

National Defense Transportation Law of the PRC

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Unofficial English translation prepared for reference only. The official Chinese text prevails.

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of strengthening national defense transportation, supporting the needs of national defense and military operations, and ensuring the smooth implementation of national defense transportation during wartime or under special circumstances.

Article 2 — National defense transportation means the transportation activities carried out to meet the needs of national defense, including the construction and management of transportation infrastructure, the organization and implementation of transportation, and the provision of transportation support.

Article 3 — The State shall implement a policy of combining peacetime with wartime, and integrating military and civilian needs in national defense transportation. The construction of national defense transportation shall be included in the national economic and social development plan.

Article 4 — All organizations and citizens shall support national defense transportation work in accordance with the law. The State shall protect the lawful rights and interests of organizations and citizens supporting

national defense transportation.

Chapter II — Functions of Transport Authorities

Article 8 — The national defense transportation authorities under the State Council and the Central Military Commission shall be responsible for the national defense transportation work throughout the country. Local national defense transportation authorities at or above the county level shall be responsible for the national defense transportation work within their respective administrative regions.

Article 9 — Departments of transportation, railways, civil aviation, postal services, and communications shall, in accordance with their respective functions and duties, be responsible for the national defense transportation work within their respective sectors.

Chapter III — Preparation for Transport

Article 15 — The State shall establish a national defense transportation reserve system to ensure the needs of national defense transportation during wartime and under special circumstances. The construction of transportation infrastructure shall implement national defense requirements.

Article 16 — The construction of railways, highways, ports, airports, and other transportation infrastructure shall include necessary national defense transportation functions. Transportation vehicles and equipment may be requisitioned for national defense transportation needs.

Article 19 — Transportation enterprises and public institutions shall support national defense transportation work. Professional national defense transportation support teams may be organized within transportation enterprises and public institutions.

Chapter IV — Implementation of Transport

Article 25 — During wartime or under special circumstances, the State may requisition transportation vehicles, equipment, and facilities from organizations and individuals for national defense transportation. Organizations and individuals whose property is requisitioned shall receive appropriate compensation.

Article 26 — During wartime or under special circumstances, the State may exercise unified command and dispatch of transportation resources. Transportation enterprises and public institutions shall prioritize the completion of national defense transportation tasks.

Chapter V — Legal Liability

Article 31 — Where a person refuses or obstructs the lawful performance of national defense transportation duties, sanctions shall be imposed in accordance with the law. Where a crime is constituted, criminal liability shall be pursued.

Article 32 — Where a national defense transportation functionary abuses his or her power, neglects his or her duties, or engages in malpractices for personal gain, sanctions shall be imposed. Where a crime is constituted, criminal liability shall be pursued.

Chapter VI — Supplementary Provisions

Article 38 — This Law shall come into force on the date of its promulgation.

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