

天津市人民政府令

Decree of Tianjin Municipal People's Government

第 18 号

No. 18

《天津市海上搜寻救助规定》已于 2020 年 7 月 3 日经市人民政府第 110 次常务会议通过，现予公布，自 2020 年 9 月 1 日起施行。

The “Provisions of Tianjin Municipality on Maritime Search and Rescue”, which were adopted at the 110th executive meeting of the municipal people's government on February 17, 2020, are hereby promulgated and shall come into force as of September 1, 2020.

天津市市长 张国清

Zhang Guoqing

Mayor of Tianjin

2020 年 7 月 8 日

July 8, 2020

天津市海上搜寻救助规定

The Provisions of Tianjin Municipality on Maritime Search and Rescue

第一章 总 则

Chapter I General Provisions

第一条 为了加强海上搜寻救助工作，及时、有效搜寻救助海上遇险人员，保障人命安全，根据《中华人民共和国突发事件应对法》、《中华人民共和国海上交通安全法》等法律法规，结合本市实际，制定本规定。

Article 1 In order to strengthen maritime search and rescue, to search and rescue persons in distress at sea in a timely and effective manner and to ensure the safety of life, these provisions are hereby formulated in accordance with the Emergency Response Law of the People's Republic of China, the Maritime Traffic Safety Law of the People's Republic of China and other relevant laws and regulations, and in light of the actual conditions of this municipality.

第二条 本规定适用于国家划定由本市负责的海上搜寻救助责任区域内海上搜寻救助(以下简称海上搜救)及其相关活动。

Article 2 These provisions shall apply to maritime search and rescue and related activities under the legal duty of Tianjin municipality.

第三条 本规定所称海上搜救，是指船舶、设施、航空器和人员在海上遇险，造成或者可能造成人员伤亡、失踪时，政府统一组织开展应急处置和救援遇险人员的活动。

Article 3 The maritime search and rescue mentioned in these provisions refers to the activities of the government to organize and carry out emergency response and rescue of persons when ship, facility, aircraft and/or personnel are in distress at sea, causing or likely to cause death, injury or disappearance of any person.

第四条 海上搜救工作应当遵循以人为本、安全第一、科学施救的原则，形成政府领导、统一指挥、属地为主、专群结合、就近就便、快速高效的工作格局，完善预防与救助相结合、专业搜寻救助与社会搜寻救助相结合、自救与他救相结合的救助机制。

Article 4 Maritime search and rescue shall follow the principles of people-oriented, safety first, scientific rescue, a rapid and efficient work pattern featuring government leadership, unified command, the priority of territorial jurisdiction, the combination of professionals and masses, convenience, prevention, and the combination of self-rescue and other people's rescue.

第五条 海上遇险人员有获得无偿救助的权利。

在不严重危及自身安全的情况下，具有海上搜救能力的单位和个人，有对遇险人员进行救助的义务。

Article 5 Persons in distress at sea are entitled to free aid.

In the case of not seriously endangering their own safety, entities and individuals with maritime search and rescue capabilities have the obligation to rescue persons in distress.

第六条 市人民政府应当加强对海上搜救工作的领导，将海上搜救工作纳入国民经济和社会发展规划，健全海上搜救体系和应急反应机制，提高海上搜救能力。

相关区人民政府应当按照市人民政府的工作部署和要求做好海上搜救相关工作。

Article 6 The Municipal People's Government shall strengthen the leadership on maritime search and rescue, incorporate maritime search and rescue into relevant plans for national economic and social development, improve maritime search and rescue systems and emergency response mechanisms, and improve the capability of maritime search and rescue.

The relevant district people's government shall conduct due diligence in maritime search and rescue in accordance with the work deployment and requirements of the municipal people's government.

第七条 交通运输、海事、应急、公安、财政、规划资源、卫生健康、民政、农业农村、气象、通信管理、海警等单位，在各自职责范围内做好海上搜救工作。

Article 7 Authorities that are responsible for transportation, maritime affairs, emergency response, public security, finance, resources planning, health, civil affairs, agriculture and rural areas, meteorology, communication management, maritime police and others shall, within their respective responsibilities, do their best in maritime search and rescue.

第八条 本市加强海上搜救的宣传教育，普及海上避险与求生知识，增强公众海上风险防范意识，提高公众海上避险救助能力。

Article 8 This Municipality shall enhance the publicity and education of maritime search and rescue, popularize the knowledge of maritime safety and survival, enhance public awareness of maritime risk prevention, and enhance the ability of public to avoid danger and to rescue at sea.

第九条 市人民政府应当健全海上搜救奖励制度，对在海上搜救工作中作出突出贡献的单位和个人给予奖励。

Article 9 The Municipal People's Government shall improve the reward system of maritime search and rescue according to which units and individuals that have made outstanding contributions to the maritime search and rescue shall be rewarded.

第二章 机构和资源

Chapter II Agencies and Resources

第十条 市人民政府设立的市海上搜救中心负责本市海上搜救的统一组织、协调和指挥工作。市海上搜救中心的组成及职责分工由市人民政府确定。

市海上搜救中心办公室设在天津海事局，负责市海上搜救中心的日常运行管理工作。

市海上搜救中心根据实际需要设立海上搜救分中心。

Article 10 The Municipal Maritime Search and Rescue Center established by the Municipal People's Government shall be responsible for the unified organization, coordination and command of the maritime search and rescue within the jurisdiction of this Municipal. The composition and division of responsibilities of the Municipal Maritime Search and Rescue Center shall be determined by the Municipal People's Government.

The office of the Municipal Maritime Search and Rescue Center, located in Tianjin Maritime Safety Administration, shall be responsible for the daily operation and management of the Municipal Maritime Search and Rescue Center.

The Municipal Maritime Search and Rescue Center shall set up Maritime Search and Rescue Sub-centers in accordance with actual needs .

第十一条 市海上搜救中心具体履行下列职责：

- （一）执行国家和本市有关海上搜救工作的法律、法规、规章和政策；
- （二）拟订海上搜救有关制度和规划；
- （三）拟订海上搜救应急预案；
- （四）编制海上搜救预算；
- （五）划定海上搜救分中心搜寻救助责任区域并确定其职责；
- （六）组织、协调、指挥海上搜救行动；
- （七）建设海上搜救队伍，指定本市海上搜救力量；
- （八）指导社会搜寻救助力量能力建设；
- （九）定期组织海上搜救演习及相关培训；
- （十）组织开展海上搜救宣传教育；
- （十一）组织实施海上搜救奖励工作；
- （十二）开展省际间的海上搜救合作；
- （十三）法律、法规、规章和市人民政府确定的其他职责。

Article 11 The Municipal Maritime Search and Rescue Center shall specifically perform the following duties:

- (1) To implement relevant national and municipal laws, regulations, rules and policies on maritime search and rescue work.
- (2) To draft relevant systems and plans for maritime search and rescue.
- (3) To draft emergency plans for maritime search and rescue.
- (4) To formulate budgets for maritime search and rescue.
- (5) To designate the search and rescue area for Maritime Search and Rescue Sub-Centers and to determine its responsibilities.
- (6) To organize, coordinate and command maritime search and rescue operations.
- (7) To establish a maritime search and rescue team and designate the maritime search and rescue force sponsored by this municipality.
- (8) To guide the capacity building of social search and rescue forces.
- (9) To regularly organize exercises and related training of maritime search and rescue.
- (10) To organize and carry out the publicity and education of maritime search and rescue.
- (11) To organize and implement the reward for marine search and rescue work.

(12) To carry out inter-provincial maritime search and rescue cooperation.

(13) Other responsibilities prescribed by laws, regulations, rules and the Municipal People's Government.

第十二条 市海上搜救中心拟订的海上搜救应急预案，经市人民政府批准后实施。

海上搜救分中心拟订的海上搜救应急预案应当报市海上搜救中心备案。

海上搜救应急预案包括下列内容：

- （一）海上搜救应急组织指挥体系及其职责任务；
- （二）海上风险的预警和预防机制；
- （三）海上突发事件的分级与报告程序；
- （四）海上突发事件应急响应和处置措施；
- （五）海上搜救后期处置；
- （六）海上搜救应急保障。

Article 12 The emergency plan of maritime search and rescue drawn up by the Municipal Maritime Search and Rescue Center shall be implemented after being approved by the Municipal People's Government.

The emergency plan of maritime search and rescue drawn up by Maritime Search and Rescue Sub-centers shall be submitted to the Municipal Maritime Search and Rescue Center for the record.

The emergency plan of maritime search and rescue shall include the following contents:

- (1) The command system and tasks of Maritime search and rescue emergency organization.
- (2) Early warning and prevention mechanism for maritime risks.
- (3) Classification and reporting procedures for maritime emergencies.
- (4) Quick response and handling measures for maritime emergencies.
- (5) Subsequent disposal after maritime search and rescue.
- (6) Supporting Measures for maritime search and rescue.

第十三条 市海上搜救中心各成员单位应当按照市人民政府确定的职责和海上搜救应急预案的规定，制定配套工作预案，与市海上搜救中心建立信息共享和通信联络机制，做好海上搜救工作。

Article 13 The member entities of the Municipal Maritime Search and Rescue Center shall, in accordance with the duties determined by the Municipal People's Government and the provisions of the maritime search and rescue emergency plan, formulate supporting work plans, establish an information sharing and communication

liaison mechanism with the Municipal Maritime Search and Rescue Center, and do well in maritime search and rescue.

第十四条 医疗、通信、航运等有关企业事业单位和社会组织应当协助配合做好海上搜救工作。

Article 14 Enterprises, institutions and social organizations related to medical care, communications and shipping shall assist and cooperate with the maritime search and rescue work.

第十五条 海上搜救专业救助单位应当指定搜寻救助值班船舶、航空器，保持值班待命，并将承担值班任务的船舶、航空器及其值班地点向市海上搜救中心通报。

海上搜救专业救助单位应当按照市海上搜救中心的要求，及时参加搜寻救助行动。

Article 15 Professional entities for maritime search and rescue shall designate vessels and aircrafts keeping on duty for search and rescue and notify the Municipal Maritime Search and Rescue Center of the vessels and aircrafts on duty and their places.

Professional rescue entities for maritime search and rescue shall participate in search and rescue in a timely manner in accordance with the requirements of the Municipal Maritime Search and Rescue Center.

第十六条 市海上搜救中心与军队建立协同关系，及时通报相关情况。必要时，按程序请求军队参与海上搜救行动。

Article 16 The Municipal Maritime Search and Rescue Center shall establish a coordinated relationship with the military and report relevant information in a timely manner. The Municipal Maritime Search and Rescue Center shall, if necessary, request the military to participate in maritime search and rescue in accordance with procedures.

第十七条 鼓励和支持社会力量建立海上搜救志愿者队伍。

鼓励单位和个人参与海上搜救工作或者提供物资、资金支持和捐赠。

Article 17 Non-State actors are encouraged and supported to establish volunteer teams for maritime search and rescue.

Entities and individuals are encouraged to participate in maritime search and rescue or to provide supplies, financial support and donations.

第三章 准备和保障

Chapter III Preparation and Guarantee

第十八条 本市加快推进海上搜救指挥平台信息化建设，建立完善机场、码头等海上搜救基础设施，加强海上搜救设备和物资储备，提高海上搜救能力。

Article 18 This Municipality shall accelerate the informationization of the command platform of maritime search and rescue, establish and improve maritime search and rescue infrastructure such as airports and docks, strengthen the storage of maritime search and rescue equipment and supplies, and improve maritime search and rescue capabilities.

第十九条 市人民政府安排相应的资金专项用于海上搜救工作,并列入市财政预算。海上搜救经费由市海上搜救中心管理,用于下列事项:

- (一) 市海上搜救中心日常办公开支;
- (二) 社会力量参与海上搜救行动的适当补贴;
- (三) 举行海上搜救演习、演练;
- (四) 举办海上搜救知识、技能培训;
- (五) 购置与维护海上搜救设施、设备;
- (六) 奖励海上搜救先进单位和个人。

相关区、乡镇人民政府应当将海上搜救所需经费列入本级政府财政预算,为海上搜救工作提供经费保障。

海上搜救经费实行专款专用,任何单位和个人不得侵占、挪用、截留。

Article 19 The Municipal People's Government shall arrange corresponding funds specifically for maritime search and rescue, and

shall include them in the municipal financial budget. Funds for Maritime search and rescue shall be managed by the Municipal Maritime Search and Rescue Center for the following matters:

- (1) To pay for daily office expenses of the Municipal Maritime Search and Rescue Center.
- (2) To give appropriate subsidies for social forces to participate in maritime search and rescue.
- (3) To conduct maritime search and rescue exercises and drills.
- (4) To hold training on knowledge and skills of maritime search and rescue.
- (5) To purchase and maintain marine search and rescue facilities and equipment;
- (6) To reward outstanding units and individuals in maritime search and rescue.

The people's governments of relevant districts and towns shall include the funds required for maritime search and rescue in the financial budget of the government at the corresponding level, in order to provide financial guarantee for maritime search and rescue.

Funds for maritime search and rescue shall be used only for such purpose. No unit or individual may embezzle, misappropriate, or withhold them.

第二十条 市海上搜救中心、海上搜救分中心应当健全海上搜救值班值守制度，配备专职搜救协调员，保持 24 小时值守，设置并公开 12395 海上遇险求救专用电话。

Article 20 The Municipal Maritime Search and Rescue Center and Maritime Search and Rescue Sub-centers shall improve the on-duty system for maritime search and rescue, provide full-time search and rescue coordinators remaining on duty 24 hours a day, and set the special phone number 12395 for distress calls at sea and make it public.

第二十一条 市海上搜救中心应当定期组织开展应对不同险情的海上搜救演习。海上搜救演习方案应当报市人民政府批准，并向中国海上搜救中心备案。

Article 21 The Municipal Maritime Search and Rescue Center shall regularly organize and carry out maritime search and rescue exercises in response to different dangerous situations. The maritime search and rescue exercise plan shall be submitted to the Municipal People's Government for approval and filed with the China Maritime Search and Rescue Center.

第二十二条 市海上搜救中心根据国家有关规定，将具备海上搜救能力的单位及其船舶、设施、航空器指定为本市海上搜救力量，给予必要的政策、技术等扶持。

Article 22 In accordance with relevant national regulations, the Municipal Maritime Search and Rescue Center shall designate units

with maritime search and rescue capabilities and their ships, facilities, and aircraft as the municipality's maritime search and rescue force, and provide necessary policy and technical support to them.

第二十三条 被指定为本市海上搜救力量的单位,应当做好下列工作:

(一) 对指定的船舶、设施、航空器进行定期维护保养,使其保持良好的技术状态;

(二) 将指定的船舶、设施、航空器的变动情况及时向市海上搜救中心报告;

(三) 对有关人员海上搜救知识和技能进行培训;

(四) 建立值班制度,保持与市海上搜救中心、海上搜救分中心的联系。

Article 23 The entity designated as the municipality 's maritime search and rescue force shall perform the following duties:

(1) To regularly maintain designated ships, facilities, and aircraft and keep them in good technical condition.

(2) To report timely to the Municipal Maritime Search and Rescue Center on changes in designated ships, facilities, and aircraft.

(3) To train relevant personnel on knowledge and skills of maritime search and rescue.

(4) To establish a duty system and maintain contact with the Municipal Maritime Search and Rescue Center and Maritime Search and Rescue Sub-centers.

第二十四条 气象、规划资源部门应当按照市海上搜救中心的要求，及时提供海上气象、水文等信息。

Article 24 The meteorological and planning resource authorities shall provide maritime meteorological and hydrological information in a timely manner in accordance with the requirements of the Municipal Maritime Search and Rescue Center.

第二十五条 通信管理部门应当协调电信运营企业为海上搜救提供通信保障。

Article 25 The communication management authorities shall coordinate telecommunication operators to provide communication guarantees for maritime search and rescue.

第二十六条 卫生健康部门应当指定具有相应医疗技术和条件的医疗机构承担海上医疗咨询、医疗援助和医疗救治任务。

Article 26 The health authorities shall designate medical agencies with corresponding medical technology and conditions to undertake maritime medical consultation, medical assistance and medical treatment tasks.

第二十七条 鼓励支持科研机构、高等院校和有关单位开展海上公共安全预防、监测、预警、应急处置与救援的科学研究，开发推广新技术、新装备，为海上搜救提供技术支持。

Article 27 Scientific research institutes, universities and colleges, and relevant entities are encouraged and supported to carry out scientific research on maritime public safety prevention, monitoring, early warning, emergency response and rescue. They are expected to develop and promote new technologies and equipment to provide technical support for maritime search and rescue.

第二十八条 船舶、设施、航空器所属单位以及从事海上活动的其他单位，应当建立健全安全管理制度，定期对从业人员进行专业培训，做好参与海上活动人员的安全教育，落实安全防范措施，提高自救、互救和获得他救的能力。

Article 28 Entities with vessels, facilities, aircrafts and other entities engaged in maritime activities shall establish and improve safety management systems, provide regular professional training for practitioners, conduct safety education for those involved in maritime activities, implement safety precautions and improve the ability of self-rescue and mutual rescue, and the ability to seek rescue.

第二十九条 参加海上搜救行动的人员受伤、致残或者死亡的，按照下列规定办理：

（一）有用人单位的，按照国家和本市有关工伤保险的规定执行；

（二）无用人单位的，由险情发生地的区人民政府参照国家和本市有关工伤保险的项目以及标准支付费用；难以界定险情发生地的，由市人民政府参照国家和本市有关工伤保险的项目以及标准支付费用；

（三）符合国家和本市见义勇为规定的，依法给予奖励；

（四）符合烈士评定条件的，依法评定为烈士。

前款规定的人员，国家和本市另有抚恤优待规定的，从其规定。

Article 29 If a person participating in maritime search and rescue is injured, disabled or killed, the following provisions shall be applied:

(1) If he is an employee, the provisions of the State and this municipality on work injury insurance shall apply.

(2) If he is not an employee, the district people's government in the place where the accident occurred shall pay the reparation in accordance with the national and municipal work-related injury insurance items and standards; if it is difficult to define the place where the accident occurs, the municipal people's government shall pay the reparation in accordance with the national and municipal work-related injury insurance items and standards.

(3) He may receive rewards in accordance with the State and the municipality's rules on doing justice.

(4) If he meets the criteria for martyrs, he shall be assessed as a martyr in accordance with the law.

For the personnel specified in the above provisions, if the State or this municipality have other provisions on pensions and preferential treatment, those provisions shall apply.

第四章 预警和报告

Chapter IV Early Warning and Reporting

第三十条 气象、规划资源等预警信息监测部门应当按照各自职责及时收集和研究分析可能造成海上突发事件的信息，按照国家有关规定发布专业预报、预警信息，并及时向市海上搜救中心通报。

市海上搜救中心应当根据不同预警级别，有针对性地做好海上搜救应急准备，将预警信息通知有关单位和个人。

Article 30 Meteorology, planning resources and other early information-warning and monitoring authorities shall timely collect, research and analyze information that may cause maritime emergencies in accordance with their respective responsibilities, release professional forecasts and early warning information in

accordance with relevant national regulations, and notify the Municipal Maritime Search and Rescue Center in a timely manner .

The Municipal Maritime Search and Rescue Center shall make corresponding emergency preparations for maritime search and rescue depending on different warning levels, and notify relevant units and individuals of the warning information.

第三十一条 从事海上活动的相关单位和人员应当注意接收预警信息，根据不同预警级别，采取相应的安全防范措施，严格遵守禁限航规定，防止或减少海上突发事件可能造成的危害。

Article 31 Relevant entities and personnel engaged in marine activities shall pay attention to early warning information, take corresponding safety precautions in accordance with different early warning levels, strictly abide by the regulations concerning the prohibition and restriction of navigation, and prevent or reduce the possible harm caused by maritime emergencies.

第三十二条 船舶、设施、航空器和人员在海上遇险的，应当迅速将遇险时间、位置、人员数量、现状以及原因、救助请求等信息，向市海上搜救中心报告。

任何单位和个人发现或者获悉船舶、设施、航空器和人员在海上遇险时，应当立即向市海上搜救中心报告。

Article 32 Vessels, facilities, aircrafts or persons in distress at sea shall promptly report the information of distress, including the time,

location, number of persons, status quo and reasons, rescue request and others to the Municipal Maritime Search and Rescue Center.

When any entity or individual discovers or knows that Vessels, facilities, aircrafts, or persons are in distress at sea, they shall immediately report to the Municipal Maritime Search and Rescue Center.

第三十三条 市海上搜救中心接到海上险情报告, 应当立即核实下列情况:

(一) 险情发生的时间、位置、原因、现状和已采取的措施、救助请求;

(二) 遇险人员姓名、国籍、联系方式、人数及伤亡情况;

(三) 船舶、设施、航空器的名称、种类、国籍、呼号、联系方式及载客载货情况;

(四) 遇险水域风力、风向、流向、流速、潮汐、水温、浪高等气象、海况信息;

(五) 船舶或航空器溢油信息。

Article 33 Upon receipt of a maritime danger report, the Municipal Maritime Search and Rescue Center shall immediately verify the following conditions:

(1) Time, location, cause and current situation of the danger, measures and assistance request taken.

(2) Name, nationality, contact information, number, and casualties of persons in distress.

(3) Name, type, nationality, call number, contact information and the passenger and cargo status of the ship, facility, and aircraft.

(4) Meteorological and sea state information such as wind force, wind direction, water flow direction, water velocity, tide, water temperature, wave height, etc. of the water in distress.

(5) Information about ship or aircraft oil spill.

第三十四条 海上突发事件按照社会危害程度、影响范围等因素，分为特别重大、重大、较大、一般四个等级。

Article 34 Maritime emergencies, according to factors such as the degree of social harm and the scope of impact, are classified into four levels, namely, extremely major, major, relatively major and general.

第三十五条 市海上搜救中心应当根据核实的海上险情信息确定海上突发事件等级，并向市人民政府和中国海上搜救中心报告，视情况通报相关海上搜救分中心。

Article 35 The Municipal Maritime Search and Rescue Center shall determine the level of marine emergencies based on the verified information of maritime danger, report to the Municipal People's Government and China Maritime Search and Rescue Center, and

report to the relevant maritime search and rescue sub-centers according to the given situation.

第三十六条 任何单位和个人报告险情时,应当及时、客观、真实,不得瞒报、谎报或者故意夸大险情。

从事海上活动的相关单位和人员应当加强对报警设备的维护和管理,防止误报;发现误报后,应当立即采取措施,消除影响。

Article 36 When reporting a dangerous situation, any entity or individual shall be timely, objective and truthful, and shall not conceal, misrepresent or deliberately exaggerate the dangerous situation.

The relevant entity and personnel engaged in maritime activities shall strengthen the maintenance and management of the alarm equipment to prevent false alarm. In case of a false alarm, it shall immediately take measures to eliminate the impact.

第五章 处置和救援

Chapter V Disposal and Rescue

第三十七条 市海上搜救中心按照确定的海上突发事件等级,及时启动市海上搜救应急预案。

相关海上搜救分中心接到市海上搜救中心海上险情信息通报后，及时启动本级海上搜救应急预案。

Article 37 The Municipal Maritime Search and Rescue Center should promptly activate the municipal maritime search and rescue emergency plan in time according to the determined marine emergency level.

Relevant maritime search and rescue sub-centers should promptly activate the emergency plan for maritime search and rescue at corresponding level in time after receiving the notification of maritime danger information from the Municipal Maritime Search and Rescue Center.

第三十八条 接到市海上搜救中心或者相关海上搜救分中心指令参与海上搜救行动的单位 and 人员，应当立即行动，并接受市海上搜救中心或者相关海上搜救分中心的统一组织、协调和指挥；有正当理由不能立即执行指令的，应当及时向市海上搜救中心或者相关海上搜救分中心报告。

Article 38 Entities and personnel who have received instructions from the Municipal Maritime Search and Rescue Center or the relevant maritime search and rescue sub-center to participate in the maritime search and rescue operation shall act immediately and accept the unified organization, coordination and command of the municipal maritime search and rescue center or the relevant maritime search and rescue sub-center; if there is justifiable reason

for not being able to follow the instructions immediately, it shall promptly report to the Municipal Maritime Search and Rescue Center or the relevant maritime search and rescue sub-center.

第三十九条 海上搜救现场指挥由市海上搜救中心或者相关海上搜救分中心指定。现场指挥未指定前，由先期抵达突发事件现场的船舶承担；公务执法船、专业救助船到达现场后，由其担任或者接任现场指挥。

现场指挥应当执行市海上搜救中心或者相关海上搜救分中心的指令，并及时报告现场情况和搜寻救助进展。

Article 39 The on-site command of maritime search and rescue shall be designated by the Municipal Maritime Search and Rescue Center or the relevant maritime search and rescue sub-center. Before the on-site command is designated, it shall be assumed by the ship that arrived at the scene of the emergency first; after the official law enforcement ship or professional rescue vessel arrives at the scene, it shall assume or take over the on-site command.

The on-site commander shall implement the instructions of the Municipal Maritime Search and Rescue Center or relevant maritime search and rescue sub-centers, and report the situation of the scene and search and rescue progress in a timely manner.

第四十条 海上搜救现场的船舶、设施、航空器应当服从现场指挥的组织、协调、指挥。

参加海上搜救的船舶、设施、航空器不得擅自退出海上搜救行动；确需退出的，应当经市海上搜救中心或者相关海上搜救分中心同意。

Article 40 Vessels, facilities and aircraft at the maritime search and rescue scene shall follow the organization, coordination and command of the on-site commander.

Vessels, facilities and aircraft participating in maritime search and rescue should not withdraw from maritime search and rescue operations without authorization; if it is really necessary to do so, consent shall be obtained from the municipal maritime search and rescue center or the relevant maritime search and rescue sub centers.

第四十一条 受气象、海况、技术状况等客观条件限制，致使海上搜救行动无法进行的，或者继续搜寻救助将严重危及参与搜寻救助人员和船舶、设施、航空器等自身安全的，市海上搜救中心或者相关海上搜救分中心可以按照职责权限决定中止海上搜救行动。中止原因消除后，应当立即恢复海上搜救行动。

Article 41 If operations of maritime search and rescue cannot be carried out due to the restriction of meteorological conditions, sea states or technical conditions and other objective conditions, or the continued search and rescue will seriously endanger the safety of personnel involved in search and rescue and the safety of vessels,

facilities, aircraft, etc., the Municipal Maritime Search and Rescue Center or relevant maritime search and rescue sub-centers may decide to suspend maritime search and rescue operations in accordance with their duties and powers. Once reasons for suspension are removed, operations for maritime search and rescue shall be immediately resumed.

第四十二条 有下列情形之一的，市海上搜救中心或者相关海上搜救分中心可以终止海上搜救行动：

- （一）所有可能存在遇险人员的区域均已搜寻；
- （二）遇险人员在当时的气温、水温、风、浪条件下得以生存的可能性已完全不存在；
- （三）海上搜救行动已获得成功或者紧急情况已经消除；
- （四）海上突发事件的危害已彻底消除或者已得到控制，不再有扩展或者复发的可能。

Article 42 In one of the following circumstances, the Municipal Maritime Search and Rescue Center or the relevant maritime search and rescue sub-center may terminate the maritime search and rescue operation:

- (1) All areas where people in distress are likely to exist have been searched.

(2) People in distress are unlikely to survive under the air temperature, water temperature, wind waves, and other natural conditions then and there.

(3) People in distress have been rescued successfully or emergency has been removed.

(4) The hazards of marine emergencies have been completely eliminated or controlled, and there is no longer any possibility of expansion or recurrence.

第四十三条 参加海上搜救行动的单位和个人，可以根据现场情况和专业分析、判断，提出中止、恢复或者终止搜寻救助的建议。

市海上搜救中心作出海上搜救行动的中止、恢复或者终止决定后，应当及时通报参加海上搜救行动的单位和个人，并报告市人民政府和中国海上搜救中心。

相关海上搜救分中心作出海上搜救行动的中止、恢复或者终止决定后，应当及时通报参加海上搜救行动的单位和个人，并报告市海上搜救中心。

Article 43 Entities and individuals participating in maritime search and rescue operations may, based on the on-site situation and professional analysis and judgment, put forward suggestions to suspend, resume or terminate search and rescue operations.

The Municipal Maritime Search and Rescue Center, when deciding to suspend, resume or terminate operations of maritime search and rescue, shall promptly notify the entities and individuals participating in the maritime search and rescue operation, and report to the Municipal People's Government and China Maritime Search and Rescue Center.

The relevant maritime search and rescue sub-center, when deciding to suspend, resume or terminate operations of maritime search and rescue, shall promptly notify the entities and individuals participating in the maritime search and rescue operation, and report to the Municipal Maritime Search and Rescue Center.

第四十四条 船舶、设施、航空器和人员在海上遇险，应当采取一切有效措施进行自救。

海上遇险的船舶、设施、航空器的所有人、经营人或者管理人，应当积极配合并主动参加海上搜救行动。

Article 44 Vessels, facilities, aircrafts and personnel in distress at sea shall take all effective measures to rescue themselves.

The owners, operators or managers of vessels, facilities and aircrafts in distress at sea shall actively cooperate with and take part in maritime search and rescue operations.

第四十五条 船舶、设施、航空器和人员在海上获悉遇险求救信息时，应当及时与求救者联系并转发遇险求救信息。

险情发生水域附近的船舶、设施、航空器获悉遇险求救信息时，在不严重危及自身安全的情况下，应当立即赶赴险情现场，尽力救助遇险人员。

Article 45 When vessels, facilities, aircrafts and personnel are informed of the distress information at sea, they shall contact the person in need of help and forward the information.

When vessels, facilities and aircrafts near the water area where the dangerous situation occurs are informed of the distress information, they shall immediately rush to the scene of the danger and try their best to rescue the people in distress, provided their own safety is not seriously endangered.

第四十六条 搜寻救助行动所在地的区人民政府负责组织做好获救人员安置和遇难人员的善后工作，妥善解决因处置海上突发事件引发的矛盾和纠纷。

Article 46 The district people's government where the search and rescue operation occurs is responsible for taking care of the rescued and the rehabilitation of decedents, and properly solving the conflicts and disputes arising from the handling of maritime emergencies.

第四十七条 市海上搜救中心应当及时、准确、全面地向社会发布海上搜救信息。

任何单位和个人不得编造、传播有关海上突发事件事态发展或者应急处置工作的虚假信息。

Article 47 The municipal maritime search and rescue center shall timely, accurately and comprehensively release maritime search and rescue information to the public.

No entity or individual may fabricate or disseminate false information about the development of maritime emergencies or emergency response work.

第六章 法律责任

Chapter VI Legal Liability

第四十八条 违反本规定第三十六条，瞒报、谎报或者故意夸大险情的，海事管理机构可对当事人处以 2 万元以下罚款。船舶、设施误报未及时消除影响的，海事管理机构可对船舶、设施的所有人或者经营人处以 1 万元以下罚款。

Article 48 In violation of Article 36, the maritime administrative agency may impose a fine of not more than 20000 yuan on the party concerned if someone conceals, misrepresents or intentionally exaggerates the dangerous situation. If the influence of a false report

of a vessel or facility cannot be eliminated in time, the maritime administrative agency may impose a fine of not more than 10000 yuan on the owner or operator of the vessel or facility.

第四十九条 违反本规定第三十八条、第四十条，有下列情形之一的，由市海上搜救中心向有关主管部门提出处理建议；对不听从海事管理机构统一指挥实施救助的，由海事管理机构对船舶、设施所有人或者经营人处以 200 元以上 1 万元以下罚款；对船长、设施主要负责人处以 100 元以上 8000 元以下罚款，并可扣留船员适任证书 6 个月至 12 个月：

（一）接到市海上搜救中心或者相关海上搜救分中心的指令后，无正当理由不参加海上搜救的；

（二）在海上搜救行动中不服从现场指挥的组织、协调、指挥的；

（三）未经市海上搜救中心或者相关海上搜救分中心同意，退出海上搜救行动的。

Article 49 In one of the following circumstances violating Article 38 or Article 40, the municipal maritime search and rescue center shall suggest corresponding punishment to the competent authorities. In case of failing to comply with the unified command of the maritime administrative agency, the maritime administrative agency shall impose a fine of not less than 200 yuan but not more than 10000 yuan on the owner or operator of vessel or facility, and a fine of 100 yuan to 8,000 yuan on the captain and the main person in charge of

the facility, and in such a case the certificate of competency may be detained for 6 to 12 months:

(1) Failing to participate in maritime search and rescue without justified reasons after receiving instructions from the municipal maritime search and rescue center or relevant maritime search and rescue sub-centers.

(2) Refusing to follow organization, coordination and command of commanders on the spot.

(3) Withdrawing from the operations of maritime search and rescue without the consent of the Municipal Maritime Search and Rescue Center or the relevant maritime search and rescue sub-center.

第五十条 市海上搜救中心、海上搜救分中心工作人员在搜寻救助工作中玩忽职守、滥用职权、徇私舞弊，或有重大过失的，由相关主管部门依法给予处分；构成犯罪的，依法追究刑事责任。

Article 50 The staff member of the Municipal Maritime Search and Rescue Center and the maritime search and rescue sub-center who abuses his power, neglects his duty or practices favoritism, makes falsification for personal gains in the work of maritime search and rescue or behaves negligently shall be punished by the relevant competent department according to law.

第五十一条 违反本规定，构成违反治安管理行为的，由公安机关或者海警部门依法予以处罚；构成犯罪的，依法追究刑事责任。

Article 51 The police authorities or the maritime police authorities shall impose penalties on any violation of these provisions constituting a violation of public security administrative law simultaneously; if a crime is constituted, the offender shall be held criminally liable in accordance with law.

第五十二条 违反本规定的行为，法律法规已有行政处罚规定的，从其规定。

Article 52 If there are provisions on administrative punishment in laws and regulations for acts violating these provisions, such provisions shall prevail.

第七章 附则

Chapter VII Supplementary Article

第五十三条 本市地方海事管理机构管辖的内河通航水域的水上搜救工作，可参照本规定执行。

Article 53 The search and rescue work in inland navigable waters under the jurisdiction of the local maritime administrative agencies of this municipality may be implemented with reference to these

provisions.

第五十四条 本规定自 2020 年 9 月 1 日起施行。《天津市海上搜寻救助规定》（2007 年市人民政府令第 116 号）同时废止。

Article 54 These provisions shall come into force as of September 1, 2020. The Provisions of Tianjin Municipality on Maritime Search and Rescue (Decree of Tianjin Municipal People's Government No.112 of 2007) shall be replaced simultaneously.