

Order of the President of the People's Republic of China

No.60

The Electric Power Law of the People's Republic of China, adopted at the 17th Meeting of the Standing Committee of the Eighth National People's Congress on December 28, 1995, is promulgated now, and shall enter into force as of April 1, 1996.

President of the People's Republic of China: Jiang Zemin
December 28, 1995

Electric Power Law of the People's Republic of China

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Chapter I General Provisions

Article 1 This Law is formulated for the purposes of guaranteeing and promoting the development of the electric power industry, safeguarding the legitimate rights and interests of investors, operators and users of electric power and guaranteeing the safe operation of electric power.

Article 2 This Law applies to the construction, production, supply, and utilization in relation to electric power within the territory of the People's Republic of China.

Article 3 The electric power industry shall satisfy the needs of the national economy and social development, and shall develop slightly ahead of the actual needs. The state encourages and guides economic organizations or individuals from home or abroad to invest according to law in the development of electric sources and the establishment of power-producing enterprises.

The investment in the electric power industry shall be in conformity to the principle of "whoever invests will benefit therefrom".

Article 4 Electric facilities shall be under the protection of the state.

Any unit or person shall be forbidden to endanger the electric facilities or illegally appropriate or use electric energy.

Article 5 The construction, production, supply, and utilization in relation to electric power shall abide by the principles of protecting the environment according to law, adopting new technology, decreasing the discharge of harmful substances, and preventing pollution and other public hazards.

The state encourages and supports the use of renewable and clean energy resources for electricity generation.

Article 6 The administrative department of electric power under the State Council shall be responsible for the supervision and control of the electric power industry in the whole country. The departments concerned under the State Council shall be responsible for the supervision and control of the electric power industry within their own limits of authorities.

The competent comprehensive administrative department of economy under the local people's government at county level or above is the administrative department of electric power within its

own administrative region, and shall be responsible for the supervision and control of the electric power industry. The departments concerned under the local people's government at county level or above shall be responsible for the supervision and control of electric power industry within their own limits of authorities.

Article 7 Enterprises engaged in the electric power construction, electric power production or electric network operation shall operate independently and be responsible for their own profits and losses according to law, and shall subject themselves to the supervision of the administrative departments of electric power.

Article 8 The state assists and supports minority nationality regions, remote border areas, and poverty-stricken areas to develop their electric power industries.

Article 9 The state encourages the adoption of advanced science and technology and management methods in the construction, production, supply, and utilization in relation to electric power, and shall give awards to those units and persons that achieve remarkable successes in such respects as research, development, and adoption of advanced science and technology and management methods.

Chapter II Construction of Electric Power

Article 10 The planning for electric power development shall be drawn up according to the requirements of the national economy and social development, and shall be incorporated into the national economic and social development plan.

The planning for electric power development shall reflect the principles of rational use of energy resources, coordinated development of electric sources and electric networks, improvement of economic results, and being conducive to environmental protection.

Article 11 The planning for the construction and rebuilding of urban electric networks shall be incorporated into the overall urban planning. People's governments of cities shall, in accordance with the planning, arrange the land for current transformation facilities, transmission line corridors, and electric cable channels.

No unit or person may illegally occupy the land for current transformation facilities, transmission line corridors, or electric cable channels.

Article 12 The state supports and promotes electric power construction by formulating relevant policies.

Local people's governments shall, in accordance with the planning for electric power development and in the light of their local conditions, take various measures to develop electric sources and promote electric power construction.

Article 13 Investors in the electric power shall enjoy statutory rights and interests on electric power produced from their investment. Where the electric power thus produced is hooked up with the electric network, the investor shall have the priority in utilization; where a self-supply power plant is not hooked up with the electric network, the investor shall have the authority over its control and use on his own.

Article 14 An electric power construction project shall be in conformity to the planning for electric power development as well as the state policy on the electric power industry.

No electric equipment or technology declared expressly by the state to be eliminated may be used for any electric power construction project.

Article 15 Such auxiliary projects for electric networks as transmission and transformation projects, automatic dispatch and communication projects, as well as environmental protection projects shall be designed, constructed, checked and accepted, and put into operation together with the electricity-generating projects.

Article 16 The use of land for electric power construction projects shall be handled in accordance with relevant laws and administrative regulations. Where the land is requisitioned according to law, land compensation and settlement subsidies shall be paid therefor according to law, and the residents concerned shall be well relocated and resettled.

Electric power construction shall be in conformity to the principles of giving practical protection to cultivated land and economizing on land.

Local people's governments shall give support and assistance to the electric power industry in

using land and relocating the residents concerned according to law.

Article 17 Local people's governments shall give support to electric power enterprises in prospecting water sources, drawing and using water according to law for the electricity-generating projects. Electric power enterprises shall economize on water.

Chapter III Production of Electric Power and Management of Power Networks

Article 18 The production of electric power and the operation of electric networks shall be in conformity to the principles of safety, high quality, and economy.

The operation of electric networks shall be maintained in a continuous and stable way, and shall guarantee the reliability of electricity supply.

Article 19 Electric power enterprises shall strengthen the management of safe production, adhere to the policy of safety first and prevention foremost, and institute and amplify the responsibility system of safe production.

Electric power enterprises shall regularly examine and maintain their electric facilities in order to guarantee their normal operation.

Article 20 Enterprises engaged in the supply or transportation of electricity-generating fuels and power-producing enterprises shall supply, transport, and unload and take delivery of such fuels in accordance with the relevant regulations of the State Council or as agreed upon in their contracts.

Article 21 Centralized dispatch and level-by-level management shall be implemented in the operation of electric networks. No unit or person may illegally intervene in the dispatch of electric networks.

Article 22 The state encourages the hookup between power-producing enterprises and electric networks and among electric networks. Where a power-producing enterprise qualified as an independent legal person requests for the hookup of electric power it has produced with an electric network, the electric network operating enterprise shall accept it.

The hookup shall be in conformity to the national or industrial standards of electric power.

Both parties to the hookup shall sign a hookup agreement to stipulate for the rights and obligations of each party under the principles of centralized dispatch, level-by-level management, equality, mutual benefit, and achieving agreement through consultation; where the two parties fail to reach such an agreement, the administrative department of electric power at provincial level or above shall coordinate and make a decision.

Article 23 The measures for the dispatch of electric networks shall be formulated by the State Council in accordance with the provisions in this Law.

Chapter IV Supply and Utilization of Electric Power

Article 24 The state carries out the principle of safety, economy, and planning in the supply and utilization of electric power.

The measures for the supply and utilization of electric power shall be formulated by the State Council in accordance with the provisions in this Law.

Article 25 Power-supplying enterprises shall supply electricity to the users within their approved service areas.

The division of electricity service areas shall take into account such factors as the structure of electric networks and the rationality of the electricity supply. Only one power-supplying institution may be established in each of electricity service areas.

An application for the establishment or alteration of an electricity service area within a province, autonomous region or municipality directly under the central government shall be made by the power-supplying enterprise, and be examined by the administrative department of electric power under the people's government of the province, autonomous region, or municipality directly under the central government in consultation with relevant departments concerned at the same level. Upon examination and approval, the said administrative department of electric power shall issue an Electricity Supply Permit thereto. The establishment or alteration of an electricity service area involving two or more provinces, autonomous regions and municipalities directly under the central government shall be examined by the administrative department of electric power under the State

Council, which, upon examination and approval, shall issue an Electricity Supply Permit thereto. The power-supplying institution shall, on the strength of the Electricity Supply Permit, apply to the administrative department for industry and commerce for the business licence before it may start operation.

Article 26 The power-supplying institution of an electricity service area shall be obligated to supply electricity, according to the regulations of the state, to the users within its service area, and may not, in violation of the regulations of the state, refuse to supply electricity to any unit or person applying for electricity within its service area.

Applications for new use, temporary use, increases in electricity capacity, and alteration and termination of electricity use shall be required to go through stipulated procedures.

Power-supplying enterprises shall, at their places of business, promulgate procedures, rules and charge standards for electricity use, and shall provide the users with any other necessary information.

Article 27 The supplier and user of electric power shall sign a contract for the supply and use of electricity to stipulate for the rights and obligations of each party under the principles of equality, voluntariness and achieving agreement through consultation and in accordance with the measures for the supply and use of electricity formulated by the State Council.

Article 28 Power-supplying enterprises shall guarantee that the quality of electricity supplied to the users is in conformity with the national standards. Problems of electricity quality caused by public facilities of electricity supply shall be solved promptly.

If the user has special requirement of the electricity quality, the power-supplying enterprise shall, according to its necessity and the possibility of the electric network, supply electricity correspondingly.

Article 29 Power-supplying enterprises shall supply electricity continuously without shut-off if the electricity generating and supply systems function normally. In the event of shut-off due to such reasons as checking and repairing the electricity supply facilities, restricting consumption of electricity according to law, and illegal use of electricity by the user, the power-supplying enterprise shall notify users in advance according to relevant regulations of the state.

Any user having disagreements with a power shut-off by a power-supplying enterprise may file a complaint to the administrative department of electric power; the administrative department of electric power accepting the filing of a complaint shall handle it according to law.

Article 30 In the event of emergency electricity supplies for rescue and relief work, the power-supplying enterprise shall arrange the electricity supplies with all possible speed. The expenses for electricity supply engineering and the electricity fees payable shall be handled according to the relevant regulations of the state.

Article 31 Any user shall install metering apparatus on electricity use. The quantity of electricity consumed by the user shall be calculated according to the records of the apparatus certified by the metrological inspection agency according to law.

The designing, construction, installation, and operation management of electricity receiving apparatus of the user shall be in conformity with national or industrial standards of electric power.

Article 32 Any user shall be forbidden to endanger the safety or disturb the order of electricity supply and consumption.

Power-supplying enterprises shall have the authority to stop anyone from endangering the safety or disturbing the order of electricity supply and consumption.

Article 33 Power-supplying enterprises shall calculate and collect the electricity fees from users according to the electricity price approved by the state and the records of the electricity metering apparatus.

Safety inspectors, meter-readers, and fee collectors of power-supplying enterprises shall present proper identifications when entering into the houses of users to conduct safety inspections, read the meters, or collect fees.

Users shall pay electricity fees on time according to the electricity price approved by the state and the records of electricity metering apparatus, and shall provide convenience to the safety inspectors, meter-readers, and fee collectors of power-supplying enterprises in fulfilling their duties according to law.

Article 34 Power-supplying enterprises and users shall observe the relevant regulations of the state, and adopt effective measures to achieve the safe, economical, and planned use of electricity.

Chapter V Electricity Price and Electricity Fee

Article 35 The "electricity price" mentioned in this Law refers to the price of electricity hooked up with the electric network by the power-producing enterprises, the inter-supply electricity price among electric networks, and the sale price of electricity of the electric network.

The electricity price shall be based on the principle of unified policy and unified pricing, and be managed at different levels.

Article 36 The formulation of electricity price shall be based on the principles of reasonable compensation for the costs, reasonably setting profits, counting taxes according to law, fairly shared burdens, and promotion of electric power construction.

Article 37 The price of electricity hooked up with the electric network shall follow the principle of equal price and equal quality for electricity on the same electric network. The specific measures and implementation procedures shall be provided by the State Council.

For those power-producing enterprises with special situations, the State Council shall provide specific measures for the formulation of a separate price of electricity for hookup with the electric network.

Article 38 The price of electricity hooked up with the electric network involving two or more provinces, autonomous regions, or municipalities directly under the central government, as well as at provincial level, shall be proposed through consultation by the power-producing enterprise and the electric network operating enterprise, and be reported to the administrative department of price under the State Council for approval.

The price of electricity hooked up with the independent electric network shall be proposed through consultation by the power-producing enterprise and the electric network operating enterprise, and be reported to the authoritative price administrative department for approval.

The price of electricity produced by locally funded power-producing enterprises, if forming an independent electric network within the regions of the province or being generated for self-use, may be controlled by the people's government of the province, autonomous region or municipality directly under the central government.

Article 39 The price of inter-supply electricity between the electric network involving two or more provinces, autonomous regions, or municipalities directly under the central government and the independent electric network, or between the electric network at provincial level and the independent electric network, shall be proposed through consultation by the two parties, and be reported to the administrative department of price under the State Council or its authorized department for approval.

The price of inter-supply electricity among independent electric networks shall be proposed through consultation by the two parties and be reported to the authoritative price administrative department for approval.

Article 40 The sale price of electricity of electric networks involving two or more provinces, autonomous regions, or municipalities directly under the central government as well as at provincial level, shall be proposed by the electric network operating enterprise and be reported to the administrative department of price under the State Council or its authorized department for approval.

The sale price of electricity of the independent power networks shall be proposed by the electric network operating enterprise and be reported to the authoritative price administrative department for approval.

Article 41 The state adopts two systems of electricity price according to the classifications of electricity utilization and divisions of the time period that the electricity is in use. The classification standard and the method for division of the time period shall be stipulated by the State Council.

Within the same electric network, the standard for electricity price shall be the same to users of electricity at the same voltage level and in the same classification of utilization.

Article 42 The charge standard for capacity expansion of the users shall be stipulated by the administrative department of price in consultation with the administrative department of electric

power under the State Council.

Article 43 No unit may set the electricity price beyond its authority over electricity price control. No power-supplying enterprise may change the electricity price without authorization.

Article 44 Any unit or person is forbidden to levy surcharges in addition to the electricity price; however, if otherwise provided in laws and administrative regulations, such provisions shall apply.

For surcharges in addition to the electricity price on electricity produced by locally funded power enterprises, the people's governments of the provinces, autonomous regions, or municipalities directly under the central government shall formulate measures therefor in accordance with the relevant regulations of the State Council.

Any power-supplying enterprise is forbidden to collect surcharges in addition to the electricity price on other's behalf.

Article 45 The State Council shall formulate measures for control of the electricity price in accordance with the provisions of this Law.

Chapter VI Rural Electric Power Construction and Agricultural Use of Electricity

Article 46 The people's governments of the provinces, autonomous regions, and municipalities directly under the central government shall formulate the planning for the development of rural electrification, and shall incorporate such planning into the planning for their respective local electric power development and the planning for the national economic and social development.

Article 47 The state adopts preferential policies for rural electrification, and provides special support to rural electric power construction in minority nationality regions, remote border areas, and poverty-stricken areas.

Article 48 The state advocates the development of hydroelectric resources in rural areas and the construction of medium- and small-sized hydropower stations to promote rural electrification.

The state encourages and supports the rural electric power source construction through the utilization of solar energy, wind energy, geothermal energy, biomass energy and other energy resources to increase the rural electricity supply.

Article 49 The local people's governments at county level or above and their competent comprehensive economic departments, when distributing electricity quotas, shall guarantee a proper proportion of electricity for agriculture and rural uses, and give priority to the electricity for rural floodwater drainage, combat of drought and seasonal agricultural production.

Electric power enterprises shall comply with the arrangements of electricity as set forth in the preceding paragraph, and may not reduce the quotas of electricity for agriculture and rural uses.

Article 50 The price of electricity for agriculture shall be set under the principles of "breaking even" and "marginal profit".

The price of electricity for peasants' household shall be gradually unified with that for the local urban residents household.

Article 51 The State Council shall, in accordance with the provisions in this Law, formulate measures for the management of electricity for agriculture and rural uses.

Chapter VII Protection of Electric Facilities

Article 52 No unit or person may damage electricity-generating, current transformation and electric power line facilities, or other relevant auxiliary facilities.

If any explosion or other operation that might endanger the safety of electric facilities is to be conducted in the surrounding area of electric facilities, approval shall be obtained and measures for ensuring the safety of electric facilities shall be taken in accordance with the regulations of the State Council concerning the protection of electric facilities before such an operation may be started.

Article 53 The administrative departments of electric power shall, in accordance with the regulations of the State Council concerning the protection of electric facilities, set up signs in the protective zones of electric facilities.

Within the protective zones of electric facilities demarcated according to law, no unit or person may erect buildings or other constructions, plant vegetation, or stockpile articles and objects, which

might endanger the safety of electric facilities.

Vegetation already planted before the demarcation of the protective zone of electric facilities according to law shall be trimmed or chopped if such vegetation imperils the safety of electric facilities.

Article 54 Any unit or person that needs to carry out an operation within the protective zone of electric facilities demarcated according to law, which might endanger the safety of electric facilities, shall obtain approval from the administrative department of electric power and shall take safety measures before such an operation may be started.

Article 55 If the construction, reconstruction or expansion of electric facilities interferes with that of public service projects, afforestation projects, or other projects, the units involved shall negotiate according to relevant regulations of the state and may start the construction only after an agreement is reached through negotiation.

Chapter VIII Supervision and Inspection

Article 56 The administrative departments of electric power shall, according to law, supervise and inspect the implementation of electric power laws and administrative regulations by electric power enterprises and users.

Article 57 The administrative departments of electric power may have electric power supervisors and inspectors if required in the work.

Electric power supervisors and inspectors shall be fair and honest, enforce laws impartially, be familiar with electric power laws and administrative regulations, and be versed in related professional electrical power skills.

Article 58 When carrying out supervision and inspection, electric power supervisors and inspectors shall have the rights to ascertain the implementation of electric power laws and administrative regulations by electric power enterprises and users, to consult relevant materials, and to enter into the sites to carry out inspection.

Electric power enterprises and users shall provide all convenience for electric power supervisors and inspectors who are carrying out their tasks of supervision and inspection.

When carrying out supervision and inspection, electric power supervisors and inspectors shall produce proper identification.

Chapter IX Legal Responsibility

Article 59 The electric power enterprise or user that breaks a contract for the supply and use of electricity and thereby causes a loss to the other party shall bear compensation liability according to law.

An electric power enterprise which, in violation of the provisions of Article 28 or the first paragraph of Article 29 of this Law, fails to maintain the quality of electricity or interrupts the electricity supply without prior notice and thereby causes a loss to the user, shall bear compensation liability according to law.

Article 60 An electric power enterprise which causes damage to the user or a third party due to an electric power operation accident shall bear compensation liability according to law.

The electric power enterprise is exempt from compensation liability if an electric power operation accident is caused by one of the following factors:

- (1) force majeure; or
- (2) fault of a user.

If damage to the electric power enterprise or other users is caused by the fault of a user or a third party, the user or the third party shall bear compensation liability according to law.

Article 61 If anyone, in violation of the provisions of the second paragraph of Article 11 of this Law, illegally occupies the land for current transformation facilities, the transmission line corridor, or the cable channel, the local people's government at county level or above shall order him to make correction within a prescribed time period; if no correction is made within the time period, the obstacles shall be forcefully obliterated.

Article 62 If, in violation of the provisions of Article 14 of this Law, an electric power construction project is not in conformity to the electric power development planning and industrial policy, the administrative department of electric power shall order a stop to the construction of the project.

If, in violation of the provisions of Article 14 of this Law, the electric equipment or technology declared expressly by the state to be eliminated is used for an electric power construction project, the administrative department of electric power shall order a stop to the use of such equipment or technology, confiscate the electric equipment declared expressly by the state to be eliminated, and impose a fine of not more than 50,000 yuan concurrently.

Article 63 If anyone, in violation of the provisions of Article 25 of this Law, engages in electricity supply or changes the electricity service area without permission, the administrative department of electric power shall order him to make correction, confiscate any illegal gain, and may concurrently impose a fine of not more than five times the amount of his illegal gains.

Article 64 If anyone, in violation of the provisions of Article 26 or 29 of this Law, refuses to supply electricity or interrupts electricity supply, the administrative department of electric power shall order him to make correction and issue a warning; if the circumstances are serious, disciplinary sanction shall be imposed upon the involved person in charge and the persons directly responsible.

Article 65 If anyone, in violation of the provisions of Article 32 of this Law, endangers the safety of electricity supply or electricity use, or disturbs the order of electricity supply or electricity use, the administrative department of electric power shall order him to make correction and issue a warning; if the circumstances are serious or in case of refusal to make correction, the administrative department of electric power may suspend the electricity supply and impose a fine of not more than 50,000 yuan concurrently.

Article 66 If anyone, in violation of the provisions of Article 33, 43 or 44 of this Law, fails to calculate and collect the electricity fees from users according to the electricity price approved by the state and the records of the electricity metering apparatus, or sets the electricity price beyond his authority over electricity price control, or levies surcharges in addition to the electricity price, the competent administrative department of price shall issue a warning, order the return of any fee or charge collected illegally, and may concurrently impose a fine of not more than five times the amount of such fee or charge collected illegally; if the circumstances are serious, disciplinary sanction shall be imposed upon the involved person in charge and the persons directly responsible.

Article 67 If anyone, in violation of the provisions of the second paragraph of Article 49 of this Law, reduces the quotas of electricity for agriculture or rural uses, the administrative department of electric power shall order him to make correction; if the circumstances are serious, disciplinary sanction shall be imposed upon the involved person in charge and the persons directly responsible; in case of a loss caused thereby, the offender shall be ordered to make compensation.

Article 68 If anyone, in violation of the provisions of the second paragraph of Article 52 or Article 54 of this Law, carries out an operation in the surrounding area of electric facilities or within the protective zone of electric facilities demarcated according to law, without approval or without taking any safety measure, which endangers the safety of electric facilities, the administrative department of electric power shall order him to stop such operation, to restore to the original state, and to compensate for the loss.

Article 69 If anyone, in violation of the provisions of Article 53 of this Law, erects buildings or other constructions, plants vegetation, or stockpiles articles and objects within the protective zone of electric facilities demarcated according to law, which endanger the safety of electric facilities, the local people's government shall order him to demolish, chop or remove it.

Article 70 Whoever commits any of the following acts and should be given administrative penalty of public security, shall be punished by the public security organ in accordance with the relevant provisions of the regulations on administrative penalty of public security; if a crime has been constituted, criminal liability shall be investigated according to law:

(1) Hindering the electric power construction or the urgent repair of electric facilities, thereby making it impossible for the electric power construction or the urgent repair of electric facilities to be carried out normally;

(2) Disturbing the order of the power-producing enterprise, current transformation station, electricity distribution institution, or power-supplying enterprise, thereby making it impossible for the production, work, or business to be conducted normally;

(3) Beating or openly insulting the electricity inspector, meter reader or fee collector who is carry out his duty; or

(4) Refusing or hindering the electric power supervisor or inspector who is carrying out his duty according to law.

Article 71 If anyone steals electrical energy, the administrative department of electric power shall order him to stop the illegal behavior, to pay the electricity fee, and concurrently impose a fine of not more than five times the amount of the electricity fee payable; if a crime has been constituted, criminal liability shall be investigated according to the provisions of Article 151 or 152 of the Criminal Law.

Article 72 Whoever steals electric facilities or damages electric facilities by any other means, and endangers the public security, shall be investigated for criminal liability according the provisions of Article 109 or 110 of the Criminal Law.

Article 73 Any staff member of the administrative department of electric power who abuses his power, neglects his duty, or commits irregularities for personal gains, shall be investigated for criminal liability according to law if a crime has been constituted; if no crime is constituted, disciplinary sanction shall be imposed according to law.

Article 74 Any staff member or worker of an electric power enterprise who violates rules and regulations, makes a dispatch in violation of the rules, or disobeys a dispatch order, and thereby causes a serious accident, shall be investigated for criminal liability according to the provisions of Article 114 of the Criminal Law.

Any staff member or worker of an electric power enterprise who intentionally delays an urgent repair on electric facilities or an electricity supply for rescue and relief work, and thereby causes serious consequences, shall be investigated for criminal liability according to the provisions of Article 114 of Criminal Law.

The management personnel, electricity supervisor, meter reader, or fee collector of an electric power enterprise who extorts money from the users or uses electricity for personal gains, shall be investigated for criminal liability according to law if a crime has been constituted; if no crime is constituted, disciplinary sanction shall be imposed according to law.

Chapter X Supplementary Provisions

Article 75 This Law shall enter into force on April 1, 1996.

Attachment:

Related Articles in the Criminal Law

Article 109 Whoever sabotages electric power or gas facilities or other inflammable or explosive equipment and thereby endangers public security, if serious consequences have not yet resulted, shall be sentenced to fixed-term imprisonment of not less than three years and not more than ten years.

Article 110 Whoever sabotages a means of transport, transportation facilities, electric power or gas facilities, or inflammable or explosive equipment and thereby causes serious consequences shall be sentenced to fixed-term imprisonment of not less than ten years, life imprisonment or death.

Whoever negligently commits the crime mentioned in the preceding paragraph shall be sentenced to fixed-term imprisonment of not more than seven years or criminal detention.

Article 114 If any staff member or worker of a factory, mine, forestry centre, construction enterprise or other enterprise or institution disobeys management and violates the rules and regulations or forces workers to work in a hazardous way in violation of the rules and thereby causes a serious accident involving injury or death and serious consequences, he shall be sentenced to fixed-term imprisonment of not more than three years or criminal detention; if the circumstances are especially flagrant, he shall be sentenced to fixed-term imprisonment of not less than three years and not more than seven years.

Article 151 Whoever steals, swindles or forcibly seizes a relatively large amount of public or private property shall sentenced to fixed-term imprisonment of not more than five years, criminal detention

or public surveillance.

Article 152 A habitual thief or habitual swindler or anyone who steals, swindles or forcibly seizes a huge amount of public or private property shall be sentenced to fixed-term imprisonment of not less than five years and not more than ten years; if the circumstances are especially serious, he shall be sentenced to fixed-term imprisonment of not less than ten years or life imprisonment, and may concurrently be sentenced to confiscation of property.