Frontier Health and Quarantine Law of the PRC

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purpose of preventing the transmission of infectious diseases into or out of the country, carrying out frontier health and quarantine inspection, and protecting human health.

Article 2 — Frontier health and quarantine offices shall be set up at international seaports, airports, ports of entry at land frontiers, and border crossings on major rivers of the People's Republic of China (hereinafter referred to as the "frontier ports") in accordance with the needs of the state. The frontier health and quarantine offices shall carry out quarantine inspection and monitoring of infectious diseases, and health supervision in accordance with the provisions of this Law. The administrative departments of health under the State Council shall be in charge of frontier health and quarantine work throughout the country.

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Article 3 — Infectious diseases specified in this Law shall include quarantinable infectious diseases and infectious diseases to be monitored. Quarantinable infectious diseases shall include plague, cholera, yellow fever, and other infectious diseases as determined and announced by the State Council. Infectious diseases to be monitored shall be determined and announced by the administrative departments of health under the State Council.

Article 4 — Persons, means of transport, transport equipment, luggage, goods, postal parcels, and other articles that enter or exit the country and that may transmit quarantinable infectious diseases shall be subject to quarantine inspection. Such articles may enter or exit the country only upon permission by the frontier health and quarantine office. The specific measures shall be stipulated in the implementing regulations of this Law.

Article 5 — Upon discovering a quarantinable infectious disease or a disease suspected to be a quarantinable infectious disease, the frontier health and quarantine office shall, in addition to taking necessary measures, immediately notify the local administrative department of health; the local administrative department of health shall promptly report such discovery to the administrative department of health under the State Council. The notification and report shall be made within the time limit specified by the administrative department of health under the State Council. When quarantinable infectious diseases are prevalent abroad or within China, the State Council may order relevant sections of the border to be blockaded or adopt other emergency measures.

Chapter II — Quarantine Inspection

Article 6 — Means of transport and persons entering the country shall be subject to quarantine inspection at designated places such as the first frontier port of arrival, anchorage, or station. Except under extraordinary circumstances, no person shall be allowed to disembark from or embark on the means of transport, and no articles such as loading and unloading of luggage, goods, and postal parcels shall be allowed on the means of transport without permission from the frontier health and quarantine office. The specific measures shall be stipulated in the implementing regulations of this Law.

Article 7 — Means of transport and persons leaving the country shall be subject to quarantine inspection at the last frontier port of departure.

Article 8 — When a means of transport coming from a quarantinable infectious disease epidemic area or having been contaminated by a quarantinable infectious disease is found to have on board a person infected with a quarantinable infectious disease, a person suspected of having contracted a quarantinable infectious disease, or a person who has died from an unidentified cause other than accidental injury, the responsible person of the means of transport shall, before arriving at the frontier port of the country, immediately notify the frontier health and quarantine office of such conditions for emergency inspection.

Article 9 — When a quarantinable infectious disease victim, a quarantinable infectious disease suspect, or a person who has died from an unidentified cause other than accidental injury is found on a means of transport subject to entry quarantine inspection, the frontier health and quarantine office may, in addition to prohibiting such means of transport from being contaminated, implement isolation, medical examination, disinsectization, disinfection, and other necessary treatment of the means of transport. When a means of transport entering the country is found to have come from a quarantinable infectious disease epidemic area or to have been contaminated by a quarantinable infectious disease, it shall be subject to such sanitization measures as disinsectization, deratization, and disinfection.

Article 10 — Persons entering the country shall, in accordance with the requirements of the frontier health and quarantine office, truthfully complete a health declaration card and produce valid international certificates of vaccination against certain infectious diseases, health certificates, or other relevant documents.

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Article 11 — The frontier health and quarantine office must, in accordance with the quarantine physician's signed findings, issue entry or exit quarantine certificates to means of transport that have completed entry or exit quarantine inspection. Such means of transport shall not leave the quarantine site without permission before the issuance of entry or exit quarantine certificates.

Article 12 — With respect to persons having contracted quarantinable infectious diseases, persons suspected of having contracted quarantinable infectious diseases, or close contacts, the frontier health and quarantine office may, in accordance with the provisions of the implementing regulations of this Law, take such measures as isolation, medical observation, and on-site diagnosis.

Article 13 — Containers, articles, and wastes that may transmit quarantinable infectious diseases and that require sanitization treatment, as well as luggage, goods, and postal parcels that come from quarantinable infectious disease epidemic areas or have been contaminated by quarantinable infectious diseases, shall be subject to sanitization treatment by the frontier health and quarantine office before entry or exit.

Article 14 — Human remains or human bones entering or exiting the country must be declared to the frontier health and quarantine office; they may be transported in or out only after the quarantine inspection has been passed and with the entry or exit permit issued.

Chapter III — Monitoring of Infectious Diseases

Article 15 — The frontier health and quarantine offices shall monitor infectious diseases among persons entering or exiting the country and among persons at frontier ports, and shall adopt necessary preventive and control measures.

Article 16 — The frontier health and quarantine offices shall have the authority to require persons entering or exiting the country to produce certificates of health quarantine, certificates of vaccination against certain infectious diseases, health certificates, or other relevant documents, and to conduct medical examination of such persons. The specific measures shall be stipulated by the administrative department of health under the State Council in conjunction with other relevant departments under the State Council.

Article 17 — The frontier health and quarantine offices shall, in accordance with the needs of the state and the provisions of the administrative department of health under the State Council, carry out monitoring of infectious diseases and health inspection and medical examination of persons staying at frontier ports and of persons entering or exiting the country staying at frontier ports.

Chapter IV — Health Supervision

Article 18 — The frontier health and quarantine offices shall, in accordance with the hygiene standards prescribed by the state, exercise health supervision over the sanitary conditions at frontier ports and the sanitary conditions of means of transport entering or exiting the country at frontier ports. They shall exercise health supervision over the following:

(1) sanitary conditions such as the quality of drinking water, food, and environmental hygiene at frontier ports;

(2) sanitary conditions of the means of transport entering or exiting the country;

(3) sanitization measures such as disinsectization and deratization; and

(4) the prevention and elimination of infectious disease vectors.

Article 19 — The responsible persons of relevant units at frontier ports and the responsible persons of means of transport entering or exiting the country shall comply with the provisions of this Law and the implementing regulations of this Law and other relevant hygiene requirements, and shall accept supervision and inspection by the frontier health and quarantine offices and carry out the measures suggested by them.

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Article 20 — The frontier health and quarantine offices shall be staffed with frontier health and quarantine supervisors, who shall carry out tasks assigned by the frontier health and quarantine offices. When carrying out their tasks, frontier health and quarantine supervisors shall have the authority to conduct health supervision and inspection and on-site investigations of frontier ports and means of transport entering or exiting the country and to consult, reproduce, and take statements regarding matters related to health quarantine, and shall have the authority to collect samples and inspect articles suspected of violating the provisions of this Law. No unit or individual may obstruct the performance of such duties.

Chapter V — Legal Liability

Article 21 — Where any unit or individual, in violation of the provisions of this Law, commits any of the following acts, the frontier health and quarantine office may impose a warning or a fine in accordance with the law:

(1) evading quarantine inspection or concealing the true situation from the frontier health and quarantine office;

(2) allowing persons to embark on or disembark from a means of transport, or loading or unloading luggage, goods, postal parcels, or other articles without permission from the frontier health and quarantine office before the entry quarantine inspection is completed;

(3) refusing to undergo quarantine inspection or health supervision, or refusing to implement sanitization measures; or

(4) other acts in violation of the provisions of this Law or the implementing regulations of this Law.

Article 22 — Where a party refuses to accept a decision on the imposition of a fine, it may, within 15 days from the date of receiving the notice of the decision, apply to the administrative department of health at a higher level for reconsideration; if the party refuses to accept the reconsideration decision, it may, within 15 days from the date of receiving the reconsideration decision, file a lawsuit with a people's court. The party may also file a lawsuit directly with a people's court within 15 days from the date of receiving the notice of the decision. If the party neither applies for reconsideration nor files a lawsuit within the prescribed time limit, nor complies with the decision on the imposition of the fine, the frontier health and quarantine office that made the decision shall apply to a people's court for compulsory enforcement.

Article 23 — Where a violation of the provisions of this Law causes the spread or a grave danger of the spread of a quarantinable infectious disease, criminal liability shall be investigated in accordance with the relevant provisions of the Criminal Law of the People's Republic of China.

Chapter VI — Supplementary Provisions

Article 24 — Where the provisions of international treaties on health and quarantine to which the People's Republic of China is a contracting or acceding party are different from the provisions of this Law, the provisions of such international treaties shall prevail, with the exception of the provisions on which the People's Republic of China has declared reservations.

Article 25 — Frontier health and quarantine inspection conducted jointly with a neighboring country by the frontier health and quarantine office of the People's Republic of China and the health and quarantine authority of that neighboring country at the border port shall be carried out in accordance with the agreement concluded between the two countries; in the absence of such an agreement, it shall be carried out in accordance with the relevant provisions of this Law and the implementing regulations.

Article 26 — The administrative department of health under the State Council shall formulate implementing regulations in accordance with this Law and submit them to the State Council for approval before implementation.

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Article 27 — This Law shall enter into force on May 1, 1987. The Frontier Health and Quarantine Regulations of the People's Republic of China promulgated on December 23, 1957 shall be repealed simultaneously.

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