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## Law of the People's Republic of China on Prevention and Control of Radioactive Pollution (Order of the President No.6)

Order of the President of the People's Republic of China

No. 6

The Law of the People's Republic of China on Prevention and Control of Radioactive Pollution, adopted at the 3rd Meeting 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 go into effect as of October 1, 2003.

Hu Jintao

President 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 3rd Meeting of the Standing Committee of the Tenth National People's Congress on June 28, 2003)*

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#### *Chapter I*

##### General Provisions

**Article 1** This Law is enacted to prevent and control radioactive pollution, protect the environment, ensure human health, and promote the development and peaceful use of nuclear energy and technology.

**Article 2** This Law shall be applicable to the prevention and control of radioactive pollution discharged in the course of site selection, construction, operation and decommissioning of nuclear installations and in the cause of development and utilization of nuclear technology, uranium (thorium) and accompanying radioactive mines in the territory of the People's Republic of China and in the territorial waters under its jurisdiction.

**Article 3** In prevention and control of radioactive pollution, the State applies the principles of putting prevention first, combining prevention and control measures, exercising rigorous control, and giving priority to safety.

**Article 4** The State encourages and supports scientific research in, and the development and utilization of technology for, the prevention and control of radioactive pollution, and the wide use of advanced technology in the effort.

The State supports international exchange and co-operation in prevention and control of radioactive pollution.

**Article 5** People's governments at or above the county level shall incorporate the work for prevention and control of radioactive pollution into their plans for environmental protection.

People's governments at or above the county level shall take charge of dissemination and education aimed at preventing and controlling radioactive pollution, in order to keep the general public informed of the situation, and impart to them scientific knowledge, related to the prevention and control of radioactive pollution.

**Article 6** Every unit and individual shall have the right to report to the authorities and bring a charge against any act that causes radioactive pollution.

**Article 7** People's government at or above the county level shall give rewards to units and individuals that make outstanding achievements in prevention and control of radioactive pollution .

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

The administrative department for health under the State Council as well as the relevant departments shall, in compliance with their duties defined by the State Council and in accordance with law, exercise supervision over the prevention and control of radioactive pollution.

## Chapter II

### Supervision over Prevention and Control of Radioactive Pollution

**Article 9** The administrative department for environmental protection under the State Council shall, in accordance with the requirements for environmental safety and on the basis of the economic and technological conditions of the State, formulate national standards for prevention and control of radioactive pollution. Such standards shall jointly be issued by the administrative department for environmental protection under the State Council and the administrative department for standardization under the State Council.

**Article 10** The State establishes a system for monitoring radioactive pollution. The administrative department for environmental protection under the State Council shall, in conjunction with the relevant departments under the State Council, form an environmental monitoring network to monitor and control radioactive pollution.

**Article 11** The administrative department for environmental protection under the State Council and the relevant departments under the State Council shall, in accordance with their division of duties and respective responsibilities and by exchanging information and acting in close co-ordination, conduct supervision and inspection of the prevention and control of radioactive pollution discharged by nuclear installations and in the course of exploiting uranium (thorium) mines.

The administrative departments for environmental protection under the local people's government at or above the county level and the relevant departments at the same level shall, in accordance with their division of duties and respective responsibilities and by exchanging information and acting in close co-ordination, conduct supervision and inspection of the prevention and control of radioactive pollution discharge in the cause of utilizing nuclear technology and exploiting accompanying radioactive mines in their respective administrative regions.

When conducting on-the-spot inspection, the supervisors and inspectors shall produce their identification documents. The units under inspection shall give a truthful report of the situation and provide the necessary information. The supervisors and inspectors shall keep confidential the technological and professional secrets of the units under inspection. When conducting inspection of the units and locations related to State secrets, they shall observe relevant State regulations for guarding State secrets and go through the relevant formalities of examination and approval in accordance with law.

**Article 12** Units that operate nuclear installations, utilize nuclear technology, or exploit uranium (thorium) and accompanying radioactive mines shall be responsible for prevention and control of radioactive pollution in their own units, subject themselves to supervision by the administrative department for environmental protection and the relevant departments and, in accordance with law, bear the responsibility for radioactive pollution caused.

**Article 13** Units that operate nuclear installations, utilize nuclear technology, or exploit uranium (thorium) and accompanying radioactive mines shall adopt safety and protective measures to prevent the occurrence of any kind of accident that may lead to radioactive pollution and to avoid hazards incurred by such pollution.

Units that operate nuclear installations, utilize nuclear technology, or exploit uranium (thorium) and accompanying radioactive mines shall provide their workers with education and training in safety from radiation and adopt effective protective and safety measures.

**Article 14** The State applies a qualification control system among the professionals engaged in the prevention and control of radioactive pollution, as well as among the institutions engaged in monitoring of radioactive pollution.

**Article 15** For transport of radioactive material and radiation-emitting devices containing radioactive sources, effective measures shall be adopted to prevent radioactive pollution. Specific measures shall be formulated by the State Council.

**Article 16** Radioactive material and radiation-emitting devices shall be attached with clear radiation labels and warning descriptions in Chinese. The places where radioactive material and radiation-emitting devices are produced, marketed, used, stored or disposed of and the means of transport for radioactive material and radiation-emitting devices containing radioactive sources shall be put with clear marks of radiation.

**Article 17** Products containing radioactive material shall conform to national standards for prevention and control of

radioactive pollution; products that do not conform to such standards shall not leave the factory or be put on the market.

Slag from accompanying radioactive mines and stone materials containing natural radioactive substances shall be used for construction and refurbishing in conformity with the national standards for the control of radioactive nuclides in construction materials.

### Chapter III

#### Prevention and Control of Radioactive Pollution Caused by Nuclear Installations

**Article 18** The site for nuclear installations shall be selected on the basis of scientific demonstration, and the formalities of examination and approval shall be gone through in accordance with relevant State regulations. Before going through the examination and approval formalities for selection of the site for nuclear installations, an environmental impact report shall be prepared and submitted to the administrative department for environmental protection under the State Council for examination and approval; without approval, the relevant department shall not issue approval documents for selection of such a site.

**Article 19** Before construction, fuel loading, operation or decommissioning of nuclear installations, the units that operates nuclear installations shall, in accordance with regulations of the State Council on supervision of nuclear installation safety, apply for a licence for construction and operation of nuclear installations and go through the formalities of examination and approval for fuel loading and decommissioning.

The unit that operates nuclear installations shall, only after obtaining the relevant licence or approval document, proceed to construct nuclear installations, load fuel, operate or decommission such installations accordingly.

**Article 20** Before applying for a licence for construction and operation of nuclear installations or going through the formalities of examination and approval for their decommissioning, the unit that operates the nuclear installations shall prepare an environmental impact report and submit it to the administrative department for environmental protection under the State Council for examination and approval; in the absence of such approval, the relevant department shall not issue the licence or approval document.

**Article 21** The facilities for prevention and control of radioactive pollution in support of nuclear installations shall be designed, constructed and put into operation simultaneously with the main part of the project.

The facilities for prevention and control of radioactive pollution shall be checked and accepted simultaneously with the main part of the project. Only after they are accepted as qualified may the main part of the project be put into production or operation.

**Article 22** Imported nuclear installations shall conform to the national standards for prevention and control of radioactive pollution; where there are no such standards appropriate to the imported nuclear installations, relevant foreign standards designated by the administrative department for environmental protection under the State Council shall be used.

**Article 23** Planned restricted zones shall be delimited on the periphery of nuclear power plants and other important nuclear installations. Measures for delimiting and controlling the planned restricted zones shall be formulated by the State Council.

**Article 24** The unit that operates nuclear installations shall monitor the types and concentration of radioactive nuclides in the environment surrounding the nuclear installations as well as the total quantity of the radioactive nuclides in the effluents from the nuclear installations and shall, at regular intervals, report the monitoring results to the administrative department for environmental protection under the State Council and to such department under the people's government of a province, autonomous region, or municipality directly under the Central Government where the unit is located.

The administrative department for environmental protection under the State Council shall be responsible for supervisory monitoring of the nuclear power plants and other important nuclear installations and, where necessary, for monitoring of the effluents from other nuclear installations. The expenses for establishment, operation and maintenance of the system for supervisory monitoring shall be covered by the financial budget.

**Article 25** The unit that operates nuclear installations shall set up a sound security and safeguard system, enhance security and safeguard work, and accept supervision and guidance from public security departments.

To be fully prepared for an emergency, the unit that operates nuclear installations shall draw up an in-site emergency plan for nuclear accident in conformity with the size and nature of the nuclear installations.

In the event of an instant nuclear accident, the unit that operates nuclear installations shall immediately take effective emergency measures to keep the accident under control and shall report the matter to the department in charge of nuclear installations, the administrative departments for environmental protection, for health and for public security and to the other departments concerned.

**Article 26** The State establishes a sound emergency system for nuclear accidents.

The department in charge of nuclear installations, the administrative departments for environmental protection, for health and for public security and the other departments concerned shall, under the coordination and leadership of the people's government at the same level, in compliance with their respective duties and in accordance with law, successfully cope with emergencies caused by nuclear accidents.

The Chinese People's Liberation Army and the Chinese People's Armed Police Force shall, in accordance with the relevant regulations of the State Council and the Central Military Commission, render effective assistance in emergency caused by nuclear accident.

**Article 27** The unit that operates nuclear installations shall draw up plans for decommissioning of such installations.

The expenses for decommissioning of nuclear installations and for disposing of radioactive waste shall be withdrawn in advance and shall be included in the budgetary estimates of investment or in production cost. The measures for withdrawal and control of the money to defray the expenses for decommissioning of nuclear installations and for disposal of radioactive waste shall be formulated by the department of finance and the department for pricing under the State Council, in conjunction with the administrative department for environmental protection and the department in charge of nuclear installations under the State Council.

#### *Chapter IV*

#### **Prevention and Control of Radioactive Pollution Caused by Utilization of Nuclear Technology**

**Article 28** Any unit that produces, sells or uses radioisotopes and radiation-emitting devices shall, in accordance with the regulations of the State Council regarding protection against radiation released by radioisotopes and radiation-emitting devices, apply for a licence and go through the formalities of registration.

Any unit that transfers ownership of or imports radioisotopes and radiation-emitting devices and any unit that is equipped with radioisotope instruments shall, in accordance with the regulations of the State Council regarding protection against radiation released by radioisotopes and radiation-emitting devices, go through the relevant formalities.

**Article 29** Any unit that produces, sells and uses radioisotopes, accelerators, neutron generators and radiation-emitting devices containing radioactive sources shall, before applying for a licence, draw up an environmental impact assessment document and submit it to the administrative department for environmental protection under the people's government of a province, autonomous region, or municipality directly under the Central Government for examination and approval; in the absence of such approval, the relevant department shall not issue the licence.

The State establishes a system for radioisotope registration. Specific measures shall be formulated by the State Council.

**Article 30** The facilities for protection against radiation at the workplace releasing radiation that is to be constructed, reconstructed, or expanded shall be designed, constructed and put into operation simultaneously with the main part of the project.

The facilities for protection against radiation shall be checked and accepted simultaneously with the main part of the project; only after they are accepted as qualified may the main part of the project be put into production or operation.

**Article 31** Radioisotopes shall be stored separately and shall not be placed together with combustible, explosive, corrosive substances, etc; at the places where they are stored, effective safety and protective measures shall be taken against fire, theft and leakage of radioactive rays, and a person shall be designated to be in charge of the storage of the radioisotopes. When radioisotopes are stored, taken, used and returned, they shall be registered and checked, so that the registration shall agree with the radioisotopes.

**Article 32** Any unit that produces or uses radioisotopes and radiation-emitting devices shall, in accordance with the regulations of the administrative department for environmental protection under the State Council, collect, package and store any radioactive waste produced.

Any units that produces radioactive sources shall, in accordance with the regulations of the administrative department for environmental protection under the State Council, retrieve and utilize disused radioactive sources; any unit that uses radioactive sources shall, in accordance with the regulations of the administrative department for environmental protection under the State Council, return disused radioactive sources to the unit that produces such sources or send such sources to the unit that is specialized in storing or disposing of solid radioactive waste.

**Article 33** Any unit that produces, sells, uses, or stores radioactive sources shall establish a sound security and safeguard system, designate a person to take charge, implement the security responsibility system, and formulate necessary contingency measures against accidents. When radioactive sources are missing or stolen or an accident causing radioactive pollution occurs, the unit and individuals concerned shall immediately adopt contingency measures and report the matter to the public security department and the administrative departments for health and for environmental protection.

After receiving the report of the missing or theft of radioactive sources or the accident causing radioactive pollution, the public security department and the administrative departments for health and for environmental protection shall report the matter to the people's government at the same level and, in compliance with their respective responsibilities, immediately make arrangements and take effective measures to prevent the spread of radioactive pollution and lighten the losses caused by the accident. The local people's government shall promptly inform the public of the situation and conscientiously investigate and deal with the accident.

#### *Chapter V*

#### **Prevention and Control of Radioactive Pollution During Exploitation of Uranium (Thorium) and Accompanying Radioactive Mines**

**Article 34** Any unit that intends to exploit or close down uranium (thorium) mines shall, before applying for a mining licence or going through the formalities of examination and approval for decommissioning, prepare an environmental impact report and submit it to the administrative department for environmental protection under the State Council for examination and approval.

Any unit that intends to exploit accompanying radioactive mines shall, before applying for a mining licence, prepare an

environmental impact report and submit it to the administrative department for environmental protection under the people's government at or above the provincial level for examination and approval.

**Article 35** The facilities for prevention and control of radioactive pollution to be built in support of a construction project for the exploitation of uranium (thorium) and accompanying radioactive mines shall be designed, constructed and put into operation simultaneously with the main part of the project.

The facilities for prevention and control of radioactive pollution shall be checked and accepted simultaneously with the main part of the project; and only after they are accepted as qualified may the main part of the project be put into production or operation.

**Article 36** Any unit that exploits uranium (thorium) mines shall monitor the effluents from the uranium (thorium) mines and the surrounding environment and shall, at regular intervals, report the monitoring results to the administrative department for environmental protection under the State Council and to such a department under the people's government of a province, autonomous region, or municipality directly under the Central Government where the unit is located.

**Article 37** Tailings repositories shall be constructed for the storage and disposal of tailings produced in the course of exploitation of uranium (thorium) and accompanying radioactive mines; such repositories constructed shall conform to the requirements for prevention and control of radioactive pollution.

**Article 38** Any unit that exploits uranium (thorium) mine shall draw up plans for decommissioning of uranium (thorium) mines. The expenses for decommissioning uranium mines shall be covered by the State financial budget.

#### *Chapter VI*

#### **Control of Radioactive Waste**

**Article 39** Any unit that operates nuclear installations, utilizes nuclear technology, or exploits uranium (thorium) and accompanying radioactive mines shall rationally select and use raw and processed materials and adopt advanced production techniques and equipment in order to reduce as far as possible the quantity of radioactive waste produced.

**Article 40** Any unit that discharges gaseous or liquid radioactive waste into the environment shall conform to the national standards for prevention and control of radioactive pollution.

**Article 41** Any unit producing gaseous or liquid radioactive waste that discharges such waste into the environment in conformity with the national standards for prevention and control of radioactive pollution shall apply for discharge quantity of radionuclides to the administrative department for environmental protection that is in charge of examination and approval of the environmental impact assessment documents and shall, at regular intervals, report the discharge quantity calculated.

**Article 42** Any unit that produces liquid radioactive waste shall, in accordance with the requirements of the national standards for prevention and control of radioactive pollution, treat or store the liquid radioactive waste that is not allowed to be discharged into the environment.

Any unit producing liquid radioactive waste that discharges such waste into the environment in conformity with the national standards for prevention and control of radioactive pollution shall adopt the means of discharge that conforms to the regulations of the administrative department for environmental protection under the State Council.

The use of seeping wells, seeping pits, natural crevices, limestone caves or other means of discharge forbidden by the State for liquid radioactive waste is prohibited.

**Article 43** Low- and intermediate- level solid radioactive waste shall be disposed of near the surface of the areas that conform to State regulations.

High-level solid radioactive waste shall be disposed of in centralized deep geological disposal facility.

Solid alpha-radioactive waste shall be disposed of in accordance with the provisions of the preceding paragraph.

The disposal of solid radioactive waste in inland waters or oceans is prohibited.

**Article 44** The department for nuclear installations under the State Council shall, in conjunction with the administrative department for environmental protection under the State Council, on the basis of geological factors and the need of disposal of solid radioactive waste and on the basis of the environmental impact assessment, draw up plans for selecting places for disposing of solid radioactive waste, and shall have the plans implemented after obtaining approval of the State Council.

The local people's governments concerned shall, in accordance with the plans for selecting places for disposing of solid radioactive waste, provide land for construction of such places and adopt effective measures in support of the disposal of solid radioactive waste.

**Article 45** Any unit that produces solid radioactive waste shall, in accordance with the regulations of the administrative department for environmental protection under the State Council and after treating the solid radioactive waste produced, send for disposal such waste to a unit that disposes of solid radioactive waste and shall pay the fee for disposal.

Administrative measure for collection and use of the fees for disposal of solid radioactive waste shall be formulated by the department of finance and the department for pricing, in conjunction with the administrative department for environmental protection under the State Council.

**Article 46** The establishment of a specialized unit for storage and disposal of solid radioactive waste shall be subject to examination and approval by the administrative department for environmental protection under the State Council before

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to examination and approval by the administrative department for environmental protection under the State Council before obtaining a licence. Specific measures shall be formulated by the State Council.

Engaging in activities for the storage or disposal of solid radioactive waste without a licence or at variance with the relevant provisions of the licence is prohibited.

Sending solid radioactive waste to a unit without a licence for storage or disposal or entrusting such a unit with the same is prohibited.

**Article 47** Importing into or transferring from the territory of People's Republic of China radioactive waste or radioactive-contaminated goods is prohibited.

## Chapter VII

### Legal Responsibility

**Article 48** Any staff member exercising supervision over the prevention and control of radioactive pollution who, in violation of the provisions of law, commits one of the following acts by taking advantage of his position to accept or receive money or things of value from another person or seek other benefits, or neglecting his duty shall be given an administrative sanction in accordance with law; and if the violation constitutes a crime, he shall be investigated for criminal responsibility in accordance with law:

- (1) issuing a licence or approval document to a unit that does not meet the statutory requirements;
- (2) failing to perform his supervisory duty in accordance with law; and
- (3) failing to investigate and deal with an illegal act discovered.

**Article 49** Any unit that, in violation of the provisions of this Law, commits one of the following acts shall be instructed by the administrative department for environmental protection under the people's government at or above the county level or by a relevant department, in compliance with its functions and powers, to rectify within a time limit and it may be fined not more than RMB 20,000 yuan:

- (1) failing to report the relevant environmental monitoring results in accordance with regulations; and
- (2) refusing to accept on-the-spot inspection by the administrative departments for environmental protection and by relevant departments or during inspection failing to give a truthful report of the situation and to provide the necessary data.

**Article 50** Any unit that, in violation of the provisions of this Law, constructs or operates nuclear installations or produces or uses radioisotopes or radiation-emitting devices, etc., without drawing up an environmental impact assessment document or obtaining approval of such document by the administrative department for environmental protection shall be instructed by the administrative department for environmental protection, which examines and gives approval to environmental impact assessment documents, to cease such violation, to go through the formalities within a time limit, or put the place back to its original state and shall, in addition, be fined not less than 10,000 yuan but not more than 200,000 yuan.

**Article 51** Where, in violation of the provisions of this Law, the facilities for prevention and control of radioactive pollution or the facilities for protection against radiation are not constructed, or the main part of the project is put into production or operation when the said facilities are not accepted as qualified, the administrative department for environmental protection, which examines and gives approval to environmental impact assessment documents, shall order cessation of the violation, set a time limit on its rectification and, in addition, impose a fine of not less than 50,000 yuan but not more than 200,000 yuan.

**Article 52** Any unit operating nuclear installations that, in violation of the provisions of this Law and without obtaining a license or approval, constructs, loads fuel into, operates or decommissions nuclear installations shall be instructed by the administrative department for environmental protection under the State Council to cease the violation and to rectify within a time limit and shall, in addition, be fined not less than 200,000 yuan but not more than 500,000 yuan. If the violation constitutes a crime, it shall be investigated for criminal responsibility in accordance with law.

**Article 53** Any unit that, in violation of the provisions of this Law, produces, sells, uses, transfers ownership of, imports or stores radioisotopes or radiation-emitting devices or is equipped with instruments of radioisotopes shall be instructed by the administrative department for environmental protection under the people's government at or above the county level or a relevant department, in compliance with its functions and powers, to cease the violation and to rectify within a time limit; if it fails to comply at the expiration of the time limit, it shall be instructed to suspend production and operation or its licence shall be revoked; the unlawful gains, if any, shall be confiscated; if the unlawful gains exceed 100,000 yuan, it shall, in addition, be fined not less than the amount of such gains but not more than five times that amount; if there are no unlawful gains or such gains are less than 100,000 yuan, it shall, in addition, be fined not less than 10,000 yuan but not more than 100,000 yuan. If the violation constitutes a crime, it shall be investigated for criminal responsibility in accordance with law.

**Article 54** Any unit that, in violation of the provisions of this Law, commits one of the following acts shall be instructed by the administrative department for environmental protection under the people's government at or above the county level to cease the violation and to rectify within a time limit and shall be fined. If the violation constitutes a crime, it shall be investigated for criminal responsibility in accordance with law:

- (1) failing to construct a tailings repository, or failing to do so in conformity with the requirements for prevention and control of radioactive pollution, for storage and disposal of uranium (thorium) and accompanying radioactive mine tailings;
- (2) discharging into the environment gaseous and liquid radioactive waste that is not allowed to be discharged;
- (3) failing to discharge liquid radioactive waste in accordance with relevant regulations but using, instead, seeping

wells, seeping pits, natural crevices or limestone caves to discharge liquid radioactive waste or other means prohibited by the State;

(4) failing to treat or store, in accordance with the relevant regulations, liquid radioactive waste that is not allowed to be discharged into the environment; and

(5) sending solid radioactive waste to a unit without a license for storage or disposal or entrusting such a unit with the same.

Any unit that commits one of the acts specified in Subparagraphs (1), (2), (3) and (5) mentioned in the preceding paragraph shall be fined not less than 100,000 yuan but not more than 200,000 yuan; if it commits one of the acts specified in Subparagraphs (4), it shall be fined not less than 10,000 yuan but not more than 100,000 yuan.

**Article 55** Any unit that, in violation of the provisions of this Law, commits one of the following acts shall be instructed by the administrative department for environmental protection under the people's government at or above the county level or a relevant department, in compliance with its functions and powers, to rectify within a time limit; if it fails to comply at the expiration of the time limit, it shall be instructed to suspend production and operation and shall, in addition, be fined not less than 20,000 yuan but not more than 100,000 yuan. If the violation constitutes a crime, it shall be investigated for criminal responsibility in accordance with law:

(1) failing to place radiation labels or marks or warning descriptions in Chinese in accordance with relevant regulations;

(2) failing to establish a sound security and safeguard system and to draw up contingency plans or take contingency measures against accidents in accordance with relevant regulations; and

(3) failing to report, in accordance with relevant regulations, the missing or theft of radioactive sources or an accident causing radioactive pollution.

**Article 56** Any unit producing solid radioactive waste that fails to have the waste it produces disposed of in accordance with the provisions of Article 45 of this Law, it shall be instructed by the administrative department for environmental protection, which examines and gives approval to the environmental impact assessment document concerning the project the unit undertakes to construct, to cease the violation and to rectify within a time limit; if it fails to comply at the expiration of the time limit, the said department shall designate a unit that has the capabilities for such disposal to do it, the expenses incurred shall be paid by the unit that produces the solid radioactive waste, and it may, in addition, be fined not more than 200,000 yuan. If a crime is constituted, criminal responsibility shall be investigated in accordance with law.

**Article 57** Any unit that, in violation of the provisions of this Law, commits one of the following acts shall be instructed by the administrative department for environmental protection under the people's government at or above the provincial level to suspend production or operation or its licence shall be revoked; its unlawful gains, if any, shall be confiscated; if the unlawful gains exceed 100,000 yuan, it shall, in addition, be fined not less than the amount of such gains but not more than five times that amount; if there are no unlawful gains or such gains are less than 100,000 yuan, it shall, in addition, be fined not less than 50,000 yuan but not more than 100,000 yuan. If the violation constitutes a crime, it shall be investigated for criminal responsibility in accordance with law:

(1) engaging in to storing and disposing of solid radioactive waste without a licence; and

(2) failing to store and dispose of solid radioactive waste in accordance with the provisions of the licence.

**Article 58** Any unit that imports radioactive waste or radioactive-contaminated goods into the territory of the People's Republic of China or transfers such waste or goods from the territory of the People's Republic of China shall be instructed by the Customs to send back such waste or goods and shall, in addition, be fined not less than 500,000 yuan but not more than 1,000,000 yuan. If a crime is constituted, criminal responsibility shall be investigated in accordance with law.

**Article 59** Where radioactive pollution causes harm to people, civil responsibility shall be borne in accordance with law.

### *Chapter VIII*

#### **Supplementary Provisions**

**Article 60** Supervision over the prevention and control of radioactive pollution caused by military installations and equipment shall be conducted by the relevant departments under the State Council and the armed forces, in accordance with the principles prescribed by this Law and in compliance with their duties assigned by the State Council and the Central Military Commission.

**Article 61** Occupational diseases which the workers are afflicted with due to their contact with radioactive material in their work shall be prevented and controlled in accordance with the provisions of the Law of the People's Republic of China on the Prevention and Control of Occupational Diseases.

**Article 62** For purposes of this Law, the definitions of the following terms are:

(1) "Radioactive pollution" refers to the presence of radioactive substances or rays, caused by human activities, in excess of State norms on the surface of or inside the mediums of materials, the human body, places, or the environment.

(2) "Nuclear installations" refer to nuclear power plants (nuclear electricity plants, nuclear thermal plants, nuclear gas and heating supply plants, etc.) and other reactors (research reactors, experimental reactors, critical facilities, etc.); facilities for fabrication, processing, storage and reprocessing of nuclear fuel; facilities for treating and disposing of radioactive waste; etc.

(3) "Utilization of nuclear technology" refers to the use of sealed radioactive sources, unsealed radioactive sources and radiation-emitting devices in medical treatment, industry, agriculture, geological investigation, scientific research and teaching and in other fields.

(4) "Radioisotopes" refer to a certain type of elements producing radiation decay that have the same atomic number but different mass of nuclides.

(5) "Radioactive source" refers to radioactive material permanently sealed in a vessel or tightly clad in a solid state, with the exception of material found in nuclear fuel cycles of research reactors and power reactors.

(6) "Radiation-emitting devices" refer to X-ray machines, accelerators, neutron generators and devices containing radioactive sources.

(7) "Accompanying radioactive mines" refer to non-uranium mines containing relatively high concentrations of natural radionuclides (e.g. rare-earth mines, phosphate mines, etc.).

(8) "Radioactive waste" refers to the discarded waste which contains, or is contaminated by, radionuclides at concentrations or activities greater than the clearance level established by the State, and no plan is made to use it again.

**Article 63** This Law shall go into effect as of October 1, 2003.

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