered to suspend production for rectification in accordance with the law due to violations of work safety laws or major hidden dangers of accidents, it shall formulate a rectification plan and carry out rectification. Where the enterprise applies to resume production after completing rectification, the department of the local people's government at or above the county level that has supervision and administration duties for coal mine work safety shall organize acceptance and complete the acceptance within 20 days from the date of receiving the application for resumption of production. Only after passing acceptance, upon the signature of the principal person in charge of the department and the review and approval of the local mine safety supervision agency, and upon approval by the principal person in charge of the people's government at the corresponding level, may production be resumed.

Article 49 — The departments of local people's governments at or above the county level that have supervision and administration duties for coal mine work safety shall announce to the public within five working days the coal mine enterprises ordered to suspend production for rectification or to close; where a coal mine enterprise ordered to suspend production for rectification resumes production after passing acceptance, it shall be announced to the public within five working days from the date of resumption of production.

Chapter IV — Coal Mine Safety Supervision

Article 50 — The National Mine Safety Administration and the local mine safety supervision agencies established by it shall perform their coal mine safety supervision duties in accordance with the law, strengthen supervision and inspection of the supervision and administration of coal mine work safety by local people's governments at or above the county level, promptly notify the relevant local people's governments of the supervision and inspection results, put forward supervision opinions and suggestions for improving and strengthening coal mine work safety, and urge the rectification and re-examination of major hidden dangers of accidents.

Local people's governments at or above the county level shall cooperate with and accept the supervision and inspection by the National Mine Safety Administration and the local mine safety supervision agencies established by it, and promptly implement the supervision opinions and suggestions.

Article 51 — Local mine safety supervision agencies shall exercise supervision over coal mine work safety within their jurisdictions; key supervision shall be exercised over areas where accidents occur frequently. The National Mine Safety Administration shall, according to the actual situation, organize comprehensive supervision or key supervision of coal mine work safety nationwide.

Article 52 — The National Mine Safety Administration and the local mine safety supervision agencies established by it may take the following means in supervising and inspecting the supervision and administration of coal mine work safety by people's governments at or above the county level:

(1) listening to work reports of the relevant local people's governments and their departments that have supervision and administration duties for coal mine work safety;

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(2) consulting and copying documents, archives, work records and other materials related to coal mine work safety;

(3) requiring the relevant local people's governments, their departments that have supervision and administration duties for coal mine work safety, and relevant personnel to explain issues concerning coal mine work safety;

(4) other means deemed necessary.

Article 53 — The National Mine Safety Administration and the local mine safety supervision agencies established by it, in performing their coal mine safety supervision duties, shall have the right to enter coal mine workplaces for inspection, attend work safety meetings of coal mine enterprises, and learn about the situation from the relevant coal mine enterprises and personnel.

Where the National Mine Safety Administration or the local mine safety supervision agencies established by it discover hidden dangers of accidents at a coal mine site, they shall have the right to require immediate elimination or elimination within a time limit; where illegal command, forced risky operations, illegal operations or other violations of work safety laws are discovered, they shall have the right to immediately correct them or require immediate cessation of operations; where an emergency threatening safety is discovered, they shall have the right to require immediate cessation of operations in the dangerous area and evacuation of operating personnel.

Mine safety supervision personnel shall present their law enforcement credentials when performing coal mine safety supervision duties.

Article 54 — Where the National Mine Safety Administration or the local mine safety supervision agencies established by it discover that a coal mine enterprise has a major hidden danger of an accident and order suspension of production for rectification, they shall promptly transfer the matter to the department of the local people's government at or above the county level that has supervision and administration duties for coal mine work safety for handling and supervision.

Article 55 — Where the National Mine Safety Administration or the local mine safety supervision agencies established by it discover that a coal mine enterprise has committed an illegal act that should be handled by another department, they shall promptly transfer the matter to the relevant department for handling.

Article 56 — The National Mine Safety Administration and the local mine safety supervision agencies established by it, and the relevant departments of people's governments at or above the county level, shall establish mechanisms for information sharing and case transfer and strengthen coordination and cooperation.

Article 57 — The National Mine Safety Administration and the local mine safety supervision agencies established by it shall strengthen the informatization of coal mine work safety and use informatization means to enhance law enforcement capability.

Coal mine enterprises shall, in accordance with the electronic data specifications for work safety formulated by the National Mine Safety Administration, connect to the network and upload electronic data in real time, and shall be responsible for the authenticity, accuracy and completeness of the uploaded electronic data.

Article 58 — The National Mine Safety Administration and the local mine safety supervision agencies established by it shall, in accordance with the law, supervise and inspect the implementation by coal mine enterprises of work safety laws and regulations, coal mine safety regulations and the national standards or industry standards guaranteeing work safety, and exercise the powers stipulated in Article 44 of these Regulations.

Article 59 — After a coal mine production safety accident occurs, the coal mine enterprise and its persons in charge shall promptly take effective measures to organize rescue, and shall immediately and truthfully report

to the local emergency management department, the department that has supervision and administration duties for coal mine work safety and the local mine safety supervision agency in accordance with the Regulations on the Reporting, Investigation and Handling of Production Safety Accidents.

The National Mine Safety Administration and the local mine safety supervision agencies established by it shall, according to the level of the accident and work needs, dispatch working groups to the accident site to guide and cooperate with the local people's government at the place where the accident occurred in carrying out emergency rescue work.

Article 60 — Coal mine production safety accidents shall be investigated and handled at different levels according to the level of the accident.

Especially major accidents shall be investigated and handled by the State Council or the department authorized by the State Council in accordance with the Regulations on the Reporting, Investigation and Handling of Production Safety Accidents. Major accidents, relatively major accidents and ordinary accidents shall be investigated and handled by the National Mine Safety Administration and the local mine safety supervision agencies established by it in accordance with the Regulations on the Reporting, Investigation and Handling of Production Safety Accidents.

Chapter V — Legal Liability

Article 61 — Where coal mine production is carried out without obtaining a work safety license or other required permits in accordance with the law, production shall be ordered to cease immediately, and the illegal gains, the coal mined and the mining and tunneling equipment shall be confiscated; where the illegal gains amount to 100,000 yuan or more, a fine of not less than two times and not more than five times the illegal gains shall be imposed in addition; where there are no illegal gains or the illegal gains are less than 100,000 yuan, a fine of not less than 100,000 yuan and not more than 200,000 yuan shall be imposed in addition.

A coal mine enterprise that has been closed and resumes production without authorization shall be punished in accordance with the preceding paragraph.

Article 62 — Where a coal mine enterprise commits any of the following acts, it shall be punished in accordance with the relevant provisions of the Work Safety Law of the People's Republic of China:

(1) failing to establish a work safety management body and employ work safety management personnel in accordance with regulations;

(2) the principal persons in charge and work safety management personnel failing to pass the assessment in accordance with regulations and continuously maintain the corresponding level and capability;

(3) failing to carry out work safety education and training in accordance with regulations, failing to truthfully inform employees of relevant work safety matters in accordance with regulations, or failing to truthfully record work safety education and training;

(4) special operation personnel taking up their posts without undergoing special safety operation training and obtaining the corresponding qualifications in accordance with regulations;

(5) carrying out hazardous operations without taking special safety technical measures and arranging special personnel for on-site safety management;

(6) failing to establish and implement the graded safety risk control system and the system for the investigation and treatment of hidden dangers of accidents in accordance with regulations, or failing to report the investigation and treatment of major hidden dangers of accidents in accordance with regulations;

(7) failing to formulate emergency rescue plans for production safety accidents in accordance with regulations or failing to organize regular drills.

Article 63 — Where a coal mine enterprise commits any of the following acts, it shall be ordered to make corrections within a time limit and be fined not less than 100,000 yuan and not more than 200,000 yuan; where it fails to make corrections within the time limit, it shall be ordered to suspend production for rectification and be fined not less than 200,000 yuan and not more than 500,000 yuan, and the directly responsible persons in charge and other directly responsible persons shall be fined not less than 30,000 yuan and not more than 50,000 yuan:

(1) failing to formulate and implement the responsibility system for work safety of all employees and the work safety rules and regulations such as the leadership shift-leading system in accordance with regulations;

(2) failing to appoint mine managers and other personnel and bodies for the coal mine in accordance with regulations, or failing to establish rescue teams in accordance with regulations;

(3) the main production systems and safety facilities of the coal mine failing to comply with the coal mine safety regulations and the national standards or industry standards;

(4) failing to prepare special designs in accordance with regulations;

(5) an underground coal mine failing to conduct identification of gas level, rock burst, spontaneous combustion tendency of coal seams and coal dust explosiveness in accordance with regulations;

(6) the safety distances between the working slopes and waste-dump slopes of an open-pit coal mine and important buildings and structures failing to comply with regulations, or failing to maintain the slope stability of an open-pit coal mine in accordance with regulations;

(7) illegal command, forced risky operations, or violations of regulations.

Article 64 — Where a coal mine enterprise still carries out production despite the existence of major hidden dangers of accidents, it shall be ordered to suspend production for rectification, the content, time and other specific requirements of rectification shall be specified, and it shall be fined not less than 500,000 yuan and not more than 2,000,000 yuan; the principal persons in charge of the coal mine enterprise shall be fined not less than 30,000 yuan and not more than 150,000 yuan.

Article 65 — Where a coal mine enterprise mines beyond the mining scope determined in accordance with the law, it shall be handled in accordance with the relevant laws and regulations.

Where safety coal pillars are mined without authorization, or dangerous methods such as water inrush, blasting or roadway connection that may endanger the production safety of adjacent coal mines are adopted for mining operations, the operations shall be ordered to cease immediately and the illegal gains shall be confiscated; where the illegal gains amount to 100,000 yuan or more, a fine of not less than two times and not more than five times the illegal gains shall be imposed in addition; where there are no illegal gains or the illegal gains are less than 100,000 yuan, a fine of not less than 100,000 yuan and not more than 200,000 yuan shall be imposed in addition; where losses are caused, liability for compensation shall be borne in accordance with the law.

Article 66 — Where a coal mine enterprise commits any of the following acts, it shall be ordered to make corrections; where it refuses to make corrections, it shall be fined not less than 100,000 yuan and not more than 200,000 yuan, and the directly responsible persons in charge and other directly responsible persons shall be fined not less than 10,000 yuan and not more than 20,000 yuan:

(1) concealing hidden dangers of accidents and other safety problems in violation of the provisions of the first paragraph of Article 37 of these Regulations;

(2) unsealing or using sealed or seized facilities, equipment or instruments without authorization in violation of the provisions of the first paragraph of Article 44 of these Regulations;

(3) other acts of refusing or obstructing supervision and inspection.

Article 67 — Where a coal mine production safety accident occurs, the coal mine enterprise bearing responsibility shall, in addition to bearing compensation and other liabilities in accordance with the law, be fined in accordance with the following provisions:

(1) where an ordinary accident occurs, a fine of not less than 500,000 yuan and not more than 1,000,000 yuan shall be imposed;

(2) where a relatively major accident occurs, a fine of not less than 1,500,000 yuan and not more than 2,000,000 yuan shall be imposed;

(3) where a major accident occurs, a fine of not less than 5,000,000 yuan and not more than 10,000,000 yuan shall be imposed;

(4) where an especially major accident occurs, a fine of not less than 10,000,000 yuan and not more than 20,000,000 yuan shall be imposed.

Where a coal mine production safety accident occurs with especially serious circumstances and especially bad impact, the coal mine enterprise bearing responsibility may be fined not less than two times and not more than five times the amount of the fine specified in the preceding paragraph.

Article 68 — Where the decision-making bodies, principal persons in charge, other persons in charge and work safety management personnel of coal mine enterprises fail to perform their work safety management duties in accordance with the law, they shall be punished in accordance with the relevant provisions of the Work Safety Law of the People's Republic of China and bear corresponding responsibility.

Where the principal person in charge of a coal mine enterprise fails to perform his or her work safety management duties in accordance with the law, resulting in a coal mine production safety accident, a fine shall be imposed in accordance with the following provisions:

(1) where an ordinary accident occurs, a fine equal to 40% of his or her annual income of the preceding year shall be imposed;

(2) where a relatively major accident occurs, a fine equal to 60% of his or her annual income of the preceding year shall be imposed;

(3) where a major accident occurs, a fine equal to 80% of his or her annual income of the preceding year shall be imposed;

(4) where an especially major accident occurs, a fine equal to 100% of his or her annual income of the preceding year shall be imposed.

Article 69 — Where coal mine enterprises and their relevant personnel conceal or falsely report accidents, they shall be punished in accordance with the relevant provisions of the Work Safety Law of the People's Republic of China and the Regulations on the Reporting, Investigation and Handling of Production Safety Accidents.

Where the relevant local people's governments, their emergency management departments, the departments that have supervision and administration duties for coal mine work safety and the local mine safety supervision agencies conceal or falsely report accidents, the responsible leading personnel and directly responsible personnel shall be given sanctions in accordance with the law.

Article 70 — Where a coal mine enterprise falls under any of the following circumstances, the people's government at or above the county level shall be requested to close it:

(1) carrying out production without obtaining a work safety license or other required permits in accordance with the law;

(2) being found to still carry out production with major hidden dangers of accidents on two or more occasions within three months;

(3) major disasters being difficult to effectively prevent and control under the existing technical conditions, as demonstrated by experts organized by the local people's government;

(4) other circumstances stipulated in the Work Safety Law of the People's Republic of China that warrant requesting closure.

Where the relevant local people's government makes a decision to close a coal mine, it shall immediately organize the implementation. The closure of a coal mine shall meet the following requirements:

(1) revoking or canceling the relevant permits and licenses in accordance with the relevant provisions of laws and regulations;

(2) ceasing the supply of civil explosives and properly handling them;

(3) ceasing the power supply and removing the mine production equipment and power supply and communication lines;

(4) sealing and filling the mine shafts, leveling the shaft mouth sites and restoring the landform;

(5) properly handling labor relations, paying economic compensation and work-related injury insurance benefits in accordance with the law and regulations, organizing occupational health examinations upon leaving the post, repaying arrears of wages, and making up the social insurance premiums owed;

(6) erecting sign boards;

(7) submitting and transferring the relevant reports, drawings and materials;

(8) other requirements stipulated in the relevant laws and regulations.

Article 71 — Where any of the following circumstances exists, punishment shall be imposed in accordance with the relevant provisions of the Work Safety Law of the People's Republic of China:

(1) a coal mine construction project having no design of safety facilities, or the design of safety facilities failing to be submitted to the relevant department for review and approval in accordance with regulations;

(2) the construction unit of a coal mine construction project failing to carry out construction in accordance with the approved design of safety facilities;

(3) the safety facilities failing to pass acceptance before a coal mine construction project is completed and put into production or use;

(4) a coal mine enterprise violating the provisions of the first paragraph of Article 24, the first and second paragraphs of Article 25, or the second paragraph of Article 26 of these Regulations.

Article 72 — Where a coal mine work safety technical service agency undertaking duties such as safety evaluation, certification, testing and inspection issues false reports, leases qualifications, operates under borrowed qualifications, or issues false reports, the agency and its directly responsible persons in charge and other directly responsible persons shall be punished in accordance with the relevant provisions of the Work Safety Law of the People's Republic of China and shall be held accountable accordingly. Where its principal person in charge bears responsibility for a major or especially major coal mine production safety accident, he or she shall be barred for life from engaging in coal mine work safety-related technical service work.

Article 73 — The administrative penalties stipulated in these Regulations shall be decided by the departments of people's governments at or above the county level that have supervision and administration duties for coal mine work safety and other relevant departments, and by the National Mine Safety Administration and the local mine safety supervision agencies established by it, according to the division of

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responsibilities, and no fine shall be imposed more than twice for the same illegal act. The work safety license of a coal mine enterprise ordered to suspend production for rectification shall be temporarily withheld. Serious illegal acts in violation of these Regulations shall be punished severely in accordance with the law.

Article 74 — Where local people's governments at various levels, the departments of people's governments at or above the county level that have supervision and administration duties for coal mine work safety and other relevant departments, the National Mine Safety Administration and the local mine safety supervision agencies established by it fall under any of the following circumstances, the responsible leading personnel and directly responsible personnel shall be given sanctions in accordance with the law:

(1) the departments of people's governments at or above the county level that have supervision and administration duties for coal mine work safety, the National Mine Safety Administration and the local mine safety supervision agencies established by it failing to perform their duties in accordance with the law or failing to promptly investigate and deal with major hidden dangers of accidents and violations of work safety laws within their jurisdictions; or other relevant departments of people's governments at or above the county level failing to perform their duties related to coal mine work safety in accordance with the law;

(2) a township people's government discovering coal mine production being carried out within its jurisdiction without obtaining a work safety license or other required permits in accordance with the law, and failing to take effective measures to stop it or failing to report it to the relevant department of the people's government at the county level;

(3) during the period of suspension of production for rectification of a coal mine enterprise ordered to suspend production for rectification, the coal mine enterprise continuing production due to ineffective supervision and inspection by the relevant local people's government;

(4) the closure of a coal mine failing to meet the requirements of the second paragraph of Article 70 of these Regulations;

(5) the departments of people's governments at or above the county level that have supervision and administration duties for coal mine work safety, the National Mine Safety Administration and the local mine safety supervision agencies established by it failing to promptly handle reports after receiving them;

(6) local people's governments at or above the county level and their relevant departments requiring coal mine enterprises that do not have the conditions for work safety to carry out production;

(7) other circumstances of abuse of power, dereliction of duty or malpractices for personal gain.

Article 75 — Where a violation of these Regulations constitutes a crime, criminal liability shall be investigated in accordance with the law.

Chapter VI — Supplementary Provisions

Article 76 — These Regulations shall come into force on May 1, 2024. The Regulations on Coal Mine Safety Supervision and the Special Provisions of the State Council on the Prevention of Coal Mine Production Safety Accidents shall be repealed simultaneously.

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