



中华人民共和国专属经济区和大陆架法

Law on the Exclusive Economic Zone and
the Continental Shelf of
the People's Republic of China

中华人民共和国海域使用管理法

Law of the People's Republic of China
on the Administration of the Use of Sea Areas

(中英对照)

(Chinese-English)

法律出版社
Law Press China

百年法治 走向世界

A Century Ruled by Law, A World We Heading for

中英对照法律文本

Chinese-English

6元系列 ②

① 中华人民共和国外资企业法、中外合作经营企业法、中外合资经营企业法

Foreign-Capital Enterprise Law, Chinese-Foreign Contractual Joint Ventures Law and Chinese-Foreign Equity Joint Ventures Law of PRC

② 中华人民共和国专属经济区和大陆架法、海域使用管理法

Law on the Exclusive Economic Zone and the Continental Shelf and Law on the Administration of the Use of Sea Areas of PRC

③ 中华人民共和国劳动法

Labour Law of PRC

④ 中华人民共和国招标投标法

Bid Invitation and Bidding Law of PRC

责任编辑：沈雨青

ISBN 7-5036-3891-5



9 787503 638916 >

ISBN 7-5036-3891-5/D.3608

全套4册，总定价：24.00元

本册定价：6.00元

中华人民共和国 专属经济区与大陆架法

**Law on the Exclusive Economic
Zone and the Continental Shelf
of the People's Republic of China**

中华人民共和国海域使用管理法

**Law of the People's Republic of China
on the Administration of the Use of Sea Areas**

(中英对照)
(Chinese-English)

法律出版社
Law Press China

图书在版编目(CIP)数据

中英对照法律文本 6 元系列·中华人民共和国专属
经济区与大陆架法、中华人民共和国海域使用管理法.
—北京:法律出版社,2002.9

中英对照法律文本系列;(2)

ISBN 7-5036-3891-5

I. 中… II. III. ①专属经济区与大陆架法—中国
—汉、英②海域使用管理法—中国—汉、英
IV. D922.66

中国版本图书馆 CIP 数据核字(2002)第 068963 号

©法律出版社·中国

出版/法律出版社	编辑/法规出版中心
总发行/中国法律图书公司	经销/新华书店
印刷/中国科学院印刷厂	责任印制/李 跃
开本/850×1168 1/32	印张/1.75 字数/28 千
版本/2002 年 10 月第 1 版	印次/2002 年 10 月第 1 次印刷
法律出版社/北京市西三环北路甲 105 号科原大厦 A 座 4 层(100037)	
电子邮件/info@lawpress.com.cn	电话/010-88414121
网址/www.lawpress.com.cn	传真/010-88414115
法规出版中心/北京市西三环北路甲 105 号科原大厦 A 座 4 层(100037)	
电子邮件/law@lawpress.com.cn	rpc8841@sina.com
读者热线/010-88414136 88414113	传真/010-88414115
中国法律图书公司/北京市西三环北路甲 105 号科原大厦 A 座 4 层(100037)	
传真/010-88414897	销售热线/010-88414896
网址/www.Chinalaw-book.com	010-88414899
书号:ISBN 7-5036-3891-5/D·3608	定价:6.00 元

目 录

中华人民共和国专属经济区与大陆架法

Law on the Exclusive Economic Zone and the Continental
Shelf of the People's Republic of China

中华人民共和国海域使用管理法

Law of the People's Republic of China on the
Administration of the Use of Sea Areas

中华人民共和国 专属经济区和大陆架法

(1998年6月26日第九届全国人民代表大会
常务委员会第三次会议通过 1998年6
月26日中华人民共和国主席令第6号公布)

• **第一条** 为保障中华人民共和国对专属经济区和大陆架行使主权权利和管辖权,维护国家海洋权益,制定本法。

第二条 中华人民共和国的专属经济区,为中华人民共和国领海以外并邻接领海的区域,从测算领海宽度的基线量起延至二百海里。

中华人民共和国的大陆架,为中华人民共和国领海以外依本国陆地领土的全部自然延伸,扩展到大陆边外缘的海底区域的海床和底土;如果从测算领海宽度的基线量起至大陆边外缘的距离不足二百海里,则扩展至二百海里。

中华人民共和国与海岸相邻或者相向国家关于专属经

Law on the Exclusive Economic Zone and the Continental Shelf of the People's Republic of China

(Adopted at the 3rd Meeting of the Standing Committee of the Ninth National People's Congress on June 26, 1998)

Article 1 This Law is enacted to ensure that the People's Republic of China exercise its sovereign rights and jurisdiction over its exclusive economic zone and its continental shelf and to safeguard its national marine rights and interests.

Article 2 The exclusive economic zone of the People's Republic of China covers the area beyond and adjacent to the territorial sea of the People's Republic of China, extending to 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.

The continental shelf of the People's Republic of China comprises the sea-bed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured where the outer edge of the continental margin does not extend up to that distance.

The People's Republic of China shall determine the delimitation of

济区和大陆架的主张重叠的,在国际法的基础上按照公平原则以协议划定界限。

第三条 中华人民共和国在专属经济区为勘查、开发、养护和管理海床上覆水域、海床及其底土的自然资源,以及进行其他经济性开发和勘查,如利用海水、海流和风力生产能等活动,行使主权权利。

中华人民共和国对专属经济区的人工岛屿、设施和结构的建造、使用和海洋科学研究、海洋环境的保护和保全,行使管辖权。

本法所称专属经济区的自然资源,包括生物资源和非生物资源。

第四条 中华人民共和国为勘查大陆架和开发大陆架的自然资源,对大陆架行使主权权利。

中华人民共和国对大陆架的人工岛屿、设施和结构的建造、使用和海洋科学研究、海洋环境的保护和保全,行使管辖权。

中华人民共和国拥有授权和管理为一切目的在大陆架上进行钻探的专属权利。

本法所称大陆架的自然资源,包括海床和底土的矿物和其他非生物资源,以及属于定居种的生物,即在可捕捞阶

its exclusive economic zone and continental shelf in respect of the overlapping claims by agreement with the states with opposite or adjacent coasts, in accordance with the equitable principle and on the basis of international law.

Article 3 The People's Republic of China exercises its sovereign rights over the exclusive economic zone for the purpose of exploring, exploiting, conserving and managing the natural resources of the waters superjacent to the sea-bed and of the sea-bed and its subsoil, and in its other activities for economic exploitation and exploration of the zone, such as production of energy from water, currents and winds.

The People's Republic of China exercises jurisdiction over the establishment and use of artificial islands, installations and structures, marine scientific research, and the protection and preservation of the marine environment in the exclusive economic zone.

The natural resources in the exclusive economic zone referred to in this Law consist of living and non-living resources.

• **Article 4** The People's Republic of China exercises its sovereign rights over the continental shelf for the purpose of exploring it and exploiting its natural resources.

The People's Republic of China exercises jurisdiction over the establishment and use of artificial islands, installations and structures, marine scientific research, and the protection and preservation of the marine environment on the continental shelf.

The People's Republic of China has the exclusive right to authorize and regulate drilling on the continental shelf for all purposes.

The natural resources of the continental shelf referred to in this Law consist of the mineral and other non-living resources of the sea-bed and subsoil, and the living organisms that belong to sedentary species-- organisms which, at the harvestable stage, either are

段在海床上或者海床下不能移动或者其躯体须与海床或者底土保持接触才能移动的生物。

第五条 任何国际组织、外国的组织或者个人进入中华人民共和国的专属经济区从事渔业活动,必须经中华人民共和国主管机关批准,并遵守中华人民共和国的法律、法规及中华人民共和国与有关国家签订的条约、协定。

中华人民共和国主管机关有权采取各种必要的养护和管理措施,确保专属经济区的生物资源不受过度开发的危害。

第六条 中华人民共和国主管机关有权对专属经济区的跨界种群、高度洄游鱼种、海洋哺乳动物、源自中华人民共和国河流的溯河产卵种群、在中华人民共和国水域内度过大部分生命周期的降河产卵鱼种,进行养护和管理。

中华人民共和国对源自本国河流的溯河产卵种群,享有主要利益。

第七条 任何国际组织、外国的组织或者个人对中华人民共和国的专属经济区和大陆架的自然资源进行勘查、开发活动或者在中华人民共和国的大陆架上为任何目的进行钻探,必须经中华人民共和国主管机关批准,并遵守中华人民共和国的法律、法规。

第八条 中华人民共和国在专属经济区和大陆架有专

immobile on or under the sea-bed or are unable to move except in constant physical contact with the sea-bed or the subsoil.

Article 5 All international organizations, foreign organizations or individuals that wish to enter the exclusive economic zone of the People's Republic of China for fishing shall be subject to approval of the competent authorities of the People's Republic of China and shall comply with its laws and regulations as well as the accords and agreements it has signed with the states concerned.

The competent authorities of the People's Republic of China shall have the right to take all necessary conservation and management measures to ensure that the living resources in the exclusive economic zone are protected from the danger of over-exploitation.

Article 6 The competent authorities of the People's Republic of China shall have the right to conserve and manage straddling species, highly migratory species, marine mammals, anadromous stocks that originate in the rivers of the People's Republic of China, and catadromous species that spend the greater part of their life cycle in the waters of the People's Republic of China.

The People's Republic of China enjoys the primary interests in the anadromous stocks that originate in its rivers.

Article 7 All international organizations, foreign organizations or individuals that wish to explore the exclusive economic zone of the People's Republic of China or exploit the natural resources on its continental shelf or for any purpose to drill on the continental shelf shall be subject to approval of the competent authorities of the People's Republic of China and shall comply with the laws and regulations of the People's Republic of China.

Article 8 The People's Republic of China has the exclusive right to construct and to authorize and regulate the construction, operation and use of the artificial islands, installations and structures in its

属权利建造并授权和管理建造、操作和使用人工岛屿、设施和结构。

中华人民共和国对专属经济区和大陆架的人工岛屿、设施和结构行使专属管辖权,包括有关海关、财政、卫生、安全和出境入境的法律和法规方面的管辖权。

中华人民共和国主管机关有权在专属经济区和大陆架的人工岛屿、设施和结构周围设置安全地带,并可以在该地带采取适当措施,确保航行安全以及人工岛屿、设施和结构的安全。

第九条 任何国际组织、外国的组织或者个人在中华人民共和国的专属经济区和大陆架进行海洋科学研究,必须经中华人民共和国主管机关批准,并遵守中华人民共和国的法律、法规。

第十条 中华人民共和国主管机关有权采取必要的措施,防止、减少和控制海洋环境的污染,保护和保全专属经济区和大陆架的海洋环境。

第十一条 任何国家在遵守国际法和中华人民共和国的法律、法规的前提下,在中华人民共和国的专属经济区享有航行、飞越的自由,在中华人民共和国的专属经济区和大陆架享有铺设海底电缆和管道的自由,以及与上述自由有

exclusive economic zone and on its continental shelf.

The People's Republic of China exercises exclusive jurisdiction over the artificial islands, installations and structures in its exclusive economic zone and on its continental shelf, including jurisdiction with regard to customs, fiscal, health and safety laws and regulations, and laws and regulations governing entry into and exit from the territory of the People's Republic of China.

The competent authorities of the People's Republic of China shall have the right to establish safety belts around the artificial islands, installations and structures in the exclusive economic zone and on the continental shelf and may take appropriate measures in these belts to ensure safety both of navigation and of the artificial islands, installations and structures.

Article 9 All international organizations, foreign organizations or individuals that wish to conduct marine scientific research in the exclusive economic zone or on the continental shelf of the People's Republic of China shall be subject to approval of the competent authorities of the People's Republic of China and shall comply with the laws and regulations of the People's Republic of China.

Article 10 The competent authorities of the People's Republic of China shall have the right to take all necessary measures to prevent, reduce and control pollution of the marine environment for the protection and preservation of the marine environment in the exclusive economic zone and on the continental shelf.

Article 11 All states shall, on the premise that they comply with international law and the laws and regulations of the People's Republic of China, enjoy the freedom of navigation in and flight over its exclusive economic zone, the freedom to lay submarine cables and pipelines and the convenience of other lawful uses of the sea related to the freedoms mentioned above in the exclusive economic zone and on

关的其他合法使用海洋的便利。铺设海底电缆和管道的路线,必须经中华人民共和国主管机关同意。

第十二条 中华人民共和国在行使勘查、开发、养护和管理专属经济区的生物资源的主权权利时,为确保中华人民共和国的法律、法规得到遵守,可以采取登临、检查、逮捕、扣留和进行司法程序等必要的措施。

中华人民共和国对在专属经济区和大陆架违反中华人民共和国法律、法规的行为,有权采取必要措施、依法追究法律责任,并可以行使紧追权。

第十三条 中华人民共和国在专属经济区和大陆架享有的权利,本法未作规定的,根据国际法和中华人民共和国其他有关法律、法规行使。

• **第十四条** 本法的规定不影响中华人民共和国享有的历史性权利。

第十五条 中华人民共和国政府可以根据本法制定有关规定。

第十六条 本法自公布之日起施行。

the continental shelf of the People's Republic of China. The routes for the submarine cables and pipelines shall be subject to consent of the competent authorities of the People's Republic of China.

Article 12 The People's Republic of China may, in the exercise of its sovereign rights to explore its exclusive economic zone and to exploit, conserve and manage the living resources there, take such necessary measures as visit, inspection, arrest, detention and judicial proceedings in order to ensure that the laws and regulations of the People's Republic of China are complied with.

The People's Republic of China has the right to take necessary measures against violations of its laws and regulations in its exclusive economic zone and on its continental shelf and to investigate for legal responsibility according to law, and may exercise the right of hot pursuit.

Article 13 The People's Republic of China exercises, in accordance with international law and other relevant laws and regulations of the People's Republic of China, the rights in its exclusive economic zone and on its continental shelf that are not provided for in this Law

Article 14 The provisions in this Law shall not affect the rights that the People's Republic of China has been enjoying ever since the days of the past.

Article 15 The Government of the People's Republic of China may formulate relevant regulations on the basis of this Law.

Article 16 This Law shall go into effect as of the date of promulgation.

中华人民共和国主席令

第六十一号

《中华人民共和国海域使用管理法》已由中华人民共和国第九届全国人民代表大会常务委员会第二十四次会议于2001年10月27日通过,现予公布,自2002年1月1日起施行。

中华人民共和国主席 江泽民

2001年10月27日

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

No. 61

The Law of the People's Republic of China on the Administration of the Use of Sea Areas, adopted at the 24th Meeting of the Standing Committee of the Ninth National People's Congress of the People's Republic of China on October 27, 2001, is hereby promulgated and shall go into effect as of January 1, 2002.

Jiang Zemin

President of the People's Republic of China

October 27, 2001