

Law of the People's Republic of China on Prevention and Control of Radioactive Pollution

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The Law of the People's Republic of China on Prevention and Control of Radioactive Pollution, which was adopted at the Third Session of the Standing Committee of the Tenth National People's Congress of the People's Republic of China on June 28, 2003, is hereby promulgated, and shall come into force on October 1, 2003.

Hu Jintao

Chairman of the People's Republic of China

June 28, 2003

Law of the People's Republic of China on Prevention and Control of Radioactive Pollution

(Adopted at the Third Session of the Standing Committee of the Tenth National People's Congress of the People's Republic of China on June 28, 2003)

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Chapter I General Provisions

Article 1 The present Law is enacted in order to prevent and control radioactive pollution, protect the environment, guarantee the health of human bodies, promote the development and peaceful utilization of nuclear energy and nuclear technology.

Article 2 The present Law shall apply to the activities of prevention and control of radioactive pollution that occurs in the process of the site selection, construction, operation and retirement of nuclear facilities as well as the development and utilization of nuclear technologies, uranium (thorium) mines and associated radioactive mines within the territory of the People's Republic of China and other sea areas under the jurisdiction of the People's Republic of China.

Article 3 The State practices the guideline of mainly stressing prevention, combining prevention and control, administering strictly and putting safety first towards the prevention and control of radioactive pollution.

Article 4 The State encourages and supports the scientific research and the technical development and utilization for the prevention and control of radioactive pollution, and extends advanced technologies for the prevention and control of radioactive pollution.

The State supports the carrying-out of international exchanges and cooperation for the prevention and control of radioactive pollution.

Article 5 The people's government at the county level or above shall include the prevention and control of radioactive pollution into the planning on environmental protection.

The people's government at the county level or above shall arrange for and carry out the pertinent publicity and education on the prevention and control of radioactive pollution, and make the public know about the relevant information and scientific knowledge on the prevention and control of radioactive pollution.

Article 6 Any entity or individual may have the right to disclose and prosecute the acts causing radioactive pollution.

Article 7 The people's government at the county level or above shall reward the entities and individuals that have made prominent achievements in the prevention and control of radioactive pollution.

Article 8 The administrative department of environmental protection under the State Council shall implement unified supervision over the work of prevention and control of radioactive pollution throughout the country in accordance with the law.

The administrative department of health under the State Council and other relevant departments shall, upon their duties prescribed by the State Council, make supervision over the relevant work of prevention and control of radioactive pollution in accordance with the law.

Chapter II Supervision over Prevention and Control of Radioactive Pollution

Article 9 The national standards on the prevention and control of radioactive pollution shall be formulated by the administrative department of environmental protection under the State Council in light of the requirements on environmental safety and the economic and technological conditions of the State. The national standards on the prevention and control of radioactive pollution shall be jointly promulgated by the administrative department of environmental protection under the State Council and the administrative department of standardization under the State Council.

Article 10 The State establishes a system on monitoring radioactive pollution. The administrative department of environmental protection under the State Council shall, jointly with other relevant departments under the State Council, arrange for the environmental monitoring network, and implement monitoring administration over radioactive pollution.

Article 11 The administrative department of environmental protection under the State Council and other relevant departments under the State Council shall, upon the division of their duties, be responsible for their respective duties, transmit information to each other, cooperate closely, as well as supervise and inspect the prevention and control of radioactive pollution in the development and utilization of nuclear facilities and uranium (thorium) mines.

The administrative department of environmental protection under the local people's government at the county level or above and other relevant departments at the same level shall, upon the division of their duties, be responsible for their respective duties, transmit information to each other, cooperate closely, as well as supervise and inspect the prevention and control of radioactive pollution in the utilization of nuclear technology and the development and utilization of associated radioactive mines within their own respective jurisdictions.

The supervision and inspection officers shall show their certificates when making the on-the-spot inspection. The inspected entity must truthfully present the information, and provide the necessary documents. The supervision and inspection officers shall keep confidential the technical secrets and business secrets for the inspected entity, and shall, when inspecting an entity or department involving State secrets, abide by the relevant provisions of the State on keeping confidential the State secrets, as well as handle the relevant formalities for approval in accordance with the law.

Article 12 An entity running transportation of nuclear facilities, an entity utilizing nuclear technology or an entity developing and utilizing uranium (thorium) mines and associated radioactive mines shall be responsible for its own prevention and control of radioactive pollution, accept the supervision by the administrative department of environmental protection and other relevant departments, and bear the liabilities in accordance with the law for the radioactive pollution it has caused.

Article 13 An entity running transportation of nuclear facilities, an entity utilizing nuclear technology or an entity developing and utilizing uranium (thorium) mines and associated radioactive mines must take safety, prevention and protection measures to prevent various accidents that might cause radioactive pollution, and to avoid the harm from radioactive pollution.

An entity running transportation of nuclear facilities, an entity utilizing nuclear technology or an entity developing and utilizing uranium (thorium) mines and associated radioactive mines shall hold education and trainings on radioactive safety for its staff members, and take effective safety measures on prevention and protection.

Article 14 The State applies a qualification administration system to the professionals engaging in the prevention and control of radioactive pollution; and applies a credential administration system to the institutions engaging in monitoring of radioactive pollution.

Article 15 Whichever entity transports radioactive substance or ray devices including radioactive sources shall take effective measures to prevent radioactive pollution. The specific measures shall be prescribed by the State Council.

Article 16 An obvious radioactivity identification and the warning statements in Chinese shall be set for the radioactive substance and ray devices. At a place where radioactive substance and ray devices are produced, sold, used, stored or disposed, and on the means of transportation of radioactive substance and ray devices containing any radioactive source, an obvious radioactivity mark shall be set.

Article 17 A product containing radioactive substance shall meet the national standards on the prevention and control of radioactive pollution; if it does not meet the national standards on the prevention and control of radioactive pollution, it shall not leave the factory or be sold.

If any associated radioactive mineral residues or any stone materials containing natural radioactive substance are used as building and decoration materials, they shall meet the national standards on radioactive nuclide control of building materials.

Chapter III Prevention and Control of Radioactive Pollution from Nuclear Facilities

Article 18 For the site selection of nuclear facilities, a scientific demonstration shall be carried out, and the formalities for approval shall be gone through in accordance with the relevant provisions of the State. Before going through the formalities for approval of site selection of nuclear facilities, the party concerned shall work out a written report on the influence to the environment, and submit it to the administrative department of environmental protection under the State Council for examination and approval; without approval, the relevant department shall not issue the approval document for the site selection of nuclear facilities.

Article 19 An entity running transportation of nuclear facilities must, before carrying out the activities of construction, loading, operation or retirement, etc. for nuclear facilities, apply to obtain the permit for construction and operation of nuclear facilities and go through the formalities for approval of loading and retirement, etc. in accordance with the relevant provisions of the State Council on supervision and administration of the safety of nuclear facilities.

An entity running transportation of nuclear facilities may not carry out the corresponding activities of construction, loading, operation or retirement, etc. until it has obtained the relevant permit or approval document.

Article 20 An entity running transportation of nuclear facilities shall, before applying for obtaining the permit for construction and operation of nuclear facilities and going through the formalities for approval of retirement, work out a written report on the influence to the environment, and submit it to the administrative department of environmental protection under the State Council for examination and approval; without approval, the relevant department shall not issue the permit and the approval document.

Article 21 The facilities for the prevention and control of radioactive pollution which are auxiliary to nuclear facilities shall be designed, constructed and put into use simultaneously with the major engineering project.

The facilities for the prevention and control of radioactive pollution shall be inspected and accepted simultaneously with the major engineering project; the major engineering project may not be put into production or use until it has been inspected and accepted as qualified.

Article 22 The imported nuclear facilities shall meet the national standards for the prevention and control of radioactive pollution; if there are no corresponding national standards for the prevention and control of radioactive pollution, the relevant foreign standards designated by the administrative department of environmental protection under the State Council shall be adopted.

Article 23 In the outside region surrounding such important nuclear facilities as nuclear power plant, etc., a limited planning area shall be designated. The measures for designating and administering the limited planning area shall be prescribed by the State Council.

Article 24 An entity running transportation of nuclear facilities shall monitor the category and density of the radioactive nuclide contained in the environment surrounding the nuclear facilities as well as the total amount of radioactive nuclide from the effusion of the nuclear facilities, and regularly report the monitoring result to the administrative department of environmental protection under the State Council and the administrative department of environmental protection under the people's government of the province, autonomous region or municipality directly under the Central Government at its locality.

The administrative department of environmental protection under the State Council shall be responsible for conducting supervisory monitoring over such important nuclear facilities as nuclear power plant, etc., and monitor other effusion of the nuclear facilities in light of needs. The expenses

for constructing, operating and maintaining the supervisory monitoring system shall be included in the financial budget.

Article 25 An entity running transportation of nuclear facilities shall set up and improve the security system, strengthen the security work, and accept the supervision and guidance of the public security department.

An entity running transportation of nuclear facilities shall, in light of the scale and nature of the nuclear facilities, make the plan on meeting emergency from nuclear accidents within the site, and do well in the preparation for meeting the emergency.

In the case of meeting the emergency from a nuclear accident, the entity running transportation of nuclear facilities must immediately take effective emergency measures to control the accident, and make a report to the administrative department of nuclear facilities, the administrative department of environmental protection, the administrative department of health, the public security department and other relevant departments.

Article 26 The State sets up and improves the system for meeting emergency from nuclear accidents.

The administrative department of nuclear facilities, the administrative department of environmental protection, the administrative department of health, the public security department and other relevant departments shall, under the arrangement and leadership of the people's government at the same level, do well in meeting emergency from nuclear accidents upon their respective duties in accordance with the law.

The Chinese People's Liberation Army and the Chinese People's Armed Police Force shall, in accordance with the relevant provisions of the State Council and the Central Military Commission, provide effective aids in meeting emergency from nuclear accidents.

Article 27 An entity running transportation of nuclear facilities shall formulate the plans on retirement of nuclear facilities.

The expenses for retirement of nuclear facilities and those for disposition of radioactive wastes shall be withheld in advance, and be listed in the investment budget and production costs. The measures for withholding and managing expenses for retirement of nuclear facilities and those for disposition of radioactive wastes shall be prescribed by the financial department and price administrative department under the State Council jointly with the administrative department of environmental protection and the administrative department of nuclear facilities under the State Council.

Chapter IV Prevention and Control of Radioactive Pollution from Utilization of Nuclear Technology

Article 28 An entity producing, selling or using radioisotope and ray devices shall, in accordance with the relevant provisions of the State Council on prevention of radioactivity from the radioisotope and ray devices, apply to obtain a permit, and make registration accordingly.

An entity transferring or importing radioisotope and ray devices or an entity equipped with radioisotope instruments shall go through the relevant formalities in accordance with the relevant provisions of the State Council on prevention of radioactivity from the radioisotope and ray devices.

Article 29 An entity producing, selling or using radioisotope, accelerators, neutron producers or ray devices containing radioactive sources shall, before applying to obtain the permit, work out the documents on appraisal of the influence to the environment, and submit them to the administrative department of environmental protection under the people's government of the province, autonomous region or municipality directly under the Central Government for examination and approval; without

approval, the relevant department shall not issue the permit.

The State sets up a system of recording radioisotope. The specific measures shall be prescribed by the State Council.

Article 30 The facilities for prevention of radioactivity at a newly built, rebuilt or extended work site shall be designed, constructed and put into use simultaneously with the major engineering project.

The facilities for prevention of radioactivity shall be inspected and accepted simultaneously with the major engineering project; the major engineering project may not be put into production or use until the said facilities have been inspected and accepted as qualified.

Article 31 The radioisotope shall be kept separately, and shall not be put together with inflammable, explosive or corrosive articles, etc. The effective security and protection measures of fire prevention, precautions against theft, prevention of leakage of rays shall be taken for the storing place, and special persons shall be designated to be responsible for the storing. When radioisotope is stored, obtained, used or returned, it shall be registered and inspected, so that the accounts and the articles are in conformity with each other.

Article 32 An entity producing or using radioisotope or ray devices shall, in accordance with the provisions of the administrative department of environmental protection under the State Council, collect, pack and store the radioactive wastes it generates.

An entity producing radioactive sources shall, in accordance with the provisions of the administrative department of environmental protection under the State Council, recycle and utilize waste radioactive sources; an entity using radioactive sources shall, in accordance with the provisions of the administrative department of environmental protection under the State Council, return the waste radioactive sources to the entity producing radioactive sources or deliver them to an entity specially engaging in the storage and disposition of radioactive solid wastes.

Article 33 An entity producing, selling, using or storing radioactive sources shall set up and improve the security system, designate special persons to be responsible for the system, ensure the implementation of the system of liability for safety, and formulate the necessary measures for meeting emergency from accidents. In case of an accident that the radioactive sources are lost or stolen or a radioactive pollution accident, the relevant entity and individual must immediately take emergency measures, and make a report to the public security department, the administrative department of health and the administrative department of environmental protection.

The public security department, the administrative department of health and the administrative department of environmental protection shall, after the receipt of the report on the accident that the radioactive sources are lost or stolen or the radioactive pollution accident, make a report to the people's government at the same level, and immediately take effective measures according to their respective duties to prevent the radioactive pollution from spreading, and to reduce the losses from the accident. The local people's government shall timely inform the public of the relevant information, and do well in investigating and dealing with the accident.

Chapter V Prevention and Control of Radioactive Pollution from Development and Utilization of Uranium (Thorium) mine and Associated Radioactive Mines

Article 34 An entity developing and utilizing or closing up uranium (thorium) mines shall, before applying to obtain the mining permit or going through the retirement formalities for approval, work out a written report on the influence to the environment, and submit it to the administrative department of environmental protection under the State Council for examination and approval.

An entity developing and utilizing associated radioactive mines shall, before applying to obtain the mining permit, work out a written report on the influence to the environment, and submit it to the administrative department of environmental protection under the people's government at the provincial level or above for examination and approval.

Article 35 The facilities for the prevention and control of radioactive pollution, which are auxiliary to the construction project of development and utilization of uranium (thorium) mines and associated radioactive mines, shall be designed, constructed and put into use simultaneously with the major engineering project.

The facilities for the prevention and control of radioactive pollution shall be inspected and accepted simultaneously with the major engineering project; the major engineering project may not be put into production or use until the said facilities have been inspected and accepted as qualified.

Article 36 An entity developing and utilizing uranium (thorium) mines shall monitor the effusion of the uranium (thorium) mines and the surrounding environment, and shall regularly report the monitoring result to the administrative department of environmental protection under the State Council and the administrative department of environmental protection under the people's government of the province, autonomous region or municipality directly under the Central Government at its locality.

Article 37 A tailing warehouse shall be built to store and dispose of the tailings generated in the process of development and utilization of the uranium (thorium) mines and the associated radioactive mines; the built tailing warehouse shall meet the requirements for prevention and control of radioactive pollution.

Article 38 An entity developing and utilizing uranium (thorium) mines shall make a plan on retirement of uranium (thorium) mines. The expenses for retirement of uranium mines shall be included in the financial budget of the State.

Chapter VI Administration of Radioactive Wastes

Article 39 An entity running transportation of nuclear facilities, an entity utilizing nuclear technology or an entity developing and utilizing uranium (thorium) mines and associated radioactive mines shall reasonably choose and utilize raw materials, use advanced producing process and equipment, and try to reduce the amount of generated radioactive wastes.

Article 40 Whichever entity discharges radioactive waste gas or waste liquid to the environment must meet the national standards on the prevention and control of radioactive pollution.

Article 41 An entity generating radioactive waste gas or waste liquid shall, if discharging to the environment radioactive waste gas or waste liquid which meets the national standards on the prevention and control of radioactive pollution, apply to the administrative department of environmental protection that examines and approves the documents on appraisal of the influence to the environment for the discharge amount of radioactive nuclide, and regularly report the result on measurement of discharge.

Article 42 An entity generating radioactive waste liquid must, upon the requirements of the national standards on the prevention and control of radioactive pollution, dispose or store the radioactive waste liquid which shall not be discharged to the environment.

An entity generating radioactive waste liquid must, if discharging to the environment the radioactive waste liquid that meets the national standards on the prevention and control of radioactive pollution, use the discharging method conforming to the provisions of the administrative department of

environmental protection under the State Council.

It is prohibited to discharge radioactive waste liquid by using soakaway, seepage pit, natural crevice, karst cave or by other means prohibited by the State.

Article 43 The low-level or middle-level radioactive solid wastes shall be subject to near-surface disposition in an area conforming to the provisions of the State.

The high-level radioactive solid wastes shall be subject to concentrative deep-geologic disposition.

The α radioactive solid wastes shall be disposed in accordance with the preceding paragraph.

It is prohibited to dispose radioactive solid wastes in the water area of an inland river or on the sea.

Article 44 The administrative department of nuclear facilities under the State Council shall, jointly with the administrative department of environmental protection under the State Council, work out the planning on selection of the site for disposition of radioactive solid wastes in light of the geological conditions and the needs in disposition of the radioactive solid wastes and on the basis of appraising the influence to the environment, and shall submit the planning to the State Council for approval before implementation.

The relevant local people's government shall, according to the planning on selection of the site for disposition of radioactive solid wastes, provide the land for construction of the site for disposition of the radioactive solid wastes, and take effective measures to support the disposition of the radioactive solid wastes.

Article 45 An entity generating radioactive solid wastes shall, in accordance with the provisions of the administrative department of environmental protection under the State Council, deliver the radioactive solid wastes it generates to the entity disposing the radioactive solid wastes for disposition after having them treated, and shall bear the disposition expenses.

The administrative measures for charging and using the fees for disposition of radioactive solid wastes shall be prescribed by the financial department and the price administrative department under the State Council jointly with the administrative department of environmental protection under the State Council.

Article 46 Whichever entity intends to establish an entity specially engaging in storage and disposition of radioactive solid wastes must be examined and approved by the administrative department of environmental protection under the State Council to obtain the permit. The specific measures shall be prescribed by the State Council.

It is prohibited to engage in the activities of storage and disposition of radioactive solid wastes without being permitted or not in accordance with the relevant provisions on permission.

It is prohibited to provide radioactive solid wastes to an entity without the permit for storage and disposition or entrust such an entity to store and dispose the said wastes.

Article 47 It is prohibited to import radioactive wastes or radioactively polluted articles into the territory of the People's Republic of China or to transfer them via the territory of the People's Republic of China.

Chapter VII Legal Liabilities

Article 48 Any member of the supervision and administration of the prevention and control of

radioactive pollution who, in violation of the legal provisions, takes advantage of his office to accept money or property from others or seek other benefits, or neglects his duties, and commits any of the following acts, shall be imposed upon administrative sanctions in accordance with the law; if a crime is constituted, he shall be investigated for criminal liabilities:

- (1) issuing a permit or an approval document to an entity not qualified for the statutory conditions;
- (2) not implementing his supervisory and administrative duties in accordance with the law;
- (3) not investigating the illegal acts he has found.

Article 49 Whichever entity violates the present Law to commit any of the following acts shall be ordered by the administrative department of environmental protection or other relevant department under the people's government at the county level or above, upon their respective powers, to make a correction within a time limit, and may be imposed upon a fine of not more than 20,000 Yuan:

- (1) not reporting the monitoring result on the relevant environment in accordance with the provisions;
- (2) refusing to accept the on-the-spot inspection by the administrative department of environmental protection and other relevant department, or not truthfully presenting the information or not providing the necessary documents when inspected.

Article 50 Whichever entity violates the present Law by failing to work out the documents on appraisal of the influence to the environment, or, without authorization, by carrying out the activities of construction, operation, production and use, etc. before the documents on appraisal of the influence to the environment are approved by the administrative department of environmental protection, shall be ordered by the administrative department of environmental protection that examines and approves the documents on appraisal of the influence to the environment to cease the illegal acts, and to go through the formalities or recover the original state within a time limit, and shall be imposed upon a fine of not less than 10,000 Yuan but not more than 200,000 Yuan in addition.

Article 51 Whichever entity violates the present Law by failing to construct the facilities for the prevention and control of radioactive pollution or the facilities for the prevention of radioactivity, or by putting the major engineering project into production or use before the prevention, control or protection facilities are inspected and accepted as qualified, shall be ordered by the administrative department of environmental protection that examines and approves the documents on appraisal of the influence to the environment to cease the illegal acts, and to make a correction within a time limit, and shall be imposed upon a fine of not less than 50,000 Yuan but not more than 200,000 Yuan in addition.

Article 52 If, without being permitted or approved, an entity running transportation of nuclear facilities violates the present Law by unauthorizedly carrying out the activities of construction, loading, operation or retirement, etc. of nuclear facilities, it shall be ordered by the administrative department of environmental protection under the State Council to cease the illegal acts, and to make a correction within a time limit, and shall be imposed upon a fine of not less than 200,000 Yuan but not more than 500,000 Yuan in addition; if a crime is constituted, it shall be investigated for criminal liabilities.

Article 53 Whichever entity violates the present Law by producing, selling, using, transferring, importing or storing radioisotope or ray devices or meters equipped with radioisotope, shall be ordered by the administrative department of environmental protection or other relevant department under the people's government at the county level or above upon its powers to cease the illegal acts, and to make a correction within a time limit; if the entity fails to make a correction within the time limit, it shall be ordered to cease its production or business, or its permit shall be suspended; if there are any illegal proceeds, such illegal proceeds shall be confiscated; if the illegal proceeds amount to 100,000 Yuan or more, the entity shall be imposed upon a fine of not less than one time but not more than five times of the illegal proceeds in addition; if there are no illegal proceeds or the illegal

proceeds are less than 100,000 Yuan, the entity shall be imposed upon a fine of not less than 10,000 Yuan but not more than 100,000 Yuan in addition; if a crime is constituted, it shall be investigated for criminal liabilities.

Article 54 Whichever entity violates the present Law by committing any of the following acts shall be ordered by the administrative department of environmental protection under the people's government at the county level or above to cease the illegal acts, and to make a correction within a time limit, and shall be imposed upon a fine; if a crime is constituted, it shall be investigated for criminal liabilities:

- (1) failing to build a tailing warehouse or not complying with the requirements on the prevention and control of radioactive pollution to build a tailing warehouse, or to store or dispose of tailings of uranium (thorium) mines and associated radioactive mines;
- (2) discharging to the environment the radioactive waste gas or waste liquid which shall not be discharged;
- (3) discharging radioactive waste liquid not by the prescribed means, or discharging radioactive waste liquid by using soakaway, seepage pit, natural crevice, karst cave or by other means prohibited by the State;
- (4) not complying with the provisions to dispose of or store the radioactive waste liquid which shall not be discharged to the environment;
- (5) providing radioactive solid wastes to an entity without the permit for storage and disposition or entrust such an entity to store and dispose the said wastes.

Whichever entity commits any of the acts in Items (1), (2), (3) and (5) of the preceding paragraph shall be imposed upon a fine of not less than 100,000 Yuan but not more than 200,000 Yuan; whichever entity commits the act in Item (4) of the preceding paragraph shall be imposed upon a fine of not less than 10,000 Yuan but not more than 100,000 Yuan.

Article 55 Whichever entity violates the present Law by committing any of the following acts shall be ordered by the administrative department of environmental protection or other relevant department under the people's government at the county level or above upon their powers to make a correction within a time limit; if the entity fails to make a correction within the time limit, it shall be ordered to cease its production or business, and shall be imposed upon a fine of not less than 20,000 Yuan but not more than 100,000 Yuan in addition; if a crime is constituted, it shall be investigated for criminal liabilities:

- (1) failing to set the radioactive identification, mark or warning statements in Chinese in accordance with the provisions;
- (2) failing to set up and improve the security system or to make the plan on meeting emergency from accidents or the emergency measures in accordance with the provisions;
- (3) failing to report the information that the radioactive sources are lost or stolen or to report radioactive pollution accidents in accordance with the provisions.

Article 56 If an entity generating radioactive solid wastes does not comply with Article 45 of the present Law to dispose the radioactive solid wastes it has generated, it shall be ordered by the administrative department of environmental protection that approves the documents on appraisal of the influence to the environment submitted by the entity for project initiation to cease the illegal acts, and to make a correction within a time limit; if the entity fails to make a correction within the time limit, an entity with the capacity of disposition shall be designated to dispose of the wastes on behalf of the former entity, and the needed expenses shall be borne by the former entity; in addition, a fine of not more than 200,000 Yuan may be imposed; if a crime is constituted, it shall be investigated for criminal liabilities.

Article 57 Whichever entity violates the present Law by committing any of the following acts shall be ordered by the administrative department of environmental protection under the people's government at the provincial level or above to cease its production or business, or its permit shall be

suspended; if there are any illegal proceeds, the illegal proceeds shall be confiscated; if the illegal proceeds are no less than 100,000 Yuan, it shall be imposed upon a fine of not less than one time but not more than five times of the illegal proceeds in addition; if there are no illegal proceeds or the illegal proceeds are less than 100,000 Yuan, it shall be imposed upon a fine of not less than 50,000 Yuan but not more than 100,000 Yuan in addition; if a crime is constituted, it shall be investigated for criminal liabilities:

- (1) engaging in the activities of storage and disposition of radioactive solid wastes without permission;
- (2) engaging in the activities of storage and disposition of radioactive solid wastes not in accordance with relevant provisions on permission.

Article 58 Whoever imports radioactive wastes or radioactively polluted articles into the territory of the People's Republic of China or transfers them via the territory of the People's Republic of China shall be ordered by the customs to return the said radioactive wastes or radioactively polluted articles, and shall be imposed upon a fine of not less than 500,000 Yuan but not more than 1,000,000 Yuan in addition; if a crime is constituted, he/it shall be investigated for criminal liabilities.

Article 59 Whoever causes any damage to others due to radioactive pollution shall bear the civil liabilities in accordance with the law.

Chapter VIII Supplementary Provisions

Article 60 The supervision of the prevention and control of radioactive pollution from military facilities and equipment shall be conducted by the relevant competent departments under the State Council and of the army pursuant to the principles prescribed in the present Law and the duties prescribed by the State Council and the Central Military Commission.

Article 61 The prevention and treatment of occupational diseases of employees due to the radioactive substance in their occupational activities shall be governed by the "Law of the People's Republic of China on Prevention and Treatment of Occupational Diseases".

Article 62 The meanings of the following terms in the present Law:

- (1) Radioactive pollution means the radioactive substance or rays caused by human activities on the surface of or inside the materials, human bodies, sites or environmental media, which exceed the national standards.
- (2) Nuclear facility means nuclear power plant (nuclear electric power plant, nuclear thermoelectric power plant, nuclear gas or heat supply plant, etc.) and other reactor (research reactor, experiment reactor, critical assembly, etc.), the facility for production, processing storage or reprocessing of nuclear fuel, or the facility for treatment or disposition of radioactive wastes, and so on.
- (3) Utilization of nuclear technology means the use of sealed radioactive sources, non-sealed radioactive sources and ray devices in such areas as medical treatment, industry, agriculture, geological survey, scientific research and teaching, etc.
- (4) Radioisotope means the nuclide in a certain element with radioactive decay, which has the same ordinal number of atoms but different mass.
- (5) Radioactive source means the solid radioactive material permanently sealed in the container or tightly wrapped, except for the materials in the category of nuclear fuel circulation in research reactors and power reactors.
- (6) Ray device means X ray device, accelerator, neutron producer or other device containing radioactive sources.
- (7) Associated radioactive mine means the non-uranium mine containing high-density natural radioactive nuclide (such as rare earth mine and phosphate mine, etc.).
- (8) Radioactive wastes mean the wastes containing radioactive nuclide or polluted by radioactive nuclide, with the density or specific activity higher than the cleansing capacity determined by the State, and expected to be no longer used.

Article 63 The present Law shall come into force on October 1, 2003.