

Frontier Health and Quarantine Law of the People's Republic of China (2018 Amendment)

中华人民共和国国境卫生检疫法(2018修正)

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中华人民共和国国境卫生检疫法

(Adopted at the 18th Meeting of the Standing Committee of the Sixth National People's Congress on December 2, 1986; and amended for the first time in accordance with [the Decision on Amending the Frontier Health and Quarantine Law of the People's Republic of China](#) adopted at the 31st Meeting of the Standing Committee of the Tenth National People's Congress on December 29, 2007; amended for the second time according to [the Decision on Amending Some Laws](#) adopted at the tenth session of the 11th Standing Committee of the National People's Congress on August 27, 2009; amended for the third time according to the Decision of the Standing Committee of the National People's Congress to Amend Six Laws Including [the Frontier Health and Quarantine Law of the People's Republic of China](#), by Order No. 6 of the President of the People's Republic of China on April 27, 2018)

(1986年12月2日第六届全国人民代表大会常务委员会第十八次会议通过 根据2007年12月29日第十届全国人民代表大会常务委员会第三十一次会议《关于修改〈中华人民共和国国境卫生检疫法〉的决定》第一次修正 根据2009年8月27日第十一届全国人民代表大会常务委员会第十次会议《关于修改部分法律的决定》第二次修正 根据2018年4月27日第十三届全国人民代表大会常务委员会第二次会议《关于修改〈中华人民共和国国境卫生检疫法〉等六部法律的决定》第三次修正)

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Chapter I General Provisions

第一章 总 则

Article 1. This Law is formulated in order to prevent infectious diseases from spreading into or out of the country, to carry out frontier health and quarantine inspection and to protect human health.

Article 2. Frontier health and quarantine offices shall be set up at international seaports, airports and ports of entry at land frontiers and boundary rivers (hereinafter referred to as "frontier ports") of the People's Republic of China. These offices shall carry out the quarantining and monitoring of infectious diseases, and health inspection in accordance with the provisions of this Law.

Article 3. Infectious diseases specified in this Law shall include quarantinable infectious diseases and infectious diseases to be monitored.

Quarantinable infectious diseases shall include plague, cholera, yellow fever and other infectious diseases determined and announced by the State Council.

Infectious diseases to be monitored shall be determined and announced by health administration departments under the State Council.

Article 4. Persons, conveyances and transport equipment, as well as articles such as baggage, goods and postal parcels that may transmit quarantinable infectious diseases, shall undergo quarantine inspection upon entering or exiting the country. No entry or exit shall be allowed without the permission of a frontier health and quarantine office. Specific measures for implementation of this Law shall be stipulated in detailed regulations.

Article 5. On discovering a quarantinable infectious disease or a disease suspected to be quarantinable, a frontier health and quarantine office shall, in addition to taking necessary measures, immediately notify the local health administration department; at the same time, it shall make a report to the health administration department under the State Council by the most expeditious means possible, within 24 hours at the latest. Post and telecommunications departments shall give priority to transmissions of reports of epidemic diseases.

Messages exchanged between the People's Republic of China and foreign countries on the epidemic situation of infectious diseases shall be handled by the health administration department under the State Council in conjunction with other departments concerned.

Article 6. When a quarantinable infectious disease is prevalent abroad or within China, the State Council may order relevant sections of the border to be blockaded or adopt other emergency measures.

Chapter II Quarantine Inspection

Article 7. Persons and conveyances on entering the country shall be subject to quarantine inspection at designated places at the first frontier port of their arrival. Except for harbor pilots, no person shall be allowed to embark on or disembark from any means of transport and no articles such as baggage, goods or postal parcels shall be loaded or unloaded without the health and quarantine inspector's permission. Specific measures for the implementation of this Law shall be stipulated in detailed regulations.

Article 8. Persons and conveyances exiting the country shall be subject to quarantine inspection at the last frontier port of departure.

Article 9. When foreign ships or airborne vehicles anchor or land at places other than frontier ports in China, the persons in charge of the ships or airborne vehicles must report immediately to the nearest frontier health and quarantine office or to the local health administration department. Except in cases of emergency, no person shall be allowed to embark on or disembark from the ship or airborne vehicle, and no articles such as baggage, goods and postal parcels shall be loaded or unloaded without the permission of a frontier health and quarantine office or the local health administration department.

第一条 为了防止传染病由国外传入或者由国内传出, 实施国境卫生检疫, 保护人体健康, 制定本法。

第二条 在中华人民共和国国际通航的港口、机场以及陆地边境和国界江河的口岸(以下简称国境口岸), 设立国境卫生检疫机关, 依照本法规定实施传染病检疫、监测和卫生监督。

第三条 本法规定的传染病是指检疫传染病和监测传染病。

检疫传染病, 是指鼠疫、霍乱、黄热病以及国务院确定和公布的其他传染病。

监测传染病, 由国务院卫生行政部门确定和公布。

第四条 入境、出境的人员、交通工具、运输设备以及可能传播检疫传染病的行李、货物、邮包等物品, 都应当接受检疫, 经国境卫生检疫机关许可, 方准入境或者出境。具体办法由本法实施细则规定。

第五条 国境卫生检疫机关发现检疫传染病或者疑似检疫传染病时, 除采取必要措施外, 必须立即通知当地卫生行政部门, 同时用最快速度报告国务院卫生行政部门, 最迟不得超过二十四小时。邮电部门对疫情报告应当优先传送。

中华人民共和国与外国之间的传染病疫情通报, 由国务院卫生行政部门会同有关部门办理。

第六条 在国外或者国内有检疫传染病大流行的时候, 国务院可以下令封锁有关的国境或者采取其他紧急措施。

第二章 检 疫

第七条 入境的交通工具和人员, 必须在最先到达的国境口岸的指定地点接受检疫。除引航员外, 未经国境卫生检疫机关许可, 任何人不准上下交通工具, 不准装卸行李、货物、邮包等物品。具体办法由本法实施细则规定。

第八条 出境的交通工具和人员, 必须在最后离开国境口岸接受检疫。

第九条 来自国外的船舶、航空器因故停泊、降落在中国境内非口岸地点的时候, 船舶、航空器的负责人应当立即向就近的国境卫生检疫机关或者当地卫生行政部门报告。除紧急情况外, 未经国境卫生检疫机关或者当地卫生行政部门许可, 任何人不准上下船舶、航空器, 不准装卸行李、货物、邮包等物品。

Article 10. When a quarantinable infectious disease, a disease suspected to be quarantinable or a death due to an unidentified cause other than accidental harm is discovered at a frontier port, the relevant department at the frontier port and the person in charge of the conveyance must report immediately to the frontier health and quarantine office and apply for provisional quarantine inspection.

Article 11. According to the results of an inspection made by quarantine doctors, the frontier health and quarantine office shall sign and issue a quarantine certificate for entry or exit to a conveyance either uncontaminated by any quarantinable infectious disease or already given decontamination treatment.

Article 12. A person having a quarantinable infectious disease shall be placed in isolation by the frontier health and quarantine office for a period determined by the results of the medical examination, while a person suspected of having a quarantinable infectious disease shall be kept for inspection for a period determined by the incubation period of such disease.

The corpse of anyone who died from a quarantinable infectious disease must be cremated at a nearby place.

Article 13. Any conveyance subject to entry quarantine inspection shall be disinfected, deratized, treated with insecticides or given other sanitation measures when found to be in any of the following conditions:

- (1) having come from an area where a quarantinable infectious disease is epidemic;
- (2) being contaminated by a quarantinable infectious disease; or
- (3) revealing the presence of rodents which affect human health or insects which are carriers of disease.

Apart from exceptional cases, when the person in charge of the foreign conveyance refuses to allow sanitation measures to be taken, the conveyance shall be allowed to leave the frontier of the People's Republic of China without delay under the supervision of the frontier health and quarantine office.

Article 14. A frontier health and quarantine office shall conduct sanitation inspections and disinfect, derat, treat with insecticides or apply other sanitation measures to articles such as baggage, goods and postal parcels that come from an epidemic area and are contaminated by a quarantinable infectious disease or may act as a vehicle of a quarantinable infectious disease.

A consignor or an agent thereof for the transportation of a corpse or human remains into or out of this country must file a declaration with the frontier health and quarantine office; such transportation into or out of this country shall not be allowed until the sanitary inspection is passed.

Chapter III Monitoring of Infectious Diseases

Article 15. Frontier health and quarantine offices shall monitor persons on entry or exit for quarantinable infectious diseases and shall take necessary preventive and control measures.

第十条 在国境口岸发现检疫传染病、疑似检疫传染病，或者有人非因意外伤害而死亡并死因不明的，国境口岸有关单位和交通工具的负责人，应当立即向国境卫生检疫机关报告，并申请临时检疫。

第十一条 国境卫生检疫机关依据检疫医师提供的检疫结果，对未染有检疫传染病或者已实施卫生处理的交通工具，签发入境检疫证或者出境检疫证。

第十二条 国境卫生检疫机关对检疫传染病染疫人必须立即将其隔离，隔离期限根据医学检查结果确定；对检疫传染病染疫嫌疑人应当将其留验，留验期限根据该传染病的潜伏期确定。

因患检疫传染病而死亡的尸体，必须就近火化。

第十三条 接受入境检疫的交通工具有下列情形之一的，应当实施消毒、除鼠、除虫或者其他卫生处理：

- (一) 来自检疫传染病疫区的；
- (二) 被检疫传染病污染的；
- (三) 发现有与人类健康有关的啮齿动物或者病媒昆虫的。

如果外国交通工具的负责人拒绝接受卫生处理，除有特殊情况外，准许该交通工具在国境卫生检疫机关的监督下，立即离开中华人民共和国国境。

第十四条 国境卫生检疫机关对来自疫区的、被检疫传染病污染的或者可能成为检疫传染病传播媒介的行李、货物、邮包等物品，应当进行卫生检查，实施消毒、除鼠、除虫或者其他卫生处理。

入境、出境的尸体、骸骨的托运人或者其代理人，必须向国境卫生检疫机关申报，经卫生检查合格后，方准运进或者运出。

第三章 传染病监测

第十五条 国境卫生检疫机关对入境、出境的人员实施传染病监测，并且采取必要的预防、控制措施。

Article 16. Frontier health and quarantine offices shall be authorized to require persons on entry or exit to complete a health declaration form and produce certificates of vaccination against certain infectious diseases, a health certificate or other relevant documents.

Article 17. For persons who suffer from infectious diseases to be monitored, who come from areas in foreign countries where infectious diseases to be monitored are epidemic or who have close contact with patients suffering from infectious diseases to be monitored, the frontier health and quarantine offices shall, according to each case, issue them medical convenience cards, keep them for inspection or take other preventive or control measures, while promptly notifying the local health administration department about such cases. Medical services at all places shall give priority in consultation and treatment to persons possessing medical convenience cards.

Chapter IV Health Supervision

Article 18. Frontier health and quarantine office shall, in accordance with state health standards, exercise health supervision over the sanitary conditions at frontier ports and the sanitary conditions of conveyances on entry or exit at frontier ports. They shall:

- (1) supervise and direct concerned personnel on the prevention and elimination of rodents and insects that carry diseases;
- (2) inspect and test food and drinking water and facilities for their storage, supply and delivery;
- (3) supervise the health of employees engaged in the supply of food and drinking water and check their health certificates; and
- (4) supervise and inspect the disposal of garbage, waste matter, sewage, excrement and ballast water.

Article 19. Frontier health and quarantine offices shall have frontier port health supervisors, who shall carry out the tasks assigned by the frontier health and quarantine offices.

In performing their duties, frontier port health supervisors shall be authorized to conduct health supervision and give technical guidance regarding frontier ports and conveyances on entry or exit; to give advice for improvement wherever sanitary conditions are unsatisfactory and factors exist that may spread infectious diseases; and to coordinate departments concerned to take necessary measures and apply sanitary treatment.

Chapter V Legal Liability

Article 20. A frontier health and quarantine office may warn or fine, according to the circumstances, any unit or individual that has violated the provisions of this Law by committing any of the following acts:

- (1) evading quarantine inspection or withholding the truth in reports to the frontier health and quarantine office;
- (2) embarking on or disembarking from conveyances upon entry, or loading or unloading articles such as baggage, goods or postal parcels, without the permission of a frontier health and quarantine office and refusing to listen to the office's advice against such acts.

All fines thus collected shall be turned over to the state treasury.

Article 21. If a concerned party refuses to obey a decision on a fine made by a frontier health and quarantine office, he may, within 15 days after receiving notice of the fine, file a lawsuit in a local people's court. The frontier health and quarantine office may apply to the people's court for mandatory enforcement of a decision if the concerned party neither files a lawsuit nor obeys the decision within the 15-day term.

第十六条 国境卫生检疫机关有权要求入境、出境的人员填写健康申明卡，出示某种传染病的预防接种证书、健康证明或者其他有关证件。

第十七条 对患有监测传染病的人、来自国外监测传染病流行区的人或者与监测传染病人密切接触的人，国境卫生检疫机关应当区别情况，发给就诊方便卡，实施留验或者采取其他预防、控制措施，并及时通知当地卫生行政部门。各地医疗单位对持有就诊方便卡的人员，应当优先诊治。

第四章 卫生监督

第十八条 国境卫生检疫机关根据国家规定的卫生标准，对国境口岸的卫生状况和停留在国境口岸的入境、出境的交通工具的卫生状况实施卫生监督：

- (一) 监督和指导有关人员对象齿动物、病媒昆虫的防除；
- (二) 检查和检验食品、饮用水及其储存、供应、运输设施；
- (三) 监督从事食品、饮用水供应的从业人员的健康状况，检查其健康证明书；
- (四) 监督和检查垃圾、废物、污水、粪便、压舱水的处理。

第十九条 国境卫生检疫机关设立国境口岸卫生监督员，执行国境卫生检疫机关交给的任务。

国境口岸卫生监督员在执行任务时，有权对国境口岸和入境、出境的交通工具进行卫生监督和技术指导，对卫生状况不良和可能引起传染病传播的因素提出改进意见，协同有关部门采取必要的措施，进行卫生处理。

第五章 法律责任

第二十条 对违反本法规定，有下列行为之一的单位或者个人，国境卫生检疫机关可以根据情节轻重，给予警告或者罚款：

- (一) 逃避检疫，向国境卫生检疫机关隐瞒真实情况的；
- (二) 入境的人员未经国境卫生检疫机关许可，擅自上下交通工具，或者装卸行李、货物、邮包等物品，不听劝阻的。

罚款全部上缴国库。

第二十一条 当事人对国境卫生检疫机关给予的罚款决定不服的，可以在接到通知之日起十五日内，向当地人民法院起诉。逾期不起诉又不履行的，国境卫生检疫机关可以申请人民法院强制执行。

Article 22. If a quarantinable infectious disease is caused to spread or is in great danger of being spread as a result of a violation of the provisions of this Law, criminal responsibility shall be investigated according to the relevant provisions of [the Criminal Law](#).

Article 23. The personnel of frontier health and quarantine offices must enforce this Law impartially, perform duties faithfully and promptly conduct quarantine inspection on conveyances and persons upon entry or exit. Those who violate the law or are derelict in their duties shall be given disciplinary sanctions; where circumstances are serious enough to constitute a crime, criminal responsibility shall be investigated in accordance with the law.

Chapter VI Supplementary Provisions

Article 24. Where the provisions of this Law differ from those of international treaties on health and quarantine that China has concluded or joined, the provisions of such international treaties shall prevail, with the exception of the treaty clauses on which the People's Republic of China has declared reservations.

Article 25. In cases of temporary contact between frontier defense units of the People's Republic of China and those of a neighboring country, of a temporary visit at a designated place on the frontier by residents of the border areas of the two countries and of entry or exit of conveyances and persons of the two sides, quarantine inspection shall be conducted in line with the agreements between China and the other country or, in the absence of such an agreement, in accordance with the relevant regulations of the Chinese Government.

Article 26. Frontier health and quarantine offices shall charge for health and quarantine services according to state regulations.

Article 27. This Law shall go into effect on May 1, 1987. On the same day, [the Frontier Health and Quarantine Regulations of the People's Republic of China](#) promulgated on December 23, 1957, shall be invalidated.

第二十二条 违反本法规定，引起检疫传染病传播或者有引起检疫传染病传播严重危险的，依照刑法有关规定追究刑事责任。

第二十三条 国境卫生检疫机关工作人员，应当秉公执法，忠于职守，对入境、出境的交通工具和人员，及时进行检疫；违法失职的，给予行政处分，情节严重构成犯罪的，依法追究刑事责任。

第六章 附 则

第二十四条 中华人民共和国缔结或者参加的有关卫生检疫的国际条约同本法有不同规定的，适用该国际条约的规定。但是，中华人民共和国声明保留的条款除外。

第二十五条 中华人民共和国边防机关与邻国边防机关之间在边境地区的往来，居住在两国边境接壤地区的居民在边境指定地区的临时往来，双方的交通工具和人员的入境、出境检疫，依照双方协议办理，没有协议的，依照中国政府的有关规定办理。

第二十六条 国境卫生检疫机关实施卫生检疫，按照国家规定收取费用。

第二十七条 本法自1987年5月1日起施行。1957年12月23日公布的《[中华人民共和国国境卫生检疫条例](#)》同时废止。

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