

LAW OF THE PEOPLE'S REPUBLIC OF CHINA ON THE TERRITORIAL SEA AND THE CONTIGUOUS ZONE

[Note]=(Adopted at the 24th Meeting of the Standing Committee of the Seventh National People's Congress on February 25, 1992, promulgated by Order No. 55 of the President of the People's Republic of China on February 25, 1992, and effective as of the date of promulgation)

Full Text

Article 1 This Law is enacted for the People's Republic of China to exercise its sovereignty over its territorial sea and the control over its contiguous zone, and to safeguard its national security and its maritime rights and interests.

Article 2 The territorial sea of the People's Republic of China is the sea belt adjacent to the land territory and the internal waters of the People's Republic of China. The land territory of the People's Republic of China includes the mainland of the People's Republic of China and its coastal islands; Taiwan and all islands appertaining thereto including the Diaoyu Islands; the Penghu Islands; the Dongsha Islands; the Xisha Islands; the Zhongsha Islands and the Nansha Islands; as well as all the other islands belonging to the People's Republic of China.

The waters on the landward side of the baselines of the territorial sea of the People's Republic of China constitute the internal waters of the People's Republic of China.

Article 3 The breadth of the territorial sea of the People's Republic of China is twelve nautical miles, measured from the baselines of the territorial sea.

The method of straight baselines composed of all the straight lines joining the adjacent base points shall be employed in drawing the baselines of the territorial sea of the People's Republic of China. The outer limit of the territorial sea of the People's Republic of China is the line every point of which is at a distance equal to twelve nautical miles from the nearest point of the baseline of the territorial sea.

Article 4 The contiguous zone of the People's Republic of China is the sea belt adjacent to and beyond the territorial sea. The breadth of the contiguous zone is twelve nautical miles. The outer limit of the contiguous zone of the People's Republic of China is the line every point of which is at a distance equal to twenty-four nautical miles from the nearest point of the baseline of the territorial sea.

Article 5 The sovereignty of the People's Republic of China over its territorial sea extends to the air space over the territorial sea as well as to the bed and subsoil of the territorial sea.

Article 6 Foreign ships for non-military purposes shall enjoy the right of innocent passage through the territorial sea of the People's Republic of China in accordance with the law. Foreign ships for military purposes shall be subject to approval by the Government of the People's Republic of China for entering the territorial sea of the People's Republic of China.

Article 7 Foreign submarines and other underwater vehicles, when passing through the territorial sea of the People's Republic of China, shall navigate on the surface and show their flag.

Article 8 Foreign ships passing through the territorial sea of the People's Republic of China must comply with the laws and regulations of the People's Republic of China and shall not be prejudicial to the peace, security and good order of the People's Republic of China.

Foreign nuclear-powered ships and ships carrying nuclear, noxious or other dangerous substances, when passing through the territorial sea of the People's Republic of China, must carry relevant documents and take special precautionary measures.

The Government of the People's Republic of China has the right to take all necessary measures to prevent and stop non-innocent passage through its territorial sea.

Cases of foreign ships violating the laws or regulations of the People's Republic of China shall be handled by the relevant organs of the People's Republic of China in accordance with the law.

Article 9 The Government of the People's Republic of China may, for maintaining the safety of navigation or for other special needs, request foreign ships passing through the territorial sea of the People's Republic of China to use the designated sea lanes or to navigate according to the prescribed traffic separation schemes. The specific regulations to this effect shall be promulgated by the Government of the People's Republic of China or its competent authorities concerned.

Article 10 In the case of violation of the laws or regulations of the People's Republic of China by a foreign ship for military purposes or a foreign government ship for noncommercial purposes when passing through the territorial sea of the People's Republic of China, the competent authorities of the People's Republic of China shall have the right to order it to leave the territorial sea immediately and the flag State shall bear international responsibility for any loss or damage thus caused.

Article 11 All international organizations, foreign organizations or individuals shall obtain approval from the Government of the People's Republic of China for carrying out scientific research, marine operations or other activities in the territorial sea of the People's Republic of China, and shall comply with the laws and regulations of the People's Republic of China.

All illegal entries into the territorial sea of the People's Republic of China for carrying out scientific research, marine operations or other activities in contravention of the provisions of the preceding paragraph of this Article, shall be dealt with by the relevant organs of the People's Republic of China in accordance with the law.

Article 12 No aircraft of a foreign State may enter the air space over the territorial sea of the People's Republic of China unless there is a relevant protocol or agreement between the Government of that State and the Government of the People's Republic of China, or approval or acceptance by the Government of the People's Republic of China or the competent authorities authorized by it.

Article 13 The People's Republic of China has the right to exercise control in the contiguous zone to prevent and impose penalties for activities infringing the laws or regulations concerning security, the customs, finance, sanitation or entry and exit control within its land territory, internal waters or territorial sea.

Article 14 The competent authorities concerned of the People's Republic of China may, when they have good reasons to believe that a foreign ship has violated the laws or regulations of the People's Republic of China, exercise the right of hot pursuit against the foreign ship.

Such pursuit shall be commenced when the foreign ship or one of its boats or other craft engaged in activities by using the ship pursued as a mother ship is within the internal waters, the territorial sea or the contiguous zone of the People's Republic of China.

If the foreign ship is within the contiguous zone of the People's Republic of China, the pursuit may be undertaken only when there has been a violation of the rights as provided for in the relevant laws or regulations listed in Article 13 of this Law.

The pursuit, if not interrupted, may be continued outside the territorial sea or the contiguous zone until the ship pursued enters the territorial sea of its own country or of a third State.

The right of hot pursuit provided for in this Article shall be exercised by ships or aircraft of the People's Republic of China for military purposes, or by ships or aircraft on government service authorized by the Government of the People's Republic of China.

Article 15 The baselines of the territorial sea of the People's Republic of China shall be promulgated by the Government of the People's Republic of China.

Article 16 The Government of the People's Republic of China formulates the relevant regulations in accordance with this Law.

Article 17 This Law shall come into force on the date for promulgation.