

## **Regulations on Administration of Weather Modification**

(Adopted at the 56th Executive Meeting of the State Council on March 13, 2002, promulgated by Decree No. 348 of the State Council of the People's Republic of China on March 19, 2002, and effective as of May 1, 2002)

Article 1 These Regulations are formulated in accordance with the relevant provisions of the Meteorology Law of the People's Republic of China for the purpose of strengthening the administration of weather modification, and preparing against and mitigating meteorological disasters.

Article 2 Weather modification activities carried out in the territory of the People's Republic of China shall be in conformity with these Regulations.

Article 3 For the purpose of these Regulations, "weather modification" refers to the activities carried out for rain or snow enhancement, hail suppression, rain suppression, fog dispersal, or frost protection by exerting, under appropriate conditions, artificial influence on local atmospheric physical and chemical processes through scientific and technological means, so as to mitigate or avert meteorological disasters and properly exploit climatic resources.

Article 4 The competent meteorological departments shall, in light of the scale and impact of weather modification operations, arrange for the implementation of, direct and administer such operations under the leadership and coordination of local people's governments at or above the county levels in places where such activities are carried out.

Article 5 Work plans for weather modification shall be made for conducting activities in this field. Work plans for weather modification shall be prepared by local competent meteorological departments concerned in consultation with relevant departments at the corresponding levels, and be implemented after submission to and approval by the people's governments at the same levels.

Weather modification conducted under work plans for weather modification approved by the people's governments concerned is of public welfare, and expenses required therefor shall be included into the budgets of the people's governments at the corresponding levels.

Article 6 Weather modification operations shall be implemented under appropriate weather and climatic conditions, while local needs for preparing against and mitigating disasters and results of such operations shall be taken into full account.

Article 7 The State encourages and supports scientific and technological research of weather modification and extended application of advanced technologies thereof.

Local people's governments at or above the county levels shall organize experts to evaluate the effects of weather modification operations, and grant awards to or impose penalties upon relevant units providing basis for decision-making based on the evaluation.

Article 8 Sites for weather modification operations shall be determined by the competent meteorological departments of provinces, autonomous regions, or municipalities directly under the Central Government jointly with the relevant flight control departments in light of local climatic features and geographical

conditions and in accordance with the Civil Aviation Law of the People's Republic of China and the General Flight Rules of the People's Republic of China.

Article 9 Units engaged in weather modification operations shall meet the qualification requirements defined by the competent meteorological departments of provinces, autonomous regions, or municipalities directly under the Central Government.

Article 10 Persons engaged in weather modification operations may not implement such operations until they have received training and passed the exams organized by the competent meteorological departments of provinces, autonomous regions, or municipalities directly under the Central Government.

A copy of the name list of persons engaged in weather modification operations by using anti-aircraft guns and/or rocket launchers shall be sent by the competent meteorological department in the place where they reside to local public security organ for the record.

Article 11 Where anti-aircraft guns and/or rocket launchers are used in implementing weather modification operations, the local competent meteorological departments at or above the county levels in the places where such operations are carried out shall submit an application to the relevant flight control department for air space and time period for the operations.

Where aircrafts are used in implementing weather modification operations, the competent meteorological department of a province, autonomous region or municipality directly under the Central Government shall submit an application to the relevant flight control department for air space and time period for such operations; the aircrafts needed therefor shall be supplied by the military or civil aviation authorities in a way as determined through consultations by both demanding and supplying parties; the airport authorities and other departments concerned shall provide necessary support according to the work plan for weather modification.

The flight control department concerned shall, upon the receipt of the application, promptly make a decision and give a notice to the applicant.

Article 12 Weather modification operations shall, in strict compliance with the operational norms and procedures formulated by the competent meteorological department of the State Council, be implemented within the approved air space and time period, and be subject to the direction, administration and supervision of local competent meteorological departments at or above the county levels, so as to ensure the safety of the operations.

Where weather modification operations are to be implemented, the local competent meteorological department shall, on the basis of the actual situations, make a public announcement in advance and notify the local public security organ to ensure the safety and security.

Article 13 Meteorological offices and stations in places where weather modification operations are implemented shall, without delay and free of charge, provide the observed meteorological data, information and forecast that are needed for such operations.

Relevant departments in charge of agriculture, water conservancy and forestry shall, without delay and free of charge, provide data relating to the status of disasters, hydrology, fires, etc. that are needed for weather modification operations.

Article 14 Where weather modification operations are to be implemented crossing the boundaries of different provinces, autonomous regions or municipalities directly under the Central Government, the relevant people's governments of the provinces, autonomous regions or municipalities directly under the Central Government shall make a decision thereon through consultation; if no agreement is reached through consultation, the decision shall be made by the competent meteorological department of the State Council in consultation with the relevant people's governments of the provinces, autonomous regions or municipalities directly under the Central Government.

Article 15 Rocket launchers, shells and rockets used for weather modification operations shall be manufactured according to the relevant compulsory technical standards and requirements of the State by the enterprises designated by the competent meteorological department of the State Council jointly with other departments concerned.

Where the equipment referred to in the preceding paragraph are to be procured for implementing weather modification operations, the competent meteorological departments of the provinces, autonomous regions or municipalities directly under the Central government shall organize the procurement in accordance with the relevant provisions of the State on government procurement.

Article 16 The transportation and storage of anti-aircraft guns, rocket launchers, shells and rockets used for weather modification operations shall be subject to the laws and regulations of the State on the administration of weaponry and explosives. Shells and rockets used for implementing weather modification operations shall be stored with the help of the military forces and/or local arm-the-people departments; if they are to be transported, the departments concerned shall go through the formalities in accordance with the laws and regulations of the State on the administration of weaponry and explosives.

Article 17 The competent meteorological departments of provinces, autonomous regions and municipalities directly under the Central Government shall organize an annual verification of anti-aircraft guns and rocket launchers used for implementing weather modification operations; those that fail to pass the verification shall be promptly checked and repaired, and those that fail again to meet the technical standards and requirements after the check and repair shall be scrapped.

Article 18 The following acts are prohibited:

- (1) transferring equipment for weather modification operations to units or individuals that are not authorized to implement weather modification operations;
- (2) using equipment for weather modification operations for activities not related to weather modification; or
- (3) using equipment that fails to pass the annual verification, exceeds the expiration date or is scrapped.

The transfer of the equipment for weather modification operations between the units that are engaged in weather modification operations shall be submitted to and approved by the relevant competent

meteorological departments of provinces, autonomous regions or municipalities directly under the Central Government.

Article 19 Any unit or individual that, in violation of the provisions of these Regulations, commits any of the following acts, thus causing serious consequences, shall be investigated for criminal liability in accordance with the provisions of the criminal law on the crime of causing an accident in the control of dangerous articles, the crime of negligently causing a serious accident or other crimes; if the act is not serious enough for criminal penalty, the competent meteorological department concerned shall, in light of its administrative powers, order to make rectifications and give a warning; if the circumstances are serious, the qualifications for weather modification operations shall be revoked; if losses are caused, the violator shall bear liability for compensation in accordance with law:

- (1) violating the operational norms or procedures for weather modification operations;
- (2) implementing weather modification operations beyond the approved air space and/or time period;
- (3) transferring equipment for weather modification operations to units or individuals that are not authorized to implement weather modification operations;
- (4) units engaged in weather modification operations transfer equipment for weather modification operations among themselves without approval; or
- (5) using equipment for weather modification operations for activities not related to weather modification.

Article 20 Where weather modification operations are organized and implemented in violation of the provision of these Regulations, thus causing extraordinarily serious safety accidents, the responsible persons of the competent departments concerned, the persons in charge who assume direct responsibilities and other persons directly responsible for the violation shall be punished in accordance with the Provisions of the State Council on Investigation for Administrative Responsibility for Extraordinarily Serious Safety Accidents

Article 21 The specific measures for administration of weather modification activities carried out for military purposes shall be formulated by the Central Military Commission.

Article 22 These Regulations shall be effective as of May 1, 2002.