

Regulations on the Safety Administration of Civil Explosives of the PRC

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Chapter I — General Provisions

Article 1 — These Regulations are formulated for the purposes of strengthening the safety administration of civil explosives, preventing explosion accidents, and safeguarding the safety of people's lives and property and the public security.

Article 2 — The production, sale, purchase, transport, blasting operations, and storage of civil explosives within the territory of the People's Republic of China shall comply with these Regulations. The term "civil explosives" means all types of civil explosives, detonators, fuses, and other initiating explosive devices and apparatus used for non-military purposes.

Article 3 — The administrative departments of industry and information technology shall be responsible for the safety administration of the production and sale of civil explosives. The public security organs shall be responsible for the safety administration of the transport, blasting operations, and storage of civil explosives. The administrative departments of work safety supervision shall be responsible for the comprehensive supervision and administration of the safety of civil explosives.

Chapter II — Production

Article 4 — The establishment of an enterprise producing civil explosives shall meet the conditions prescribed by the State and shall obtain a license for the production of civil explosives. An enterprise producing civil explosives shall carry out production activities in accordance with the approved variety and scale of production and shall not produce civil explosives beyond the scope of the license.

Article 5 — An enterprise producing civil explosives shall strictly comply with the safety technical specifications for the production of civil explosives and shall establish a sound safety production responsibility system. Employees of an enterprise producing civil explosives shall receive safety education and training before taking up their posts.

Article 6 — An enterprise producing civil explosives shall inspect the quality of its products, and unqualified products shall not leave the factory. A civil explosives product shall be accompanied by a certificate of conformity and a safety operation manual, and the product and its packaging shall be marked with the product name, specification, and special safety signs in accordance with the provisions of the State.

Chapter III — Sale and Purchase

Article 7 — An enterprise applying to engage in the sale of civil explosives shall meet the conditions prescribed by the State and shall obtain a license for the sale of civil explosives. A civil explosives sales enterprise shall carry out sales activities in accordance with the approved variety and scope of sale and shall not sell civil explosives beyond the scope of the license.

Article 8 — A civil explosives user shall apply to the public security organ for a Permit for the Purchase of Civil Explosives, specifying the variety, quantity, and purpose of the civil explosives to be purchased. A civil explosives user shall purchase civil explosives from a civil explosives production or sales enterprise with a valid license.

Article 9 — A civil explosives sales enterprise shall, when selling civil explosives, check the Permit for the Purchase of Civil Explosives and the identity document of the person handling the purchase, and shall not sell civil explosives to a unit that does not hold a permit.

Chapter IV — Transport

Article 10 — The transport of civil explosives shall be subject to the approval of the public security organ. The consignor of civil explosives shall apply to the public security organ at the place of destination for a Permit for the Transport of Civil Explosives, specifying the variety, quantity, route of transport, and means of transport.

Article 11 — The transport of civil explosives shall be carried out by a dedicated person, and the vehicle used shall conform to the relevant national standards on the transport of dangerous goods. Civil explosives shall not be transported on the same vehicle as other goods and shall not be carried on passenger transport vehicles.

Article 12 — During the transport of civil explosives, the vehicle shall travel along the approved route and shall not stop or stay at will. In the event of an emergency, emergency measures shall be taken and immediately reported to the local public security organ.

Chapter V — Blasting Operations

Article 13 — A unit applying to engage in blasting operations shall meet the conditions prescribed by the State and shall obtain a Permit for Blasting Operations. Blasting operations shall be carried out by blasting operators with valid qualification certificates and in accordance with the blasting operation plan approved by the public security organ.

Article 14 — A blasting operation plan shall be formulated, specifying the location, time, scale, method, and safety measures of the blasting operation. The blasting operation plan shall be examined and approved by the public security organ before implementation.

Article 15 — Civil explosives remaining after a blasting operation shall be promptly returned to the storage facility and shall not be stored or destroyed without authorization.

Chapter VI — Storage

Article 16 — Civil explosives shall be stored in special-purpose warehouses. The establishment of a civil explosives warehouse shall meet the relevant national standards and specifications for the safety of civil explosives and shall be subject to the examination and acceptance of the relevant departments.

Article 17 — Civil explosives shall be stored separately according to their nature and types, and shall not be mixed or stored beyond the approved capacity. The storage of civil explosives shall be managed by a dedicated person, and strict procedures for entry, exit, inspection, registration, and handover shall be implemented.

Chapter VII — Legal Liability

Article 18 — Where an entity produces, sells, purchases, transports, uses, or stores civil explosives without authorization in violation of these Regulations, the relevant competent department shall order it to cease the illegal act and impose a fine. Where serious consequences are caused, the entity shall be held liable in accordance with the law and the relevant licenses shall be revoked.

Article 19 — Where a civil explosives enterprise violates the provisions on safety production, the relevant competent department shall order it to make corrections and may impose a fine. Where the circumstances are serious, the relevant licenses shall be revoked.

Chapter VIII — Supplementary Provisions

Article 20 — The State Council shall be responsible for the interpretation of these Regulations.

Article 21 — These Regulations shall take effect as of September 1, 2006.

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