

Electric Power Law of the PRC

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Unofficial English translation prepared for reference only. The official Chinese text prevails.

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Amended in accordance with the Decision on Amending the Electric Power Law of the People's Republic of China adopted at the 7th Meeting of the Standing Committee of the Thirteenth National People's Congress on December 29, 2018

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of safeguarding and promoting the development of the electric power industry, safeguarding the lawful rights and interests of investors, operators, and consumers in electric power, and ensuring the safe operation of electric power.

Article 2 — This Law applies to the construction, production, supply, and consumption of electric power within the territory of the People's Republic of China.

Article 3 — The electric power industry shall meet the needs of national economic and social development and shall develop ahead of schedule where appropriate. The state shall encourage and guide domestic and foreign economic organizations and individuals to invest in the development of electric power resources and the establishment of electric power enterprises in accordance with the law. Investors in the electric power industry shall have their investment rights and interests protected by law.

Article 4 — Electric power facilities shall be protected by the state. It is prohibited for any entity or individual to endanger the safety of electric power facilities or to illegally occupy or use electric energy.

Article 5 — The construction, production, supply, and consumption of electric power shall be subject to environmental protection in accordance with the law, and shall adopt new technologies to reduce the emission of harmful substances and prevent and control pollution and other public hazards. The state shall encourage and support the generation of electricity through the use of renewable energy sources and clean energy.

Article 6 — The electric power regulatory authority of the State Council shall be responsible for the supervision and administration of the electric power industry nationwide. The relevant departments of the State Council shall, within their respective functions and responsibilities, be responsible for the supervision and administration of the electric power industry.

Chapter II — Construction of Electric Power

Article 7 — The development plan for the electric power industry shall be formulated in accordance with the needs of national economic and social development and shall be incorporated into the national economic and social development plan. The construction of electric power shall be carried out in accordance with the electric power development plan and shall be in line with industrial policies.

Article 8 — The construction of electric power facilities shall comply with the provisions of laws and administrative regulations on construction project management. An electric power construction project shall comply with the provisions of the electric power development plan and shall comply with the state's industrial policies on electric power.

Article 9 — An electric power construction project shall not occupy or use land that the state has designated to be protected, shall not endanger cultural relics and historic sites, and shall not cause damage to the natural ecological environment.

Article 10 — The state shall encourage and support the construction of renewable energy power generation projects such as hydropower, wind power, and solar power, and shall support the development and utilization of clean coal-fired power generation technology.

Chapter III — Production and Grid Management

Article 11 — Electric power production and grid operation shall comply with the principles of safety, high quality, and economy. Electric power enterprises shall strengthen safety production management, adhere to the principle of safety first and prevention-oriented, and establish and improve the safety production

responsibility system.

Article 12 — Power grids shall operate on the principle of unified dispatch and hierarchical management. No entity or individual shall illegally interfere with grid dispatch.

Article 13 — The state shall encourage the combined heat and power generation and shall improve the comprehensive utilization of heat and energy efficiency. In areas where combined heat and power generation enterprises supply heat, electric power administrative departments shall, in accordance with the total heat demand, determine the electricity generation volume of the combined heat and power generation enterprises.

Article 14 — Electric power enterprises shall ensure the quality of electric energy and the continuity and reliability of power supply. Electric power enterprises shall, in accordance with the relevant provisions of the state, publicize service standards and accept social supervision.

Chapter IV — Supply and Consumption

Article 15 — Electric power supply enterprises shall supply electricity to consumers in accordance with the quality standards and methods stipulated by the state. Where a consumer applies for new electricity consumption, temporary electricity consumption, increased electricity consumption, changed electricity consumption, or termination of electricity consumption, the relevant procedures shall be completed in accordance with the prescribed procedures.

Article 16 — An electric power supply enterprise and a consumer shall, in accordance with the principles of equality, voluntariness, and consensus through consultation, enter into a power supply and consumption contract in accordance with the provisions of the State Council on the measures for electricity supply and consumption, specifying the rights and obligations of both parties.

Article 17 — An electric power supply enterprise shall provide electricity to consumers at the electricity prices approved by the state, and shall install electric energy metering devices for consumers. Consumers shall pay electricity charges in accordance with the electricity prices approved by the state and the records of the metering devices. Consumers shall not endanger the safety of electricity consumption or disrupt the order of electricity supply and consumption.

Chapter V — Electricity Pricing

Article 18 — The principle of uniform pricing and tiered pricing shall apply to electricity prices. Electricity prices shall be determined on the basis of reasonable compensation of costs, reasonable determination of profits, inclusion of taxes in the price in accordance with the law, and fair sharing of burdens, and shall be subject to tiered pricing policies.

Article 19 — The electricity prices connected to the grid shall be determined on the principle of promoting the construction and development of the electric power industry, and shall be in compliance with the provisions of the state on electricity pricing management. Electricity prices for different types of electricity generation shall be reasonably determined based on factors such as the type and quality of electricity.

Article 20 — Electricity prices for end users shall be classified as residential electricity prices, general industrial and commercial electricity prices, and large industrial electricity prices, which shall be tiered based on factors such as the voltage level and load rate of electricity consumption.

Chapter VI — Protection of Electric Power Facilities

Article 21 — Electric power facilities shall be subject to state protection. Any entity or individual shall have the obligation to protect electric power facilities, and shall have the right to report to the relevant authorities any act endangering the safety of electric power facilities.

Article 22 — Power line protection zones and electric power facility protection zones shall be established in accordance with the law. Within the protection zones, no operations that may endanger the safety of electric power facilities, such as construction operations, blasting, stacking of objects, or planting of trees, shall be carried out.

Article 23 — No entity or individual shall illegally occupy land used for electric power facilities or illegally occupy the line corridors for power transmission and distribution. Where electric power facilities need to be relocated due to construction needs, approval shall be obtained in advance, and the necessary expenses shall be borne by the party requesting the relocation.

Chapter VII — Supervision and Inspection

Article 24 — Electric power administrative departments shall strengthen supervision and administration of the electric power industry, and shall have the right to conduct on-site inspections of electric power enterprises and consumers in accordance with the law. Electric power enterprises and consumers shall accept such inspections and shall truthfully provide relevant information and materials.

Article 25 — Electric power administrative departments shall establish a reporting system to receive reports on illegal acts relating to electric power. Electric power administrative departments shall deal with reports in a timely manner and keep the informants confidential.

Chapter VIII — Legal Liability

Article 26 — Where safety accidents occur in the production and operation of electric power enterprises and cause personal injury or property damage, the electric power enterprises shall bear the liability for compensation in accordance with the law. Where the accident is caused by force majeure, the liability of the electric power enterprise may be exempted or mitigated.

Article 27 — Anyone who steals electric energy shall have the stolen electric energy or articles confiscated by the electric power administrative department, and a fine of not more than five times the amount of the electricity charges payable for the stolen electric energy shall be imposed concurrently. Where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 28 — Anyone who endangers the safety of electric power facilities shall be ordered by the electric power administrative department to cease the illegal act and restore the original state; where losses are caused, compensation shall be made in accordance with the law.

Chapter IX — Supplementary Provisions

Article 29 — The State Council may, based on this Law, formulate regulations for its implementation. The relevant departments of the State Council may, in accordance with this Law and the administrative regulations of the State Council, formulate rules within their respective functions and responsibilities.

Article 30 — This Law shall enter into force on April 1, 1996.

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