# Special Equipment Safety Law of the PRC

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Effective: January 1, 2014

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## Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of strengthening the safety supervision of special equipment, preventing and reducing accidents involving special equipment, safeguarding the safety of life and property of the people, and promoting economic and social development.

Article 2 — Special equipment as referred to in this Law means boilers, pressure vessels (including gas cylinders), pressure pipelines, elevators, lifting machinery, passenger ropeways, large-scale amusement rides, and dedicated motor vehicles within factory premises (sites), the use of which poses a relatively high degree of danger to the safety of life and property.

Article 3 — The production (including design, manufacture, installation, renovation, and repair), operation, use, inspection, and testing of special equipment shall be governed by this Law. The safety supervision and administration of special equipment shall be subject to the principles of safety first, prevention-oriented, energy conservation and environmental protection, and comprehensive management.

## Chapter II — Production and Operation

Article 4 — The State shall implement a licensing system for the production of special equipment in accordance with the categories and varieties of special equipment. The specific licensing items and conditions shall be prescribed by the department responsible for the safety supervision and administration of



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special equipment under the State Council.

Article 5 — Special equipment production entities shall ensure that the special equipment they produce meets the safety technical specifications and relevant standards, and they shall be responsible for the safety performance of the special equipment they produce.

Article 6 — The installation, renovation, and major repair of special equipment shall be carried out by entities that have obtained the corresponding licenses. Upon completion of construction, the construction entity shall submit the relevant technical data and documents to the special equipment user entity.

Article 7 — Special equipment sales entities shall establish and implement a system for the inspection, acceptance, and sales of special equipment, and shall verify the licensing certificate of the special equipment manufacturer and the type test certificate of the special equipment.

## Chapter III — Inspection and Testing

Article 8 — Special equipment user entities shall, within 30 days from the date on which the special equipment is put into use, register the equipment with the department responsible for the safety supervision and administration of special equipment. The registration mark shall be placed on or attached to a prominent position of the special equipment.

Article 9 — Special equipment user entities shall establish a safety management system for special equipment and a post safety responsibility system, shall set up safety management bodies or employ full-time or part-time safety management personnel, and shall establish complete safety and technical files for special equipment.

Article 10 — Special equipment user entities shall conduct regular inspections and daily maintenance of the special equipment in use, and shall make records. They shall conduct comprehensive inspections of the special equipment at least once a year and make records.

Article 11 — Special equipment shall be subject to supervision and inspection by special equipment inspection and testing institutions before it is put into use, or shall be subject to regular inspection in accordance with the requirements of safety technical specifications during the period of use. Special equipment that has not been inspected or has failed the inspection shall not be used.

Article 12 — Special equipment operators and relevant management personnel shall pass the assessment conducted by the department responsible for the safety supervision and administration of special equipment, obtain the qualification certificate for special equipment operators, and may then engage in the corresponding operations or management work.

## Chapter IV — Legal Liability

Article 13 — Where special equipment is produced, sold, or used without a license in violation of the provisions of this Law, the department responsible for the safety supervision and administration of special equipment shall order the violator to cease the illegal activities and impose a fine of not less than 100,000 yuan but not more than 500,000 yuan. Where there are illegal proceeds, such proceeds shall be confiscated.

Article 14 — Where a special equipment user entity commits any of the following acts, the department responsible for the safety supervision and administration of special equipment shall order it to make rectification within a prescribed time limit. Where rectification is not made within the prescribed time limit, a fine of not less than 10,000 yuan but not more than 100,000 yuan shall be imposed:

(1) using special equipment that has not been registered, or failing to place the registration mark in a prominent position;

(2) failing to establish safety and technical files for special equipment;



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(3) failing to conduct regular inspections and daily maintenance of special equipment;

(4) failing to submit special equipment for regular inspection; or

(5) employing operators without valid qualification certificates.

Article 15 — Where a special equipment accident occurs, the relevant entity and its responsible persons shall be subject to administrative penalties in accordance with the law. Where the circumstances are serious enough to constitute a crime, criminal liability shall be pursued in accordance with the law.

## Chapter V — Supplementary Provisions

Article 16 — The specific measures for the safety supervision and administration of special equipment shall be formulated by the department responsible for the safety supervision and administration of special equipment under the State Council in accordance with this Law.

Article 17 — This Law shall become effective as of January 1, 2014.

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