

中华人民共和国节约能源法

LAW OF THE PEOPLE'S REPUBLIC OF CHINA ON ENERGY CONSERVATION

第一章 总则

PART ONE: GENERAL PROVISIONS

第一条 为了推动全社会节约能源，提高能源利用效率，保护和改善环境，促进经济社会全面协调可持续发展，制定本法。

Article 1 This Law is formulated with a view to promoting energy conservation by all sectors of the society, increasing energy use efficiency, protecting and improving the environment and boosting all-round, coordinated and sustained economic and social development.

第二条 本法所称能源，是指煤炭、石油、天然气、生物质能和电力、热力以及其他直接或者通过加工、转换而取得有用能的各种资源。

Article 2 For purposes of this Law, the term "energy" shall refer to coal, oil, natural gas, biomass energy and electric power, heat and various other resources from which useful energies can be derived directly or through processing or conversion.

第三条 本法所称节约能源（以下简称节能），是指加强用能管理，采取技术上可行、经济上合理以及环境和社会可以承受的措施，从能源生产到消费的各个环节，降低消耗、减少损失和污染物排放、制止浪费，有效、合理地利用能源。

Article 3 For purposes of this Law, the term "energy conservation" shall mean enhancing management over energy use and adopting technically feasible, economically reasonable and environment and society-acceptable measures, in order to reduce energy consumption, losses and pollutant discharge, curb waste and effectively and reasonably utilize energy in the course of production to consumption.

第四条 节约资源是我国的基本国策。国家实施节约与开发并举、把节约放在首位的能源发展战略。

Article 4 Energy Conservation is a basic policy of China. The State implements an energy strategy of promoting conservation and development concurrently while giving top priority to conservation.

第五条 国务院和县级以上地方各级人民政府应当将节能工作纳入国民经济和社会发展规划、年度计划，并组织编制和实施节能中长期专项规划、年度节能计划。

Article 5 The State Council and the People's Governments at or above county levels shall include energy conservation work into national economic and social development programs and annual plans, and organize the formulation and implementation of medium- and long-term special programs and annual plans for energy conservation.

国务院和县级以上地方各级人民政府每年向本级人民代表大会或者其常务委员会报告节能工作。

The State Council and the People's Governments at or above county levels shall submit a report on energy conservation work to people's congresses or the standing committees thereof at the same level on an annual basis.

第六条 国家实行节能目标责任制和节能考核评价制度，将节能目标完成情况作为对地方人民政府及其负责人考核评价的内容。

Article 6 The State implements a system of accountability for energy conservation targets and a system for energy conservation evaluation whereby the fulfillment of energy conservation targets is taken as one part of the evaluation of local people's governments and their responsible persons.

省、自治区、直辖市人民政府每年向国务院报告节能目标责任的履行情况。

The people's governments of provinces, autonomous regions and municipalities shall submit a report on the performance of their responsibilities for energy conservation targets to the State Council on an annual basis.

第七条 国家实行有利于节能和环境保护的产业政策，限制发展高耗能、高污染行业，发展节能环保型产业。

Article 7 The State implements an industrial policy conducive to energy conservation and environmental protection, restricts the development of industries of high energy consumption and high pollution, and develops energy-saving and environmentally-friendly industries.

国务院和省、自治区、直辖市人民政府应当加强节能工作，合理调整产业结构、企业结构、产品结构和能源消费结构，推动企业降低单位产值能耗和单位产品能耗，淘汰落后的生产能力，改进能源的开发、加工、转换、输送、储存和供应，提高能源利用效率。

The State Council and the people's governments of provinces, autonomous regions and municipalities shall strengthen their energy conservation work, rationally adjust industrial structures, enterprise structures, product structures and energy consumption structures, prompting enterprises to reduce energy consumption for unit output and unit product, eliminate outdated production capacities, improve the development, processing, conversion, transmission, storage and supply of energies, and improve energy utilization efficiency.

国家鼓励、支持开发和利用新能源、可再生能源。

The State encourages and supports the development and utilization of new energies and renewable energies.

第八条 国家鼓励、支持节能科学技术的研究、开发、示范和推广，促进节能技术创新与进步。

Article 8 The State encourages and supports the research, development, demonstration and popularization of sciences and technologies for energy conservation in an effort to promote the innovation and progress of energy conservation technologies.

国家开展节能宣传和教育，将节能知识纳入国民教育和培训体系，普及节能科学知识，增强全民的节能意识，提倡节约型的消费方式。

The State carries out publicity and education on energy conservation, incorporates knowledge concerning energy conservation into national education and training system, popularizes scientific knowledge of energy conservation, enhances national awareness for energy conservation and promotes energy-saving consumption styles.

第九条 任何单位和个人都应当依法履行节能义务，有权检举浪费能源的行为。

Article 9 All entities and individuals shall perform their obligations for energy conservation according to law and shall have the right to report on acts of energy waste.

新闻媒体应当宣传节能法律、法规和政策，发挥舆论监督作用。

The press media shall publicize laws, regulations and policies for energy conservation to give full play to the role of the media for supervision.

第十条 国务院管理节能工作的部门主管全国的节能监督管理工作。国务院有关部门在各自的职责范围内负责节能监督管理工作，并接受国务院管理节能工作的部门的指导。

Article 10 The department of the State Council in charge of energy conservation work shall be responsible for the supervision and administration of the country's energy conservation work. Relevant departments of the State Council shall be responsible for the supervision and administration of energy conservation within the scope of their respective responsibilities, and shall be subject to guidance of the department of the State Council in charge of energy conservation work.

县级以上地方各级人民政府管理节能工作的部门负责本行政区域内的节能监督管理工作。县级以上地方各级人民政府有关部门在各自的职责范围内负责节能监督管理工作，并接受同级管理节能工作的部门的指导。

The departments of local people's governments at various levels at or above the county level in charge of energy conservation work shall be responsible for the supervision and administration of energy conservation within their respective administrative regions. Relevant departments of the people's governments at various levels at or above the county level shall be responsible for the supervision and administration of energy conservation within the scope of their respective responsibilities and shall be subject to guidance of the department at the same level in charge of energy conservation work.

第二章 节能管理

PART TWO: ENERGY CONSERVATION ADMINISTRATION

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第十一条 国务院和县级以上地方各级人民政府应当加强对节能工作的领导，部署、协调、监督、检查、推动节能工作。

Article 11 The State Council and local people's governments at or above the county level shall strengthen leadership, arrangement, coordination, supervision, inspection and promotion of energy conservation work.

第十二条 县级以上人民政府管理节能工作的部门和有关部门应当在各自的职责范围内，加强对节能法律、法规和节能标准执行情况的监督检查，依法查处违法用能行为。

Article 12 Departments in charge of energy conservation work and relevant departments of the people's governments at or above the county level shall, in the scope of their respective responsibilities, strengthen supervision and inspection of the implementation of laws, regulations and standards with respect to energy conservation and shall investigate and penalize illegal acts of energy use according to law.

履行节能监督管理职责不得向监督管理对象收取费用。

In performing responsibilities for supervision and administration of energy conservation, any department may not charge fees from those under supervision and administration.

第十三条 国务院标准化主管部门和国务院有关部门依法组织制定并适时修订有关节能的国家标准、行业标准，建立健全节能标准体系。

Article 13 The department of the State Council in charge of standardization and relevant departments of the State Council shall organize the formulation of national and industrial standards concerning energy conservation and amendment thereto from time to time, and establish a sound standardization system for energy conservation.

国务院标准化主管部门会同国务院管理节能工作的部门和国务院有关部门制定强制性的用能产品、设备能源效率标准和生产过程中耗能高的产品的单位产品能耗限额标准。

The department of the State Council in charge of standardization shall, jointly with the department of the State Council in charge of energy conservation work and relevant departments of the State Council, formulate mandatory energy efficiency standards for energy-consuming products and equipment and energy consumption limit standards for unit product of high energy consumption in the course of production.

国家鼓励企业制定严于国家标准、行业标准的企业节能标准。

The State encourages enterprises to formulate enterprise standards for energy conservation that are stricter than national and industrial standards.

省、自治区、直辖市制定严于强制性国家标准、行业标准的地方节能标准，由省、自治区、直辖市人民政府报经国务院批准；本法另有规定的除外。

If any province, autonomous region or municipality formulates local standards for energy conservation stricter than mandatory national and industrial standards, the

people's government of such province, autonomous region or municipality shall submit the same to the State Council for approval, except for otherwise specified in this Law.

第十四条 建筑节能的国家标准、行业标准由国务院建设主管部门组织制定，并依照法定程序发布。

Article 14 National and industrial standards for energy conservation in the construction sector shall be formulated under organization by the department of the State Council in charge of construction and shall be promulgated according to mandatory procedures.

省、自治区、直辖市人民政府建设主管部门可以根据本地实际情况，制定严于国家标准或者行业标准的地方建筑节能标准，并报国务院标准化主管部门和国务院建设主管部门备案。

The department of the people's governments of provinces, autonomous regions and municipalities in charge of construction may, in light of local actual situations, formulate local standards for energy conservation in the construction sector stricter than national or industrial standards, and submit the same to the department of the State Council in charge of standardization and the department of the State Council in charge of construction for record.

第十五条 国家实行固定资产投资项目节能评估和审查制度。不符合强制性节能标准的项目，依法负责项目审批或者核准的机关不得批准或者核准建设；建设单位不得开工建设；已经建成的，不得投入生产、使用。具体办法由国务院管理节能工作的部门会同国务院有关部门制定。

Article 15 The State implements a system for evaluation and examination of energy conservation in fixed asset investment projects. The authorities charged with project examination or approval according to law may not approve the construction of any projects not in conformity of statutory standards for energy conservation. In this case, the construction entities may not commence construction, or if the construction has been completed, it may not be put into operation or use. Specific measures for this process will be formulated by the department of the State Council in charge of energy conservation jointly with relevant departments of the State Council.

第十六条 国家对落后的耗能过高的用能产品、设备和生产工艺实行淘汰制度。淘汰的用能产品、设备、生产工艺的目录和实施办法，由国务院管理节能工作的部门会同国务院有关部门制定并公布。

Article 16 The State implements a system of eliminating the outdated energy-consuming products, equipment and processes of excessively high energy consumption. The catalogue of and measures for implementing the rules on energy-consuming products, equipment and processes so eliminated will be formulated and promulgated by the department of the State Council in charge of energy conservation work and relevant departments of the State Council.

生产过程中耗能高的产品的生产单位，应当执行单位产品能耗限额标准。对超过单位产品能耗限额标准用能的生产单位，由管理节能工作的部门按照国务院规定的权限责令限期治理。

The manufacturers of products of high energy consumption in the course of production shall comply with the standards of energy consumption limits on unit product. The departments in charge of administration of energy conservation work shall, to the extent of authority as specified by the State Council, order those manufacturers that use energy exceeding the standard of energy consumption limit on unit product to make corrections within the specified periods.

对高耗能的特种设备，按照国务院的规定实行节能审查和监管。

With respect to special equipment of high energy consumption, examination and supervision on energy conservation shall be conducted pursuant to regulations of the State Council.

第十七条 禁止生产、进口、销售国家明令淘汰或者不符合强制性能源效率标准的用能产品、设备；禁止使用国家明令淘汰的用能设备、生产工艺。

Article 17 The manufacturing, import or sale of any energy-consuming products and equipment shall be prohibited if they are expressly ordered to be eliminated by the State or they do not comply with the statutory standards for energy efficiency. The use of energy-consuming equipment and processes that are expressly ordered to be eliminated by the State shall be prohibited.

第十八条 国家对家用电器等使用面广、耗能量大的用能产品，实行能源效率标识管理。实行能源效率标识管理的产品目录和实施办法，由国务院管理节能工作的部门会同国务院产品质量监督部门制定并公布。

Article 18 The State exercises energy efficiency labeling management on energy-consuming products that are widely used and consume large amount of energy including household appliances. The catalogue of products under and measures for the implementation of energy efficiency labeling management will be formulated and promulgated by the department of the State in charge of energy conservation work jointly with the product quality supervision department of the State Council.

第十九条 生产者和进口商应当对列入国家能源效率标识管理产品目录的用能产品标注能源效率标识，在产品包装物上或者说明书中予以说明，并按照规定报国务院产品质量监督部门和国务院管理节能工作的部门共同授权的机构备案。

Article 19 Manufacturers and importers shall put energy efficiency labels on the energy-consuming products included in the catalogue of products under State energy efficiency labeling management, and give a description on the product packaging materials or users' guide, and shall file the same with the organization jointly authorized by the product quality supervision department of the State Council and the department of the State Council in charge of energy conservation work.

生产者和进口商应当对其标注的能源效率标识及相关信息的准确性负责。禁止销售应当标注而未标注能源效率标识的产品。

Manufacturers and importers shall be responsible for the accuracy of the energy efficiency labels they have put and relevant information. The production of products that should be labeled but fail to be labeled with energy efficiency marks shall be prohibited.

禁止伪造、冒用能源效率标识或者利用能源效率标识进行虚假宣传。

Counterfeiting or pass-off of energy efficiency marks or utilization of energy efficiency marks for fraudulent publicity shall be prohibited.

第二十条 用能产品的生产者、销售者，可以根据自愿原则，按照国家有关节能产品认证的规定，向经国务院认证认可监督管理部门认可的从事节能产品认证的机构提出节能产品认证申请；经认证合格后，取得节能产品认证证书，可以在用能产品或者其包装物上使用节能产品认证标志。

Article 20 Manufacturers or distributors of energy-consuming products shall, on a free-will basis and pursuant to State rules on energy-consuming product certification, file an application for energy-saving product certification with the organization engaging in energy-saving product certification as accepted by the department of the State Council in charge of certification supervision. Upon certification and acceptance thereof, a certificate for energy-saving product certification shall be issued and energy-saving product certification marks may be labeled on energy-consuming products or their packaging materials.

禁止使用伪造的节能产品认证标志或者冒用节能产品认证标志。

Any use of counterfeited energy-saving product certification marks or pass-off of energy-saving product certification marks shall be prohibited.

第二十一条 县级以上各级人民政府统计部门应当会同同级有关部门，建立健全能源统计制度，完善能源统计指标体系，改进和规范能源统计方法，确保能源统计数据真实、完整。

Article 21 The statistics department of various people's governments at or above the county level shall, jointly with relevant departments at the same level, establish a sound system for energy statistics, perfect the system for energy statistical indicators, improve and standardize energy statistical methods, and ensure the authenticity and completeness of energy statistical figures.

国务院统计部门会同国务院管理节能工作的部门，定期向社会公布各省、自治区、直辖市以及主要耗能行业的能源消费和节能情况等信息。

The statistics department of the State Council shall, jointly with the department of the State Council in charge of energy conservation work, periodically announce to the public the information concerning energy consumption and energy conservation with respect

to various provinces, autonomous regions and municipalities as well as major energy-consuming industries.

第二十二条 国家鼓励节能服务机构的发展，支持节能服务机构开展节能咨询、设计、评估、检测、审计、认证等服务。

Article 22 The State encourages the development of energy-conservation service agencies, and support such services as consulting, design, evaluation, inspection, auditing and certification on energy conservation to be rendered by energy-conservation service agencies.

国家支持节能服务机构开展节能知识宣传和节能技术培训，提供节能信息、节能示范和其他公益性节能服务。

The State supports publicity of energy conservation knowledge and training of energy conservation technologies, provision of information on energy conservation, demonstration of energy conservation and other pro bono services for energy conservation to be rendered by energy conservation service agencies.

第二十三条 国家鼓励行业协会在行业节能规划、节能标准的制定和实施、节能技术推广、能源消费统计、节能宣传培训和信息咨询等方面发挥作用。

Article 23 The State encourages industrial associations to play a role in the formulation and implementation of industrial programs and standards for energy conservation, popularization of energy-conservation technologies, energy consumption statistics, publicity, training and information consulting with respect to energy conservation.

第三章 合理使用与节约能源

PART THREE RATIONAL UTILIZATION AND CONSERVATION OF ENERGY

第一节 一般规定

Section 1 General Provisions

第二十四条 用能单位应当按照合理用能的原则，加强节能管理，制定并实施节能计划和节能技术措施，降低能源消耗。

Article 24 Energy-consuming entities shall, in principle of rational energy utilization, strengthen management over energy conservation, formulate and implement plans and technical measures for energy conservation, and reduce energy consumption.

第二十五条 用能单位应当建立节能目标责任制，对节能工作取得成绩的集体、个人给予奖励。

Article 25 Energy-consuming entities shall establish an accountability system for energy conservation target, and give incentives to those collectives or individuals that have made achievements in energy conservation work.

第二十六条 用能单位应当定期开展节能教育和岗位节能培训。

Article 26 Energy-consuming entities shall periodically carry out education and on-job training in energy conservation.

第二十七条 用能单位应当加强能源计量管理，按照规定配备和使用经依法检定合格的能源计量器具。

Article 27 Energy-consuming entities shall strengthen management over energy measurement and put in place and use apparatus for energy measurement that have been verified as acceptable according to law.

用能单位应当建立能源消费统计和能源利用状况分析制度，对各类能源的消费实行分类计量和统计，并确保能源消费统计数据真实、完整。

Energy-consuming entities shall establish systems for energy consumption statistics and analysis of energy use status whereby to conduct classified measurement and statistics of the consumption of various energies and ensure the authenticity and completeness of the statistical figures for energy consumption.

第二十八条 能源生产经营单位不得向本单位职工无偿提供能源。任何单位不得对能源消费实行包费制。

Article 28 Energy production enterprises shall not provide energy to their employees for no compensation. No enterprises may adopt a system whereby energy is consumed for a fixed fee.

第二节 工业节能

SECTION TWO ENERGY CONSERVATION IN THE INDUSTRIAL SECTOR

第二十九条 国务院和省、自治区、直辖市人民政府推进能源资源优化开发利用和合理配置，推进有利于节能的行业结构调整，优化用能结构和企业布局。

Article 29 The State Council and the people's governments of provinces, autonomous regions and municipalities shall promote the optimized development, utilization and rational allocation of energy resources, pushing forward industrial structural adjustment for energy conservation and optimizing the energy consumption and enterprise structures.

第三十条 国务院管理节能工作的部门会同国务院有关部门制定电力、钢铁、有色金属、建材、石油加工、化工、煤炭等主要耗能行业的节能技术政策，推动企业节能技术改造。

Article 30 The department of the State Council in charge of energy conservation work shall, jointly with relevant departments of the State Council, formulate policies for energy conservation technologies with respect to major energy-consuming industries including, electric power, steel, non-ferrous metal, building materials, oil refinery, chemical and coal industries, in order to promote enterprises' reforms of energy conservation technologies.

第三十一条 国家鼓励工业企业采用高效、节能的电动机、锅炉、窑炉、风机、泵类等设备，采用热电联产、余热余压利用、洁净煤以及先进的用能监测和控制等技术。

Article 31 The State encourages industrial enterprises to adopt efficient and energy-saving equipment including motors, boilers, furnace, fans and pumps, and adopt such technologies as combined heat and power generation, residual heat and pressure utilization, clean coal and advanced energy consumption monitoring and control.

第三十二条 电网企业应当按照国务院有关部门制定的节能发电调度管理的规定，安排清洁、高效和符合规定的热电联产、利用余热余压发电的机组以及其他符合资源综合利用规定的发电机组与电网并网运行，上网电价执行国家有关规定。

Article 32 Electricity-grid enterprises shall arrange clean and efficient generator groups for combined heat and power generation and power generation by using residual and pressure compliant with relevant rules, as well as other generator groups compliant with rules on comprehensive resources utilization to operate by entering the electricity grid. The prices for electricity entering the grid shall be subject to relevant State rules.

第三十三条 禁止新建不符合国家规定的燃煤发电机组、燃油发电机组和燃煤热电机组。

Article 33 New construction of coal-burning power generator groups, oil-burning power generator groups and coal-burning thermoelectric power generator groups that are not compliant with State rules shall be prohibited.

第三节 建筑节能

ARTICLE THREE ENERGY CONSERVATION IN THE BUILDING SECTOR

第三十四条 国务院建设主管部门负责全国建筑节能的监督管理工作。

Article 34 The department of the State Council in charge of construction shall be responsible for supervision and administration of the national energy conservation in the building industry.

县级以上地方各级人民政府建设主管部门负责本行政区域内建筑节能的监督管理工作。Departments of local people's governments at or above the county level in charge of construction shall be responsible for supervision and administration of the energy conservation in the building industry within their respective administrative regions.

Translation courtesy of Squire, Sanders & Dempsey, LLP

县级以上地方各级人民政府建设主管部门会同同级管理节能工作的部门编制本行政区域内的建筑节能规划。建筑节能规划应当包括既有建筑节能改造计划。

Departments of local people's governments at or above the county level in charge of construction shall, jointly with departments at the same level charged with administering energy conservation work, formulate programs for energy conservation in the building industry within their respective administrative regions. The energy conservation programs in the building industry shall include plans for energy conservation plans for existing buildings.

第三十五条 建筑工程的建设、设计、施工和监理单位应当遵守建筑节能标准。

Article 35 The design, construction and supervision entities for construction projects shall observe standards for energy conservation in the construction industry.

不符合建筑节能标准的建筑工程，建设主管部门不得批准开工建设；已经开工建设的，应当责令停止施工、限期改正；已经建成的，不得销售或者使用。

Departments in charge of construction shall not approve the commencement of construction projects that are not compliant with the standards for energy construction in the building industry. If any such construction has commenced, the departments shall order the construction to be stopped and corrections to be made. If any construction has been completed, the buildings may not be sold or used.

建设主管部门应当加强对在建建筑工程执行建筑节能标准情况的监督检查。

The department in charge of construction shall strengthen supervision and inspection of the compliance of in-progress construction projects of standards for energy conservation for the building industry.

第三十六条 房地产开发企业在销售房屋时，应当向购买人明示所售房屋的节能措施、保温工程保修期等信息，在房屋买卖合同、质量保证书和使用说明书中载明，并对其真实性、准确性负责。

Article 36 When selling houses, real estate development enterprises shall demonstrate to buyers information on measures for energy conservation, term of warranty for warm-keeping projects, and shall state the same in House Purchase and Sale Contracts, Letter of Quality Guarantee and Users' Guide, and shall be responsible for the authenticity and accuracy thereof.

第三十七条 使用空调采暖、制冷的公共建筑应当实行室内温度控制制度。具体办法由国务院建设主管部门制定。

Article 37 Public buildings that use air-conditioners for heating and cooling shall implement a system of indoor temperature control. Specific measures will be formulated by the department of the State Council in charge of construction.

第三十八条 国家采取措施，对实行集中供热的建筑分步骤实行供热分户计量、按照用热量收费的制度。新建建筑或者对既有建筑进行节能改造，应当按照规定安装用热计量装

置、室内温度调控装置和供热系统调控装置。具体办法由国务院建设主管部门会同国务院有关部门制定。

Article 38 The State will take measures to implement a system by stages for buildings with centralized heating supply, whereby heat consumption by individual households will be measured and fees will be charged according to the amount of heat consumed. In new construction or energy conservation reforms of existing buildings, measurement devices for heat consumption, indoor temperature control devices and heating system control devices shall be installed pursuant to relevant rules. Specific measures will be formulated by the department of the State Council in charge of construction jointly with relevant departments of the State Council.

第三十九条 县级以上地方各级人民政府有关部门应当加强城市节约用电管理，严格控制公用设施和大型建筑物装饰性景观照明的能耗。

Article 39 Relevant departments of local people's governments at or above the county level shall strengthen administration over urban electricity saving and strictly control the energy consumption by public facilities and decorative lighting of large-sized buildings.

第四十条 国家鼓励在新建建筑和既有建筑节能改造中使用新型墙体材料等节能建筑材料和节能设备，安装和使用太阳能等可再生能源利用系统。

Article 40 The State encourages to use such energy-saving building materials and equipment as new-type walling materials in new construction and energy conservation reform of existing buildings, and to install and use systems for utilization of such renewable energy as solar energy.

第四节 交通运输节能

SECTION FOUR ENERGY CONSERVATION IN THE TRANSPORTATION SECTOR

第四十一条 国务院有关交通运输主管部门按照各自的职责负责全国交通运输相关领域的节能监督管理工作。

Article 41 The relevant departments of the State Council in charge of communications and transportations shall be responsible for supervision and administration of energy conservation in sectors relating to national communications and transportations.

国务院有关交通运输主管部门会同国务院管理节能工作的部门分别制定相关领域的节能规划。

The relevant departments of the State Council in charge of communications and transportations shall, jointly with the department of the State Council charged with administering energy conservation, formulate programs for energy conservation in relevant sectors.

第四十二条 国务院及其有关部门指导、促进各种交通运输方式协调发展和有效衔接，优化交通运输结构，建设节能型综合交通运输体系。

Article 42 The State Council and its relevant departments shall guide and promote coordinated development and efficient connection of various transportation methods, optimize the transportation structure and build up a comprehensive energy-saving transportation system.

第四十三条 县级以上地方各级人民政府应当优先发展公共交通，加大对公共交通的投入，完善公共交通服务体系，鼓励利用公共交通工具出行；鼓励使用非机动车工具出行。

Article 43 Local people's governments at or above the county shall give priority to the development of public transport, expand investment for public transport, perfect the public transport service system, encourage the use of public transport means and encourage the use of non-motorized vehicles.

第四十四条 国务院有关交通运输主管部门应当加强交通运输组织管理，引导道路、水路、航空运输企业提高运输组织化程度和集约化水平，提高能源利用效率。

Article 44 Relevant departments of the State Council in charge of transportations shall strengthen organization and administration of communications and transportations, guide road, waterway and air transport enterprises in improving the organization and intensification level of transportations in order to improve energy utilization efficiency.

第四十五条 国家鼓励开发、生产、使用节能环保型汽车、摩托车、铁路机车车辆、船舶和其他交通运输工具，实行老旧交通运输工具的报废、更新制度。

Article 45 The State encourages the development, production and use of energy-saving environmentally-friendly cars, motorcycles, railway locomotives, ships and other transportation vehicles and implement a system whereby old and outdated transportation vehicles are abandoned and replaced.

国家鼓励开发和推广应用交通运输工具使用的清洁燃料、石油替代燃料。

The State encourages the development and popularization of the use of clean fuel and oil substitute fuel for transportation tools.

第四十六条 国务院有关部门制定交通运输营运车船的燃料消耗量限值标准；不符合标准的，不得用于营运。

Article 46 Relevant departments of the State Council will formulate the standards for limits on fuel consumption by commercial transport vehicles or ships.

国务院有关交通运输主管部门应当加强对交通运输营运车船燃料消耗检测的监督管理。

Relevant departments of the State Council in charge of communications and transportations shall strengthen the supervision and administration of testing of fuel consumption by commercial transportation vehicles or ships.

第五节 公共机构节能

SECTION FIVE ENERGY CONSERVATION IN PUBLIC ORGANIZATIONS

第四十七条 公共机构应当厉行节约，杜绝浪费，带头使用节能产品、设备，提高能源利用效率。

Article 47 Public organizations shall practice strict frugality, curb waste and lead in the use of energy-saving products and equipment, and improve energy utilization efficiency.

本法所称公共机构，是指全部或者部分使用财政性资金的国家机关、事业单位和团体组织。

For purposes of this Law, Public Organizations shall mean State organs, public-service institution and group organizations that totally or partially use public financial capital.

第四十八条 国务院和县级以上地方各级人民政府管理机关事务工作的机构会同同级有关部门制定和组织实施本级公共机构节能规划。公共机构节能规划应当包括公共机构既有建筑节能改造计划。

Article 48 The organizations of the State Council and local people's governments at or above the county level in charge of government agency affairs shall, jointly with relevant departments at the same level, formulate and organize the implementation of plans for energy conservation in respect of the public organizations at the same level. The plans for energy conservation in respect of public organizations shall include the plans for energy conservation plans for existing buildings of public organizations.

第四十九条 公共机构应当制定年度节能目标和实施方案，加强能源消费计量和监测管理，向本级人民政府管理机关事务工作的机构报送上年度的能源消费状况报告。

Article 49 Public organizations shall formulate the annual targets for energy conservation and plans for implementation thereof, strengthen administration of the measurement and monitoring of energy consumption and submit the report on energy consumption status for the previous year to the organization of the people's government at the same level in charge of government agency affairs.

国务院和县级以上地方各级人民政府管理机关事务工作的机构会同同级有关部门按照管理权限，制定本级公共机构的能源消耗定额，财政部门根据该定额制定能源消耗支出标准。

The organizations of the State Council and local people's governments at or above the county level in charge of government agency affairs shall, jointly with relevant departments at the same level, formulate quota on energy consumption for public organizations of the same level, and the public financial departments shall formulate standards for energy consumption expenditures according to such quota.

第五十条 公共机构应当加强本单位用能系统管理，保证用能系统的运行符合国家相关标准。

Article 50 Public organizations shall strengthen administration of their own energy use system and make sure that the operation of their energy use system complies with relevant State standards.

公共机构应当按照规定进行能源审计，并根据能源审计结果采取提高能源利用效率的措施。

Public organizations shall arrange energy audit pursuant to relevant rules and take measures for improving energy use efficiency according to the audit result.

第五十一条 公共机构采购用能产品、设备，应当优先采购列入节能产品、设备政府采购名录中的产品、设备。禁止采购国家明令淘汰的用能产品、设备。

Article 51 When purchasing energy-using products and equipment, public organizations shall give priority to purchasing products and equipment included in the list of energy-saving products and equipment for government procurement.

节能产品、设备政府采购名录由省级以上人民政府的政府采购监督管理部门会同同级有关部门制定并公布。

The list of energy-saving products and equipment for government procurement shall be formulated and promulgated by the department of the people's government at or above the provincial level in charge of supervision and administration of government procurement.

第六节 重点用能单位节能

SECTION SIX ENERGY CONSERVATION BY KEY ENERGY-USING ENTITIES

第五十二条 国家加强对重点用能单位的节能管理。

Article 52 The State will strengthen administration of energy conservation by key energy-using entities.

下列用能单位为重点用能单位：

The following energy-using entities shall be key energy-using entities:

(一) 年综合能源消费总量一万吨标准煤以上的用能单位；

(1) Energy-using entities with an annual energy consumption totaling above 10,000 ton standard coal;

(二) 国务院有关部门或者省、自治区、直辖市人民政府管理节能工作的部门指定的年综合能源消费总量五千吨以上不满一万吨标准煤的用能单位。

(2) Energy-using entities with an annual energy consumption totaling more than 5,000 ton but no more than 10,000 ton standard coal as designated by relevant departments

of the State Council or departments of the people's governments of provinces, autonomous regions and municipalities in charge of administering energy conservation.

重点用能单位节能管理办法，由国务院管理节能工作的部门会同国务院有关部门制定。
The measures for administration of energy conservation in respect of key energy-using entities will be formulated by the department of the State Council charged with administration of energy conservation work, jointly with relevant departments of the State Council.

第五十三条 重点用能单位应当每年向管理节能工作的部门报送上年度的能源利用状况报告。能源利用状况包括能源消费情况、能源利用效率、节能目标完成情况和节能效益分析、节能措施等内容。

Article 53 Key energy-using entities shall submit reports on energy use status for the previous year to the department charged with administering energy conservation work each year. Energy use status shall include information on energy consumption, energy use efficiency, the status of fulfillment of energy conservation targets, analysis of energy conservation benefits and measures for energy conservation.

第五十四条 管理节能工作的部门应当对重点用能单位报送的能源利用状况报告进行审查。对节能管理制度不健全、节能措施不落实、能源利用效率低的重点用能单位，管理节能工作的部门应当开展现场调查，组织实施用能设备能源效率检测，责令实施能源审计，并提出书面整改要求，限期整改。

Article 54 Departments in charge of administering energy conservation work shall review the reports on energy use status submitted by key energy-using entities. With respect to those key energy-using entities that do not have a sound system for energy conservation management, fail to carry out measures for energy conservation and whose energy use efficiencies are low, the departments in charge of administering energy conservation work shall conduct on-site investigation and organize the testing of energy efficiency of energy-using equipment, order the implementation of energy audit and put forth requirements in writing for correction to be made within a specified period.

第五十五条 重点用能单位应当设立能源管理岗位，在具有节能专业知识、实际经验以及中级以上技术职称的人员中聘任能源管理负责人，并报管理节能工作的部门和有关部门备案。

Article 55 Key energy-using entities shall establish positions for energy management. Personnel selected from those having specialized knowledge in energy conservation, hands-on experiences and professional titles at or above the medium level shall be appointed as the persons in charge of energy management and the appointment shall be filed with the department in charge of administering energy conservation work and relevant departments.

能源管理负责人负责组织对本单位用能状况进行分析、评价，组织编写本单位能源利用状况报告，提出本单位节能工作的改进措施并组织实施。

The persons in charge of energy management shall be responsible for organizing the analysis and evaluation of the energy use status of their entities, and organizing the drafting of reports on the energy use status of their entities, and putting forth measures for improving their energy conservation work and organizing the implementation thereof.

能源管理负责人应当接受节能培训。

The persons in charge of energy management shall receive training in respect of energy conservation.

第四章 节能技术进步

CHAPTER FOUR PROGRESS IN ENERGY CONSERVATION TECHNOLOGIES

第五十六条 国务院管理节能工作的部门会同国务院科技主管部门发布节能技术政策大纲，指导节能技术研究、开发和推广应用。

Article 56 The department of the State Council charged with administering energy conservation work will, jointly with the department of the State Council in charge of sciences and technologies, release the guidelines for policies on energy conservation technologies, and guide the research, development, popularization and application of energy conservation technologies.

第五十七条 县级以上各级人民政府应当把节能技术研究开发作为政府科技投入的重点领域，支持科研单位和企业开展节能技术应用研究，制定节能标准，开发节能共性和关键技术，促进节能技术创新与成果转化。

Article 57 The people's governments at or above the county level shall list the research and development of energy conservation technologies as the prioritized areas for government input in science and technologies, support scientific research entities and enterprises in carrying out research in the application of energy-saving technologies, formulate standards for energy conservation, develop common and key technologies for energy conservation, and promote the innovation of energy technologies and transformation of scientific research results into productive forces.

第五十八条 国务院管理节能工作的部门会同国务院有关部门制定并公布节能技术、节能产品的推广目录，引导用能单位和个人使用先进的节能技术、节能产品。

Article 58 The department of the State Council in charge of administering energy conservation work shall, jointly with relevant departments of the State Council, formulate and promulgate the catalogue of energy-saving technologies and products for popularization, and guide energy-using entities and individuals in using advanced energy-saving technologies and products.

国务院管理节能工作的部门会同国务院有关部门组织实施重大节能科研项目、节能示范项目、重点节能工程。

The department of the State Council in charge of administering energy conservation work shall, jointly with relevant departments of the State Council, organize the implementation of major energy-saving science and technology projects, energy conservation pilot projects and key energy conservation projects.

第五十九条 县级以上各级人民政府应当按照因地制宜、多能互补、综合利用、讲求效益的原则，加强农业和农村节能工作，增加对农业和农村节能技术、节能产品推广应用的资金投入。

Article 59 People's governments at or above the county level shall strengthen energy conservation work in agriculture and rural areas, and increase capital input for the popularization and application of energy-saving technologies and products in agriculture and rural areas, in principles of considering local conditions, mutual complement between multiple energies, comprehensive utilization and seeking economic benefits.

农业、科技等有关主管部门应当支持、推广在农业生产、农产品加工储运等方面应用节能技术和节能产品，鼓励更新和淘汰高耗能的农业机械和渔业船舶。

Relevant departments in charge of agriculture and science and technologies shall support and popularize the application of energy-saving technologies and products in agricultural production and agricultural products processing, warehousing and transportation, and encourage replacement and elimination of agricultural machinery and fishing ships with high energy consumption.

国家鼓励、支持在农村大力发展沼气，推广生物质能、太阳能和风能等可再生能源利用技术，按照科学规划、有序开发的原则发展小型水力发电，推广节能型的农村住宅和炉灶等，鼓励利用非耕地种植能源植物，大力发展薪炭林等能源林。

The State encourages and supports aggressive development of marsh gas and popularization of such renewable energy utilization technologies as biomass energy, solar energy and wind energy, development of small-sized hydraulic power generation in principles of scientific planning and orderly development, and popularization of energy-saving rural residential houses and kitchen ranges, and encourages utilization of non-arable land for plantation of energy plants and aggressive development of energy forests including fuel forests.

第五章 激励措施

ARTICLE FIVE INCENTIVE MEASURES

第六十条 中央财政和省级地方财政安排节能专项资金，支持节能技术研究开发、节能技术和产品的示范与推广、重点节能工程的实施、节能宣传培训、信息服务和表彰奖励等。

Article 60 The central and provincial public financial authorities shall arrange special funds for energy conservation, supporting the research and development of energy conservation technologies, demonstration and popularization of energy conservation technologies and products, implementation of key energy conservation projects, publicity and training of energy conservation, information services and granting incentives.

第六十一条 国家对生产、使用列入本法第五十八条规定的推广目录的需要支持的节能技术、节能产品，实行税收优惠等扶持政策。

Article 61 The State implements supportive policies including tax preferences for production and use of energy-saving technologies and products in need of support and listed in the catalogue set forth in Article 58 hereof.

国家通过财政补贴支持节能照明器具等节能产品的推广和使用。

The State supports the popularization and utilization of energy-saving products including lighting fixtures through fiscal subsidies.

第六十二条 国家实行有利于节约能源资源的税收政策，健全能源矿产资源有偿使用制度，促进能源资源的节约及其开采利用水平的提高。

Article 62 The State implements a tax policy conducive to saving energy resources, establishes a sound system for paid use of energy mineral resources, and promotes the conservation of energy resources and the capabilities for extraction and utilization thereof.

第六十三条 国家运用税收等政策，鼓励先进节能技术、设备的进口，控制在生产过程中耗能高、污染重的产品的出口。

Article 63 The State encourages the import of advanced energy-saving technologies and equipment and controls import of products with high energy consumption and serious pollution in production through applying such policies as taxation.

第六十四条 政府采购监督管理部门会同有关部门制定节能产品、设备政府采购名录，应当优先列入取得节能产品认证证书的产品、设备。

Article 64 The departments in charge of supervising and administering government procurement shall, jointly with relevant departments, formulate the catalogue of energy-saving products and equipment for government procurement, and shall give priority to including therein the products and equipment for which product authentication certificates have been issued.

第六十五条 国家引导金融机构增加对节能项目的信贷支持，为符合条件的节能技术研究开发、节能产品生产以及节能技术改造等项目提供优惠贷款。

Article 65 The State guides financial institutions in increasing their credit support for energy-saving projects and extending preferential loans to such projects as research and development of energy conservation technologies, manufacturing of energy-saving products and reforms of energy-saving technologies.

国家推动和引导社会有关方面加大对节能的资金投入，加快节能技术改造。

The State promotes and guides relevant social sectors in expanding capital input for energy conservation and speeding up transformation of energy conservation technologies.

第六十六条 国家实行有利于节能的价格政策，引导用能单位和个人节能。

Article 66 The State implements a price policy conducive to energy conservation and guides energy-using entities and individuals in energy conservation.

国家运用财税、价格等政策，支持推广电力需求侧管理、合同能源管理、节能自愿协议等节能办法。

The State supports the popularization of such measures for energy conservation as power demand-side management, contract energy management and agreements voluntary energy conservation through apply financial, tax and price policies or otherwise.

国家实行峰谷分时电价、季节性电价、可中断负荷电价制度，鼓励电力用户合理调整用电负荷；对钢铁、有色金属、建材、化工和其他主要耗能行业的企业，分淘汰、限制、允许和鼓励类实行差别电价政策。

The State implements a system of peak-valley and time-of-use power price, reasonable power price, and interruptible load power price, encourages power users to rationally adjust power use load, and adopts a policy of differentiated power prices for enterprises in the steel, non-ferrous metal, building materials, chemical and other major energy-consuming industries in the methods of elimination, restriction, permission and encouragement.

第六十七条 各级人民政府对在节能管理、节能科学研究和推广应用中有显著成绩以及检举严重浪费能源行为的单位和个人，给予表彰和奖励。

Article 67 People's governments at various levels shall commend and award those entities and individuals who have made outstanding achievements in the research, popularization and application of energy sciences and technologies and report on acts of serious energy waste.

第六章 法律责任 CHAPTER SIX LEGAL LIABILITY

第六十八条 负责审批或者核准固定资产投资项目的机关违反本法规定，对不符合强制性节能标准的项目予以批准或者核准建设的，对直接负责的主管人员和其他直接责任人员依法给予处分。

Article 68 Where any organs in charge of approving or verifying fixed assets investment projects approve or verify the construction of projects not in compliance with statutory standards for energy conservation in violation of this Law, the personnel directly in charge and other directly responsible personnel shall be given disciplinary sanctions.

固定资产投资项目建设单位开工建设不符合强制性节能标准的项目或者将该项目投入生产、使用的，由管理节能工作的部门责令停止建设或者停止生产、使用，限期改造；不能改造或者逾期不改造的生产性项目，由管理节能工作的部门报请本级人民政府按照国务院规定的权限责令关闭。

Where any construction entities for fixed-assets investment projects commence the construction of projects not in compliance with statutory standards for energy conservation or put such projects into operation or use, the departments in charge of administering energy conservation work shall order to stop the construction or stop the production or use, and order rectification within a specified period. With respect to any projects for purposes of production that are unable to be rectified or fail to be rectified within the specified period, the departments in charge of administering energy conservation work shall petition to the people's governments at the same level for order to close down the projects to the extent of authority specified by the State Council.

第六十九条 生产、进口、销售国家明令淘汰的用能产品、设备的，使用伪造的节能产品认证标志或者冒用节能产品认证标志的，依照《中华人民共和国产品质量法》的规定处罚。

Article 69 Where anyone manufactures, imports or sells energy-using products and equipment that are expressly ordered to be eliminated by the State, or uses fabricated authentication marks for energy-saving products are used or passes off authentication marks for energy-saving products, penalty shall be imposed thereon pursuant to the Product Quality Law of the People's Republic of China.

第七十条 生产、进口、销售不符合强制性能源效率标准的用能产品、设备的，由产品质量监督部门责令停止生产、进口、销售，没收违法生产、进口、销售的用能产品、设备和违法所得，并处违法所得一倍以上五倍以下罚款；情节严重的，由工商行政管理部门吊销营业执照。

Article 70 Where anyone manufactures, imports or sells energy-using products or equipment not in compliance with statutory standards for energy efficiency, the department in charge of product quality supervision shall order the same to stop production, import and sales thereof, confiscate the energy-using products or products illegally manufactured, imported or sold and any illegal proceeds therefrom, and impose a fine of more than 100% but no more than 500% of the illegal proceeds. Where the circumstance is serious, the administration for industry and commerce shall revoke its business license.

第七十一条 使用国家明令淘汰的用能设备或者生产工艺的，由管理节能工作的部门责令停止使用，没收国家明令淘汰的用能设备；情节严重的，可以由管理节能工作的部门提出意见，报请本级人民政府按照国务院规定的权限责令停业整顿或者关闭。

Article 71 Where anyone uses any energy-using equipment or technical processes expressly ordered to be eliminated by the State, the department in charge of administering energy conservation work shall order the same to stop use thereof, and confiscate such energy-using equipment expressly ordered to be eliminated by the State. Where the circumstance is serious, the department in charge of administering energy conservation work shall put forth its opinions and submit the same to the people's government at the same level for approval of ordering business suspension for rectification or close-down to the extent specified by the State Council.

第七十二条 生产单位超过单位产品能耗限额标准用能，情节严重，经限期治理逾期不治理或者没有达到治理要求的，可以由管理节能工作的部门提出意见，报请本级人民政府按照国务院规定的权限责令停业整顿或者关闭。

Article 72 Where manufacturers use energy by exceeding the standard for limits on unit-product energy consumption, which constitutes a serious circumstance and fails to be corrected or fails to meet the requirements for correction within the specified period for correction, the department in charge of administering energy conservation work may put forth its opinions and submit the same to the people's government at the same level for approval of ordering business suspension for rectification or close-down to the extent specified by the State Council.

第七十三条 违反本法规定，应当标注能源效率标识而未标注的，由产品质量监督部门责令改正，处三万元以上五万元以下罚款。

Article 73 If anyone fails to label any energy efficiency marks required to be labeled in violation of this Law, the department in charge of product quality supervision shall order the same to be corrected and impose a fine of more than RMB30,000 but no more than RMB50,000.

违反本法规定，未办理能源效率标识备案，或者使用的能源效率标识不符合规定的，由产品质量监督部门责令限期改正；逾期不改正的，处一万元以上三万元以下罚款。

If anyone fails to file any energy efficiency marks for record in violation of this Law or the energy efficiency marks used are not compliant with regulations, the department in charge of product quality supervision shall order the same to be corrected and impose a fine of more than RMB10,000 but no more than RMB30,000.

伪造、冒用能源效率标识或者利用能源效率标识进行虚假宣传的，由产品质量监督部门责令改正，处五万元以上十万元以下罚款；情节严重的，由工商行政管理部门吊销营业执照。

If anyone fabricates or passes off any energy efficiency marks or use energy efficiency marks for fraudulent publicity, the department in charge of product quality supervision shall order the same to be corrected and impose a fine of more than RMB50,000 but no

more than RMB100,000. Where the situation is serious, the administration for industry and commerce shall revoke its business license.

第七十四条 用能单位未按照规定配备、使用能源计量器具的，由产品质量监督部门责令限期改正；逾期不改正的，处一万元以上五万元以下罚款。

Article 74 Where any energy-using entity fails to put in place and use energy measurement apparatus, the department in charge of product quality supervision shall order the same to be corrected within a specified period. If the correction is not made within the specified period, a fine of more than RMB10,000 but not more than RMB50,000 shall be imposed.

第七十五条 瞒报、伪造、篡改能源统计资料或者编造虚假能源统计数据的，依照《中华人民共和国统计法》的规定处罚。

Article 75 Where any one conceals, fabricates or falsifies energy statistical materials or prepares fraudulent energy statistical figures, a fine shall be imposed in accordance with the Statistics Law of the People's Republic of China.

第七十六条 从事节能咨询、设计、评估、检测、审计、认证等服务的机构提供虚假信息的，由管理节能工作的部门责令改正，没收违法所得，并处五万元以上十万元以下罚款。

Article 76 Where any organization engaged in consulting, design, evaluation, inspection, auditing and authentication in respect of energy conservation provides fraudulent information, the department in charge of administering energy conservation work shall order the same to make correction, confiscate illegal proceeds and impose a fine of more than RMB50,000 but no more than RMB100,000.

第七十七条 违反本法规定，无偿向本单位职工提供能源或者对能源消费实行包费制的，由管理节能工作的部门责令限期改正；逾期不改正的，处五万元以上二十万元以下罚款。

Article 77 If any entity provides energy to its employees free of charge or implement a fixed-fee system for energy consumption in violation of this Law, the department in charge of administering energy conservation work shall order the same to make correction. If correction fails to be made within the specified period, a fine of more than RMB50,000 but no more than RMB200,000 shall be imposed.

第七十八条 电网企业未按照本法规定安排符合规定的热电联产和利用余热余压发电的机组与电网并网运行，或者未执行国家有关上网电价规定的，由国家电力监管机构责令改正；造成发电企业经济损失的，依法承担赔偿责任。

Article 78 If any electricity grid enterprise fails to arrange power generator groups for combined heat and power generation, residual heat and pressure utilization to enter the electricity grid pursuant to this Law, or fails to implement relevant State laws on prices of electricity entering grids, the national electricity supervisory authority shall order the same to make correction. If any economic losses are caused to power generating enterprises, such electricity grid enterprise shall be liable for compensation.

第七十九条 建设单位违反建筑节能标准的，由建设主管部门责令改正，处二十万元以上五十万元以下罚款。

Article 79 If any construction entity violates the standards for energy conservation concerning buildings, the department in charge of construction shall order the same to make correction and impose a fine of more than RMB200,000 but no more than RMB500,000.

设计单位、施工单位、监理单位违反建筑节能标准的，由建设主管部门责令改正，处十万元以上五十万元以下罚款；情节严重的，由颁发资质证书的部门降低资质等级或者吊销资质证书；造成损失的，依法承担赔偿责任。

If any design entity, construction entity or supervision entity violates the standards for energy conservation concerning buildings, the department in charge of construction shall order the same to make correction and impose a fine of more than RMB100,000 but no more than RMB500,000. If the circumstance is serious, the department in charge of issuing qualification certificates shall degrade the qualification of such entity or revoke its qualification certificate. If any losses are caused, such entity shall be liable for compensation.

第八十条 房地产开发企业违反本法规定，在销售房屋时未向购买人明示所售房屋的节能措施、保温工程保修期等信息的，由建设主管部门责令限期改正，逾期不改正的，处三万元以上五万元以下罚款；对以上信息作虚假宣传的，由建设主管部门责令改正，处五万元以上二十万元以下罚款。

Article 80 If any real estate development enterprise fails to expressly state such information as measures for energy conservation and the term of warranty for the warm-preservation project to buyers when selling houses in violation of this Law, the department in charge of construction shall order the same to make correction. If such correction fails to be made within the specified period, a fine of more than RMB30,000 but no more than RMB50,000 shall be imposed. If such enterprise makes fraudulent publicity of the above information, the department in charge of construction shall order the same to make correction and impose a fine of more than RMB50,000 but no more than RMB200,000.

第八十一条 公共机构采购用能产品、设备，未优先采购列入节能产品、设备政府采购名录中的产品、设备，或者采购国家明令淘汰的用能产品、设备的，由政府采购监督管理部门给予警告，可以并处罚款；对直接负责的主管人员和其他直接责任人员依法给予处分，并予通报。

Article 81 If any public organization fails to give priority to purchasing such products and equipment as listed in the category of energy-saving products and equipment for government procurement when purchasing energy-using products and equipment, or purchases any energy-using products and equipment expressly ordered to be eliminated by the State, the department of the government in charge of procurement supervision and administration may give a warning thereto and may impose a fine concurrently. The

persons directly in charge and other directly responsible persons shall be given a disciplinary sanction and a public announcement shall be made according to law.

第八十二条 重点用能单位未按照本法规定报送能源利用状况报告或者报告内容不实的，由管理节能工作的部门责令限期改正；逾期不改正的，处一万元以上五万元以下罚款。

Article 82 If any key energy-using entity fails to submit its reports on energy use status or the content of any report is not authentic, the department in charge of administering energy conservation work shall order the same to make correction within a specified period. If such correction fails to be made within the specified period, a fine of more than RMB10,000 or more than RMB50,000 shall be imposed.

第八十三条 重点用能单位无正当理由拒不落实本法第五十四条规定的整改要求或者整改没有达到要求的，由管理节能工作的部门处十万元以上三十万元以下罚款。

Article 83 If any key energy-using entity fails to implement the requirements for correction set forth in Article 54 hereof or any correction fails to meet requirements for no course, the department in charge of administering energy conservation work shall impose a fine of more than RMB100,000 but no more than RMB300,000.

第八十四条 重点用能单位未按照本法规定设立能源管理岗位，聘任能源管理负责人，并报管理节能工作的部门和有关部门备案的，由管理节能工作的部门责令改正；拒不改正的，处一万元以上三万元以下罚款。

Article 84 If any key energy-using entity fails to establish energy management positions, appoint persons in charge of energy management or file the same with the department in charge of administering energy conservation work and relevant departments as required by this Law, the department in charge of administering energy conservation work shall order the same to make correction. If such entity refuses to make correction, a fine of more than RMB10,000 but no more than RMB30,000 shall be imposed.

第八十五条 违反本法规定，构成犯罪的，依法追究刑事责任。

Article 85 If any violation of this Law constitutes a criminal offence, criminal liability shall be pursued according to law.

第八十六条 国家工作人员在节能管理工作中滥用职权、玩忽职守、徇私舞弊，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，依法给予处分。

Article 86 If any State functionary abuses his power, is derelict in his duties, or practice graft in energy conservation administration, which constitutes criminal offence, criminal liability shall be pursued. If such act is not serious enough to constitute a criminal offence, disciplinary sanctions shall be imposed according to law.

第七章 附则

PART SEVEN

SUPPLEMENTARY PROVISION

第八十七条 本法自 2008 年 4 月 1 日起施行。

Article 87 This Law shall take effect as of April 1, 2008.