Atomic Energy Law of the PRC

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Contents

Table of Contents 1

Chapter I — General Provisions 1

Chapter II — Scientific Research and Technological Development 3

Chapter III — Nuclear Fuel Cycle 4

Chapter IV — Utilization 4

Section 1 — Nuclear Reactor Applications 5

Section 2 — Nuclear Technology Applications 5

Chapter V — Safety Supervision and Administration 6

Chapter VI — Import and Export 7

Chapter VII — Legal Liability 7

Chapter VIII — Supplementary Provisions 8

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Table of Contents

- Chapter I — General Provisions
- Chapter II — Scientific Research and Technological Development
- Chapter III — Nuclear Fuel Cycle
- Chapter IV — Utilization
- Chapter V — Safety Supervision and Administration
- Chapter VI — Import and Export
- Chapter VII — Legal Liability
- Chapter VIII — Supplementary Provisions

Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of safeguarding the research, development, and peaceful utilization of atomic energy, advancing scientific and technological progress and industrial upgrading, promoting high-quality economic and social development, safeguarding national security, and improving the

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well-being of the people.

Article 2 — This Law applies to research, development, and utilization activities involving atomic energy within the territory of the People's Republic of China and other sea areas under the jurisdiction of the People's Republic of China.

For the purposes of this Law, "atomic energy," also known as "nuclear energy," means the energy released by nuclear reactions such as fission, fusion, and decay.

Article 3 — Those engaged in research, development, and utilization activities involving atomic energy shall uphold the leadership of the Communist Party of China, implement the holistic approach to national security, adhere to the rational, coordinated, and balanced nuclear safety approach, uphold bottom-line thinking and a systematic approach, balance development and security, protect the ecological environment, and safeguard personal health and the safety of life and property.

Article 4 — The development of atomic energy science, technology, and industry shall adhere to the innovation-driven development strategy and the strategies of green development and sustainable development.

The state shall strengthen overall planning for the development of the atomic energy industry and rationally arrange the overall layout of the atomic energy industry.

Article 5 — The nuclear industry department, the energy department, and the nuclear safety supervision and administration department of the State Council shall, in accordance with the division of their duties, be responsible for the administration and supervision of research, development, and utilization activities involving atomic energy.

Other relevant departments of the State Council shall, within the scope of their respective duties, be responsible for the administration and supervision of the relevant research, development, and utilization activities involving atomic energy.

The local people's governments at or above the county level and their relevant departments shall support research, development, and utilization activities involving atomic energy within their administrative regions, and perform the corresponding administration and supervision duties in accordance with laws and administrative regulations.

Article 6 — The relevant departments of the State Council and the relevant local people's governments shall, in accordance with state regulations, provide policy support for research, development, and utilization activities involving atomic energy in such respects as science and technology awards, industrial development, finance, and taxation.

Article 7 — The relevant administrative organs, enterprises, and public institutions shall, in accordance with the law, properly carry out the disclosure of information on safety supervision and administration, environmental impact assessment, and other matters in research, development, and utilization activities involving atomic energy.

With respect to major matters affecting the public interest in research, development, and utilization activities involving atomic energy, the relevant administrative organs, enterprises, and public institutions shall strengthen communication with the public, solicit the opinions of interested parties, and provide feedback in an appropriate form.

Where the disclosure of information and public participation referred to in the preceding two paragraphs involve state secrets, trade secrets, or personal information, they shall be handled in accordance with the relevant state regulations.

Article 8 — The state shall strengthen publicity and education on atomic energy scientific knowledge and legal knowledge, and encourage local people's governments that have the conditions, operators of nuclear

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facilities, and other relevant entities to build and make use of venues and facilities for science popularization and to carry out activities to popularize atomic energy scientific knowledge.

Article 9 — The state supports the peaceful utilization of atomic energy, encourages international exchanges and cooperation in the peaceful utilization of atomic energy, and promotes the sharing of the achievements of the peaceful utilization of atomic energy.

The People's Republic of China shall fulfill the obligations stipulated in the international treaties it has concluded or acceded to, oppose and prohibit all forms of nuclear proliferation activities, guard against and respond to the threat of nuclear terrorism, and promote the building of a fair, cooperative, and win-win international nuclear security system.

Article 10 — The state shall strengthen the building of the standards system in the field of atomic energy, and promote and participate in international standardization activities in the field of atomic energy.

Article 11 — Entities and individuals that have made outstanding contributions to research, development, and utilization activities involving atomic energy shall be commended and rewarded in accordance with the relevant state regulations.

Chapter II — Scientific Research and Technological Development

Article 12 — The state shall strengthen scientific research and technological development in atomic energy, intensify basic research, explore frontier technologies, promote interdisciplinary integration, encourage independent research and development, strengthen intellectual property protection, reinforce the building of the national strategic scientific and technological strength, and promote the building of a high-quality professional talent contingent in the field of atomic energy.

Professional talents in the field of atomic energy shall uphold virtue first and integrity as the foundation, carry forward the spirit of scientists, abide by academic and ethical norms, and strictly observe professional ethics.

Article 13 — The state shall establish scientific and technological innovation bases and platforms in the field of atomic energy, strengthen the building of the capacity to guarantee scientific research facilities and conditions in the field of atomic energy, promote the open sharing of scientific research facilities and resources, and promote the transformation of scientific and technological achievements.

Article 14 — The state encourages and supports scientific research and technological development of controlled thermonuclear fusion.

Article 15 — The state shall formulate and implement special plans for scientific research and technological development in atomic energy, promote the research and development of advanced technologies in the fields of the nuclear fuel cycle, nuclear reactors, and nuclear technology applications, and raise the scientific and technological level of atomic energy.

Special plans for scientific research and technological development in atomic energy shall coordinate basic theory, frontier field, and market application research projects, take into account the relevant development needs of the atomic energy industry, and improve the safety, economy, and sustainability of the atomic energy industry.

Article 16 — The state shall publicly solicit needs and proposals for scientific research and technological development in atomic energy, publish guidelines for project applications, and encourage scientific research institutes, institutions of higher learning, enterprises, and other entities to carry out scientific research and technological development in atomic energy.

The state shall give play to the guiding role of fiscal fund investment, encourage and drive entities undertaking or participating in scientific research and technological development work in atomic energy to increase their fund input, optimize the structure of fund input, and improve the efficiency of fund input.

The state shall support enterprises in organizing the development of atomic energy scientific research projects, give play to the principal role of enterprises in technological innovation, and support the demonstration and application of advanced technologies independently developed by enterprises.

Article 17 — The state shall strengthen the connection of scientific and technological plans and programs in the field of atomic energy, improve the exchange mechanism for scientific and technological resources and technological development needs, and give play to the role of the market in allocating resources.

Article 18 — The state shall promote the establishment and improvement of an equipment research, development, and production system suited to the development of atomic energy, and encourage and support enterprises in building independent research, development, design, and manufacturing capabilities.

Chapter III — Nuclear Fuel Cycle

Article 19 — The state shall establish a complete nuclear fuel cycle system, implement the recycling of spent fuel, and properly handle and dispose of radioactive waste.

The nuclear fuel cycle system includes the links of exploration of uranium (thorium) ore, mining and smelting, purification and conversion, isotope separation, fuel element manufacturing, and spent fuel reprocessing.

Article 20 — The nuclear industry department of the State Council shall be responsible for organizing the formulation of medium- and long-term special development plans for the nuclear fuel cycle, and for coordinating the production capacity and layout of nuclear fuel.

Article 21 — Construction projects of nuclear fuel cycle facilities shall be subject to examination and approval or verification by the nuclear industry department of the State Council in accordance with the law, and major projects shall be submitted to the State Council for examination and approval or verification. The application conditions, examination and approval procedures, and time limits shall be implemented in accordance with state regulations.

Article 22 — The state shall, in accordance with the law, strengthen the exploration of uranium (thorium) ore, reasonably determine the order of exploration and development of uranium (thorium) ore and associated and coexisting mineral resources, and implement protective development.

Article 23 — Only entities approved by the state may engage in nuclear fuel production and operation activities.

Article 24 — The state shall establish and improve management systems for the storage, transportation, and reprocessing of spent fuel, make overall plans for the capacity and layout of spent fuel handling and disposal, and ensure the safe, efficient, and environmentally friendly handling of spent fuel.

The state shall establish a spent fuel handling and disposal fund for nuclear power plants, the collection and use of which shall be implemented in accordance with state regulations.

Article 25 — Entities engaged in research, development, and utilization activities involving atomic energy shall minimize the amount of radioactive waste generated, and shall strictly implement classified management and safe handling and disposal of radioactive waste in accordance with the requirements of relevant laws, administrative regulations, and standards.

The construction of radioactive waste disposal sites shall be suited to the requirements of atomic energy development.

Article 26 — On the premise of ensuring national security, the state shall allow enterprises related to the nuclear fuel cycle industry to effectively utilize the capital market and gradually form a diversified investment mechanism for the nuclear fuel cycle industry.

Chapter IV — Utilization

Section 1 — Nuclear Reactor Applications

Article 27 — The state shall develop nuclear power actively, safely, and in an orderly manner, and regulate and promote the comprehensive utilization of nuclear reactors.

The state encourages and supports the application of advanced nuclear reactors.

Article 28 — The energy department of the State Council shall be responsible for nuclear power administration and organize the formulation of the national nuclear power development plan. The nuclear power development plan shall be submitted to the State Council for approval in accordance with the prescribed procedures. Construction projects of nuclear power plants shall be subject to verification by the State Council.

Article 29 — The state supports the application of nuclear reactors in such respects as power, heat supply, seawater desalination, hydrogen production, isotope production, and scientific research.

Article 30 — The siting, design, construction, commissioning, operation, and management of nuclear reactors shall comply with the provisions of relevant laws and administrative regulations.

Article 31 — Operators of nuclear facilities shall, in accordance with state regulations, make advance provision for nuclear facility decommissioning expenses and radioactive waste disposal expenses, which shall be included in investment estimates and production costs and used exclusively for nuclear facility decommissioning and radioactive waste disposal.

The decommissioning expenses for nuclear facilities undertaking non-profit tasks shall be borne by the central and local finances in accordance with the principle of the division of fiscal powers and expenditure responsibilities.

Section 2 — Nuclear Technology Applications

Article 32 — The state supports the application of radioisotopes, radiation devices, and the like in such fields as industry, agriculture, biology, medical and health care, and ecological environment protection.

Article 33 — The nuclear industry, ecological environment, public security, health, disease prevention and control, and other competent departments of the State Council shall, in accordance with the division of their duties, strengthen the administration and supervision of nuclear technology application activities.

Article 34 — The nuclear industry department of the State Council shall, together with the relevant departments, formulate guiding opinions on the development of the nuclear technology application industry.

The local people's governments at or above the county level and their relevant departments shall take measures to encourage the research and development of advanced technologies, intellectual property protection, and the demonstration application of the transformation of achievements in the field of nuclear technology applications, and guide production and operation entities in nuclear technology applications to participate in market competition in an orderly and fair manner.

Article 35 — The state shall implement classified management of radioactive sources and radiation devices, and the specific classification measures shall be formulated by the relevant departments of the State Council.

Article 36 — Entities engaged in production and operation activities of nuclear technology applications shall obtain the corresponding qualifications in accordance with the law, and strictly implement the management provisions on radioisotopes and radiation devices in each link of production, transportation, sale, use, storage, and disposal.

Article 37 — The state shall establish a recovery system for disused radioactive sources in nuclear technology applications. Entities using radioactive sources shall, in accordance with state regulations, return disused radioactive sources to the production entity, return them to the original exporter, or deliver them to

entities with the corresponding qualifications for storage and disposal.

Sites where production and operation entities of nuclear technology applications use radioactive sources and sites where radioisotopes are produced, as well as radiation devices that generate radioactive pollution after termination of operation, shall undergo decommissioning in accordance with the law.

Chapter V — Safety Supervision and Administration

Article 38 — Research, development, and utilization activities involving atomic energy must follow the policy of ensuring safety and strictly implement nuclear safety responsibilities in accordance with the requirements of laws and administrative regulations.

Nuclear safety work must adhere to the principles of safety first, prevention first, clear responsibilities, strict management, defense in depth, independent supervision, and comprehensive safeguards.

The nuclear safety supervision and administration department and the nuclear industry department of the State Council shall, within the scope of their respective duties, implement nuclear safety supervision over research, development, and utilization activities involving atomic energy.

Article 39 — The state shall establish a supervision and administration system that conforms to the characteristics of controlled thermonuclear fusion and promotes the application of nuclear fusion, and implement graded and classified management of fusion fuel and fusion devices (facilities).

Article 40 — Entities engaged in research, development, and utilization activities involving atomic energy shall comply with the relevant state provisions on radiation protection, protect the safety and health of the public and workers, and protect the ecological environment.

Article 41 — The state shall establish and improve the nuclear security system and strengthen the security and protection work of research, development, and utilization activities involving atomic energy.

Entities holding or operating nuclear materials, nuclear facilities, other radioactive substances, and related facilities shall, in accordance with the law, carry out security and protection work, guard against related theft, sabotage, unauthorized access, illegal transfer, or other acts endangering security, and guard against acts of nuclear terrorism.

Operators of nuclear facilities shall take necessary measures to guard against cyber attacks, intrusions, interference, and sabotage, respond to network security incidents, and ensure the safe and stable operation of nuclear facilities.

Article 42 — Entities engaged in research, development, and utilization activities involving atomic energy that involve state secrets shall, in accordance with the law, establish and improve confidentiality management systems, improve confidentiality protection measures, carry out confidentiality publicity and education, and strengthen confidentiality supervision and inspection.

Article 43 — The state shall implement strict control over nuclear materials and establish and operate a national nuclear material accounting and control system.

Entities that hold, use, produce, store, transport, and dispose of nuclear materials shall obtain nuclear material licenses in accordance with the law.

Article 44 — The state shall strengthen the building of transport corridors and the equipment system, and ensure the transportation of radioactive materials by road, railway, waterway, aviation, and other means.

The relevant departments of the State Council shall exercise strict supervision and administration over radioactive material transport enterprises and transport processes.

Article 45 — The state shall establish a nuclear accident emergency coordination committee to organize and coordinate the national nuclear accident emergency management work, make overall plans for the

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formulation of the national nuclear accident emergency plan, and implement graded management of nuclear accident emergencies.

The state shall establish and improve the nuclear accident emergency reserve fund system to guarantee the funds needed for nuclear accident emergency preparedness and response work.

The relevant departments of the State Council, the relevant local people's governments, and operators of nuclear facilities shall formulate nuclear accident emergency plans in accordance with the law, carry out emergency drills, and properly handle nuclear accident emergency related work.

The People's Liberation Army and the Chinese People's Armed Police Force shall, in accordance with the regulations of the Central Military Commission, properly handle nuclear accident emergency related work.

Article 46 — When a nuclear accident occurs, the relevant entities and individuals must immediately take emergency measures and report it in accordance with the provisions of relevant laws and administrative regulations; delayed, concealed, or false reporting of nuclear accidents is prohibited.

Chapter VI — Import and Export

Article 47 — The state shall strengthen the administration of import and export work in the field of atomic energy, fulfill international import and export obligations and commitments, and ensure the peaceful use of imported and exported items.

Article 48 — The state shall, in accordance with the law, exercise strict control over the export of nuclear and nuclear dual-use items and implement a licensing system.

The export of nuclear and nuclear dual-use items shall comply with the provisions of relevant state laws and administrative regulations, and shall not harm national security or the public interest of society.

Article 49 — The state shall strictly restrict the export of proliferation-sensitive items such as uranium enrichment facilities and equipment, spent fuel reprocessing facilities and equipment, heavy water production facilities and equipment and other items and related technologies, and of materials that can be used in nuclear explosive devices.

The state encourages and supports enterprises in actively and orderly participating in the development of the international market and promoting the export of nuclear power and nuclear fuel-related equipment and technical services that comply with the relevant state regulations.

Article 50 — Nuclear import entities shall strictly implement the laws, administrative regulations, and other relevant state provisions on nuclear imports and fulfill their nuclear import commitment obligations.

The nuclear industry department of the State Council shall be responsible for examining and handling nuclear import government commitment matters and administering safeguards matters involved in nuclear imports. Important safeguards matters shall be submitted by the nuclear industry department of the State Council together with the foreign affairs department and the commerce department for handling opinions, and shall, when necessary, be submitted to the State Council for examination and approval.

Article 51 — The import and export of radioisotopes shall comply with the catalogue, conditions, procedures, and other requirements prescribed by laws, administrative regulations, and other relevant provisions.

Article 52 — It is prohibited to bring radioactive waste and articles contaminated by radioactive substances into the territory of the People's Republic of China or transfer them through the territory of the People's Republic of China, except as otherwise provided by laws and administrative regulations.

Chapter VII — Legal Liability

Article 53 — Where the relevant departments of the State Council, the local people's governments at or above the county level, or their relevant departments violate the provisions of this Law and have any of the

following circumstances, the leading personnel and directly responsible persons shall be given sanctions in accordance with the law:

(1) failing to examine, approve, or verify a license application in accordance with the law;

(2) failing to investigate and deal with illegal acts upon discovery;

(3) failing to disclose information on atomic energy safety supervision and administration, environmental impact assessment, and other matters in accordance with the law;

(4) failing to solicit the opinions of interested parties in accordance with the law on major matters affecting the public interest in research, development, and utilization activities involving atomic energy; or

(5) committing other acts of abusing power, neglecting duty, or practicing favoritism.

Article 54 — Where an entity, in violation of this Law, engages in nuclear fuel production and operation activities without approval, the nuclear industry department of the State Council shall order it to cease the production and operation activities, confiscate the nuclear fuel and illegal gains, and impose a fine of not less than twice and not more than ten times the market value of the nuclear fuel illegally produced or operated; the leading personnel and directly responsible persons shall be fined not less than 100,000 yuan and not more than 500,000 yuan, and shall be given sanctions in accordance with the law.

Article 55 — Where entities holding or operating nuclear materials, nuclear facilities, other radioactive substances, and related facilities fail to carry out security and protection work in accordance with the requirements of relevant laws and administrative regulations, the nuclear industry department of the State Council shall, together with the relevant departments, order them to make rectification within a specified time limit; where they refuse to make rectification or still fail to meet the requirements after rectification within the specified time limit, they shall be fined not less than 1 million yuan and not more than 5 million yuan, their relevant licenses shall be temporarily withheld or revoked, and the leading personnel and directly responsible persons shall be fined not less than 100,000 yuan and not more than 500,000 yuan, and shall be given sanctions in accordance with the law.

Article 56 — Where a nuclear import entity fails to fulfill its nuclear import commitment obligations in accordance with the relevant provisions, the nuclear industry department of the State Council shall order it to make corrections and impose a fine of not less than 2 million yuan and not more than 10 million yuan; the leading personnel and directly responsible persons shall be fined not less than 100,000 yuan and not more than 500,000 yuan, and shall be given sanctions in accordance with the law.

Where a nuclear export entity exports nuclear and nuclear dual-use items in violation of this Law, it shall bear legal liability in accordance with the provisions of relevant laws and administrative regulations.

Article 57 — The state shall establish a nuclear damage liability system and handle damage caused by nuclear accidents in accordance with laws and the relevant state regulations.

Article 58 — Where this Law does not provide for administrative penalties for an act violating this Law, but other relevant laws and administrative regulations do provide, those provisions shall apply; where property loss or other damage is caused, civil liability shall be borne in accordance with the law; and where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Chapter VIII — Supplementary Provisions

Article 59 — The administrative measures for research, development, and utilization activities involving atomic energy in the field of national defense, such as the military industry and military affairs, shall be separately formulated by the State Council and the Central Military Commission in accordance with the principles prescribed by this Law.

Article 60 — Where any country or region adopts discriminatory prohibitions, restrictions, or other similar measures against the People's Republic of China in the field of atomic energy, the People's Republic of China may take corresponding measures against that country or region based on the actual circumstances.

Article 61 — For the purposes of this Law, the following terms have the following meanings:

(1) "nuclear materials" means nuclear materials requiring control, including uranium-235 and materials and products containing uranium-235, uranium-233 and materials and products containing uranium-233, plutonium-239 and materials and products containing plutonium-239, and other nuclear materials requiring control prescribed by laws and administrative regulations, but excluding uranium (thorium) ore and its primary products.

(2) "spent fuel" means nuclear fuel that has been irradiated in the core of a reactor and permanently removed from the core.

(3) "reprocessing" means the process of treating reactor spent fuel to separate the fission products therein and recover fissile materials.

(4) "nuclear reactor" means a device constructed for the purpose of utilizing the energy, neutrons, nuclides, and the like produced by nuclear reactions.

(5) "nuclear technology applications" means the application of non-power nuclear technologies such as radioisotopes and radiation devices in various fields of the national economy and social development.

(6) "radioisotope" means nuclides of chemical elements that have the same atomic number but different masses and can undergo radioactive decay.

(7) "radiation devices" means devices that can produce ionizing radiation only after being connected to a power source, such as X-ray machines, accelerators, and neutron generators.

(8) "radioactive sources" means radioactive materials permanently sealed in containers or with tight cladding, other than materials within the scope of the nuclear fuel cycle of research reactors and power reactors.

(9) "radioactive materials" means substances whose radioactivity and specific activity both exceed the exemption values prescribed by the state.

(10) "radioactive waste" means waste containing radionuclides or contaminated by radionuclides whose concentration or specific activity exceeds the clearance level determined by the state and which is not expected to be used again.

Article 62 — This Law shall come into force on January 15, 2026.

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