



中华人民共和国环境保护法

Environmental Protection Law of
the People's Republic of China

中华人民共和国海洋环境保护法

Marine Environment Protection Law of
the People's Republic of China

(中英对照)

(Chinese-English)

法律出版社
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中华人民共和国主席令

第二十二号

《中华人民共和国环境保护法》已由中华人民共和国第七届全国人民代表大会常务委员会第十一次会议于 1989 年 12 月 26 日通过,现予公布,自公布之日施行。

中华人民共和国主席 杨尚昆

1989 年 12 月 26 日

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

No. 22

The Environmental Protection Law of the People's Republic of China, adopted at the 11th Meeting of the Standing Committee of the Seventh National People's Congress of the People's Republic of China on December 26, 1989, is hereby promulgated and shall go into effect as of the date of promulgation.

Yang Shangkun

President of the People's Republic of China

December 26, 1989

中华人民共和国环境保护法

(1989年12月26日第七届全国人民代表大会常务委员会第十一次会议通过 1989年12月26日中华人民共和国主席令第22号公布 自公布之日起施行)

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第一章 总 则

第一条 为保护和改善生活环境与生态环境,防治污染和其他公害,保障人体健康,促进社会主义现代化建设的

Environmental Protection Law of the People's Republic of China

(Adopted at the 11th Meeting of the Standing Committee of the Seventh National People's Congress on December 26, 1989, promulgated by Order No. 22 of the President of the People's Republic of China on December 26, 1989, and effective on the date of promulgation)

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Chapter I General Provisions

Article 1 This Law is formulated for the purpose of protecting and improving people's environment and the ecological environment, preventing and controlling pollution and other public hazards,

发展,制定本法。

第二条 本法所称环境,是指影响人类生存和发展的各种天然的和经过人工改造的自然因素的总体,包括大气、水、海洋、土地、矿藏、森林、草原、野生生物、自然遗迹、人文遗迹、自然保护区、风景名胜区、城市和乡村等。

第三条 本法适用于中华人民共和国领域和中华人民共和国管辖的其他海域。

第四条 国家制定的环境保护规划必须纳入国民经济和社会发展规划,国家采取有利于环境保护的经济、技术政策和措施,使环境保护工作同经济建设和社会发展相协调。

第五条 国家鼓励环境保护科学教育事业的发展,加强环境保护科学技术的研究和开发,提高环境保护科学技术水平,普及环境保护的科学知识。

第六条 一切单位和个人都有保护环境的义务,并有权对污染和破坏环境的单位和个人进行检举和控告。

第七条 国务院环境保护行政主管部门,对全国环境

safeguarding human health and facilitating the development of socialist modernization.

Article 2 “Environment” as used in this Law refers to the total body of all natural elements and artificially transformed natural elements affecting human existence and development, which includes the atmosphere, water, seas, land, minerals, forests, grasslands, wildlife, natural and human remains, nature reserves, historic sites and scenic spots, and urban and rural areas.

Article 3 This Law shall apply to the territory of the People’s Republic of China and other sea areas under the jurisdiction of the People’s Republic of China.

Article 4 The plans for environmental protection formulated by the State must be incorporated into the national economic and social development plans; the State shall adopt economic and technological policies and measures favourable for environmental protection so as to coordinate the work of environmental protection with economic construction and social development.

Article 5 The State shall encourage the development of education in the science of environmental protection, strengthen the study and development of the science and technology of environmental protection, raise the scientific and technological level of environmental protection and popularize scientific knowledge of environmental protection.

Article 6 All units and individuals shall have the obligation to protect the environment and shall have the right to report on or file charges against units or individuals that cause pollution or damage to the environment.

Article 7 The competent department of environmental protection administration under the State Council shall conduct unified supervision and management of the environmental protection work

保护工作实施统一监督管理。

县级以上地方人民政府环境保护行政主管部门,对本辖区的环境保护工作实施统一监督管理。

国家海洋行政主管部门、港务监督、渔政渔港监督、军队环境保护部门和各级公安、交通、铁道、民航管理部门,依照有关法律的规定对环境污染防治实施监督管理。

县级以上人民政府的土地、矿产、林业、农业、水利行政主管部门,依照有关法律的规定对资源的保护实施监督管理。

第八条 对保护和改善环境有显著成绩的单位和个人,由人民政府给予奖励。

第二章 环境监督管理

第九条 国务院环境保护行政主管部门制定国家环境质量标准。

省、自治区、直辖市人民政府对国家环境质量标准中未

throughout the country.

The competent departments of environmental protection administration of the local people's governments at or above the county level shall conduct unified supervision and management of the environmental protection work within areas under their jurisdiction.

The State administrative department of marine affairs, the harbour superintendency administration, the fisheries administration and fishing harbour superintendency agencies, the environmental protection department of the armed forces and the administrative departments of public security, transportation, railways and civil aviation at various levels shall, in accordance with the provisions of relevant laws, conduct supervision and management of the prevention and control of environmental pollution.

The competent administrative departments of land, minerals, forestry, agriculture and water conservancy of the people's governments at or above the county level shall, in accordance with the provisions of relevant laws, conduct supervision and management of the protection of natural resources.

Article 8 The people's government shall give awards to units and individuals that have made outstanding achievements in protecting and improving the environment.

Chapter II Supervision and Management of the Environment

Article 9 The competent department of environmental protection administration under the State Council shall establish the national standards for environment quality.

The people's governments of provinces, autonomous regions and

作规定的项目,可以制定地方环境质量标准,并报国务院环境保护行政主管部门备案。

第十条 国务院环境保护行政主管部门根据国家环境质量标准和国家经济、技术条件,制定国家污染物排放标准。

省、自治区、直辖市人民政府对国家污染物排放标准中未作规定的项目,可以制定地方污染物排放标准;对国家污染物排放标准中已作规定的项目,可以制定严于国家污染物排放标准的地方污染物排放标准。地方污染物排放标准须报国务院环境保护行政主管部门备案。

凡是向已有地方污染物排放标准的区域排放污染物的,应当执行地方污染物排放标准。

第十一条 国务院环境保护行政主管部门建立监测制度,制定监测规范,会同有关部门组织监测网络,加强对环境监测的管理。

国务院和省、自治区、直辖市人民政府的环境保护行政主管部门,应当定期发布环境状况公报。

municipalities directly under the Central Government may establish their local standards for environment quality for items not specified in the national standards for environment quality and shall report them to the competent department of environmental protection administration under the State Council for the record.

Article 10 The competent department of environmental protection administration under the State Council shall, in accordance with the national standards for environment quality and the country's economic and technological conditions, establish the national standards for the discharge of pollutants.

The people's governments of provinces, autonomous regions and municipalities directly under the Central Government may establish their local standards for the discharge of pollutants for items not specified in the national standards; with regard to items already specified in the national standards, they may set local standards which are more stringent than the national standards and report the same to the competent department of environmental protection administration under the State Council for the record.

Units that discharge pollutants in areas where the local standards for the discharge of pollutants have been established shall observe such local standards.

Article 11 The competent department of environmental protection administration under the State Council shall establish a monitoring system, formulate the monitoring norm and, in conjunction with relevant departments, organize a monitoring network and strengthen the management of environmental monitoring.

The competent departments of environmental protection administration under the State Council and government of provinces, autonomous regions and municipalities directly under the Central Government shall regularly issue bulletins on environmental situations.

第十二条 县级以上人民政府环境保护行政主管部门,应当会同有关部门对管辖范围内的环境状况进行调查和评价,拟订环境保护规划,经计划部门综合平衡后,报同级人民政府批准实施。

第十三条 建设污染环境的项目,必须遵守国家有关建设项目环境保护管理的规定。

建设项目的环境影响报告书,必须对建设项目产生的污染和对环境的影响作出评价,规定防治措施,经项目主管部门预审并依照规定的程序报环境保护行政主管部门批准。环境影响报告书经批准后,计划部门方可批准建设项目设计任务书。

第十四条 县级以上人民政府环境保护行政主管部门或者其他依照法律规定行使环境监督管理权的部门,有权对管辖范围内的排污单位进行现场检查。被检查的单位应当如实反映情况,提供必要的资料。检查机关应当为被检查的单位保守技术秘密和业务秘密。

Article 12 The competent departments of environmental protection administration of the people's governments at or above the county level shall, in conjunction with relevant departments, make an investigation and an assessment of the environmental situation within areas under their jurisdiction, draw up plans for environmental protection which shall, subject to overall balancing by the department of planning, be submitted to the people's government at the same level for approval before implementation.

Article 13 Units constructing projects that cause pollution to the environment must observe the State provisions concerning environmental protection for such construction projects.

The environmental impact statement on a construction project must assess the pollution the project is likely to produce and its impact on the environment and stipulate the preventive and curative measures; the statement shall, after initial examination by the authorities in charge of the construction project, be submitted by specified procedure to the competent department of environmental protection administration for approval. The department of planning shall not ratify the design plan descriptions of the construction project until after the environmental impact statement on the construction project is approved.

Article 14 The competent departments of environmental protection administration of the people's governments at or above the county level or other departments invested by law with power to conduct environmental supervision and management shall be empowered to make on-site inspections of units under their jurisdiction that discharge pollutants. The units being inspected shall truthfully report the situation to them and provide them with the necessary information. The inspecting authorities shall keep confidential the technological know-how and business secrets of the units inspected.