

Atomic Energy Law of the PRC – Full English Translation (2024)

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of promoting the research, development and peaceful utilization of atomic energy, guaranteeing nuclear safety, preventing and responding to nuclear accidents,

protecting the safety of people's lives and property, protecting the ecological environment, and promoting the sustainable development of the atomic energy industry.

Article 2 — This Law shall apply to activities relating to the research, development, utilization, supervision and administration of atomic energy within the territory of the People's Republic of China and in other sea areas under its jurisdiction.

Article 3 — The State shall pursue a path of nuclear energy development with Chinese characteristics, and shall implement the principles of safety first, innovation-driven development, rational deployment, and scientific utilization in the atomic energy sector.

Article 4 — The State shall encourage and support the research, development and utilization of atomic energy, promote the establishment of a modern atomic energy industrial system, and enhance the capacity for independent innovation in atomic energy science and technology.

Article 5 — The State shall establish a nuclear safety regulatory system, strengthen the supervision and administration of nuclear safety, and prevent and respond to nuclear accidents. The principles of safety first and prevention-oriented management shall be adhered to in nuclear energy development.

Article 6 — The State shall support international exchange and cooperation in the field of atomic energy, and fulfill its international obligations under international treaties and agreements to which it is a party.

Article 7 — The energy department of the State Council shall, in accordance with the provisions of this Law, take charge of the administration of the atomic energy industry nationwide. The nuclear safety regulatory department of the State Council shall take charge of the supervision and administration of nuclear safety nationwide. The other relevant departments of the State Council shall, within the scope of their respective duties, take charge of the relevant work relating to atomic energy.

Chapter II — Research and Development of Atomic Energy

Article 8 — The State shall formulate plans for the development of atomic energy science and technology, determine the direction and focus of atomic energy science and technology development, and establish an atomic energy science and technology innovation system.

Article 9 — The State shall arrange for the construction of major scientific research infrastructure in the atomic energy sector, support basic research and applied basic research in atomic energy, and promote breakthroughs in key core atomic energy technologies.

Article 10 — The State shall encourage enterprises, institutions of higher learning and scientific research institutions to carry out research, development and application of atomic energy technologies, and promote the industrial application of atomic energy science and technology achievements.

Article 11 — The State shall support independent research and development and innovation in areas such as nuclear reactor design, nuclear fuel, nuclear waste treatment, nuclear safety, and nuclear technology application.

Chapter III — Nuclear Fuel Cycle

Article 12 — The State shall implement a strict control system over the nuclear fuel cycle. The exploration, mining and smelting of uranium and thorium resources, the conversion and enrichment of uranium isotopes, the fabrication of nuclear fuel elements, and the reprocessing of spent fuel and the treatment and disposal of radioactive waste shall all be carried out in compliance with the relevant provisions of the State.

Article 13 — The mining and smelting of uranium ore shall comply with the provisions of the State on the protection of mineral resources, work safety, environmental protection and radiation protection. Enterprises engaged in uranium mining and smelting shall adopt advanced technologies and equipment to improve the

comprehensive utilization rate of resources and reduce environmental pollution.

Article 14 — Activities relating to uranium enrichment and the fabrication of nuclear fuel elements shall be carried out by entities designated by the State Council. Entities engaged in such activities shall comply with the State provisions on nuclear material control and shall ensure nuclear material security.

Article 15 — The reprocessing of spent fuel shall be carried out in accordance with the policy determined by the State Council and in compliance with the requirements of nuclear safety and radiation protection.

Chapter IV — Utilization of Atomic Energy

Article 16 — The State shall support the construction of nuclear power plants with the highest safety standards, promote the safe and orderly development of nuclear power, and ensure the safe and stable operation of nuclear power.

Article 17 — The siting and construction of nuclear power plants shall comply with the national nuclear power development plan and shall undergo rigorous safety review and environmental impact assessment. No entity may construct a nuclear power plant without approval.

Article 18 — Operators of nuclear power plants shall establish a sound nuclear safety management system, set up nuclear safety management organisations, equip with qualified personnel, and ensure that all nuclear safety requirements are met.

Article 19 — The State shall encourage the application of nuclear technology in areas such as industry, agriculture, medical care, environmental protection, and security. Entities engaged in the application of nuclear technology shall comply with the State provisions on radiation protection and nuclear safety.

Article 20 — The construction and operation of nuclear facilities and the production, sale and use of radioisotopes and radiation devices shall be subject to licensing according to law. Without obtaining the relevant licence, no entity may engage in such activities.

Chapter V — Nuclear Safety and Radiation Protection

Article 21 — The State shall implement a system of safety licences for nuclear facilities. Nuclear facility operating entities shall obtain a nuclear safety licence according to law and bear overall responsibility for the safety of their nuclear facilities.

Article 22 — Nuclear facility operating entities shall establish a defence-in-depth system, ensure the integrity of multiple barriers, and effectively prevent and mitigate the consequences of nuclear accidents.

Article 23 — The State shall implement a classified and graded management system for radioactive sources and radiation devices. Entities producing, selling, using or holding radioactive sources shall apply for a radiation safety licence according to law and strictly comply with the relevant provisions on radiation safety and protection.

Article 24 — The treatment and disposal of radioactive waste shall comply with the relevant State standards and specifications to ensure that the radiation impact on the public and the environment remains within acceptable levels.

Chapter VI — Nuclear Emergency Preparedness and Response

Article 25 — The State shall establish a nuclear emergency management system featuring unified leadership, level-by-level responsibility, and coordination between the military and civilian authorities, and shall formulate a national nuclear emergency plan.

Article 26 — Nuclear facility operating entities shall formulate on-site emergency plans, establish emergency organisations, equip with emergency facilities and equipment, conduct regular emergency drills, and be

prepared to respond to nuclear emergencies.

Article 27 — Local people's governments of provinces, autonomous regions and municipalities directly under the Central Government where nuclear facilities are located shall formulate off-site nuclear emergency plans and establish off-site nuclear emergency organisations.

Article 28 — In the event of a nuclear accident, the nuclear facility operating entity shall immediately activate its emergency plan and take emergency response measures. The relevant department of the State Council and the local people's government shall activate the corresponding level of the nuclear emergency response in accordance with the provisions of the nuclear emergency plan.

Chapter VII — Supervision and Administration

Article 29 — The energy department of the State Council shall exercise supervision and administration over the atomic energy industry nationwide, and shall be responsible for formulating and implementing policies, plans and standards for the development of the atomic energy industry.

Article 30 — The nuclear safety regulatory department of the State Council shall independently exercise the supervision and administration of nuclear safety, and shall be responsible for formulating nuclear safety standards, conducting nuclear safety reviews, issuing nuclear safety licences, and conducting nuclear safety supervision and inspection.

Article 31 — The nuclear safety regulatory department shall station on-site supervision teams at nuclear facility sites to exercise routine on-site supervision over the safety of nuclear facilities.

Article 32 — The nuclear safety regulatory department shall also exercise supervision and administration over the radiation environment nationwide, and shall be responsible for formulating radiation environment monitoring programmes and organising their implementation.

Chapter VIII — Legal Liability

Article 33 — Where an entity, in violation of the provisions of this Law, engages in the mining, smelting, conversion, enrichment, fabrication, reprocessing or disposal activities of the nuclear fuel cycle without approval, the energy department of the State Council or the nuclear safety regulatory department shall order it to cease the violation and impose a fine.

Article 34 — Where a nuclear facility operating entity, in violation of the nuclear safety obligations provided for in this Law, fails to establish a nuclear safety management system or to ensure that nuclear safety requirements are met, the nuclear safety regulatory department shall order it to make corrections and impose a fine; where the circumstances are serious, it may order it to suspend operations for rectification.

Article 35 — Where a nuclear facility operating entity causes a nuclear accident through violation of the provisions of this Law and thereby causes damage to personal safety or property, the entity shall bear the liability for compensation according to law; where a crime is constituted, criminal liability shall be investigated according to law.

Article 36 — Where a staff member of a department responsible for the supervision and administration of atomic energy or nuclear safety abuses his or her power, neglects his or her duties, or engages in malpractice for personal gain, sanctions shall be imposed according to law; where a crime is constituted, criminal liability shall be investigated according to law.

Chapter IX — Supplementary Provisions

Article 37 — Activities relating to atomic energy for military purposes shall be separately provided for by the State Council and the Central Military Commission.

Article 38 — This Law shall come into force on January 1, 2025.

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