Law of the PRC on the Territorial Sea and the Contiguous Zone

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

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Article 1 — This Law is enacted for the purpose of exercising the sovereignty of the People's Republic of China over its territorial sea and its rights and jurisdiction over its contiguous zone, and safeguarding national security and maritime rights and interests.

Article 2 — The territorial sea of the People's Republic of China is the sea belt adjacent to the land territory and internal waters of the People's Republic of China. The land territory of the People's Republic of China includes the mainland of the People's Republic of China and its coastal islands; as well as Taiwan and all islands appertaining thereto, including the Diaoyu Islands; the Penghu Islands; the Dongsha Islands; the Xisha Islands; the Zhongsha Islands and the Nansha Islands; and all other islands belonging to the People's Republic of China. The internal waters of the People's Republic of China are the waters on the landward side of the baselines of the territorial sea.

Article 3 — The breadth of the territorial sea of the People's Republic of China is twelve nautical miles, measured from the baselines of the territorial sea. The method of straight baselines composed of joining the appropriate points shall be employed in drawing the baselines of the territorial sea of the People's Republic of China. The outer limit of the territorial sea of the People's Republic of China is the line every point of which is at a distance equal to twelve nautical miles from the nearest point of the baseline of the territorial sea.

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Article 4 — The contiguous zone of the People's Republic of China is the sea belt adjacent to and beyond the territorial sea. The breadth of the contiguous zone is twelve nautical miles. The outer limit of the contiguous zone of the People's Republic of China is the line every point of which is at a distance equal to twenty-four nautical miles from the nearest point of the baseline of the territorial sea.

Article 5 — The sovereignty of the People's Republic of China over its territorial sea extends to the airspace above the territorial sea as well as to the bed and subsoil thereof.

Article 6 — Foreign ships for non-military purposes shall enjoy the right of innocent passage through the territorial sea of the People's Republic of China in accordance with the law. Foreign ships for military purposes shall be subject to approval by the Government of the People's Republic of China before entering the territorial sea of the People's Republic of China.

Article 7 — Foreign submarines and other underwater vehicles, when passing through the territorial sea of the People's Republic of China, shall navigate on the surface and show their flags.

Article 8 — Foreign ships navigating through the territorial sea of the People's Republic of China must comply with the relevant laws and regulations of the People's Republic of China and shall not impair the peace, security and good order of the People's Republic of China. Foreign nuclear-powered ships and ships carrying nuclear, inherently dangerous or noxious substances or materials shall, when navigating through the territorial sea of the People's Republic of China, carry relevant documents and take special precautionary measures. The Government of the People's Republic of China shall have the right to take all necessary measures to prevent and stop passage which is not innocent through its territorial sea.

Article 9 — The competent authorities of the People's Republic of China may, when they have good reason to believe that a foreign ship has committed a violation of the laws and regulations of the People's Republic of China, exercise the right of hot pursuit against such ship. Hot pursuit may be commenced when the foreign ship or one of its boats or other craft is within the internal waters, the territorial sea or the contiguous zone of the People's Republic of China. If the foreign ship is within the contiguous zone, the pursuit may be undertaken only when there has been a violation of the rights for the protection of which that zone was established. The right of hot pursuit shall cease as soon as the ship pursued enters the territorial sea of its own country or that of a third State. The right of hot pursuit may be exercised only by warships or military aircraft, or by other ships or aircraft clearly marked and identifiable as being on government service and authorized to that effect.

Article 10 — In the event of a violation of the laws and regulations of the People's Republic of China by a foreign ship navigating through the territorial sea of the People's Republic of China, the competent authorities of the People's Republic of China may impose sanctions in accordance with the law. Such sanctions may include a warning, the imposition of a fine, detention of the ship, and, in serious cases, the institution of criminal proceedings.

Article 11 — The People's Republic of China shall exercise jurisdiction as provided for by relevant laws and regulations over foreign ships navigating through its territorial sea, and shall, in accordance with the law, investigate and deal with any violation of the laws and regulations of the People's Republic of China committed by such ships.

Article 12 — The provisions of this Law shall not prejudice the rights of the People's Republic of China over its historic waters.

Article 13 — The People's Republic of China shall have the right to exercise control in its contiguous zone for the purpose of preventing and punishing infringement of its customs, fiscal, immigration or sanitary laws and regulations within its land territory, internal waters or territorial sea.

Article 14 — Where the provisions of this Law are inconsistent with the provisions of international treaties to which the People's Republic of China is a party, the provisions of such international treaties shall prevail,

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except for those provisions on which the People's Republic of China has declared reservations.

Article 15 — The Government of the People's Republic of China shall determine and promulgate the specific baselines of the territorial sea of the People's Republic of China.

Article 16 — The competent authorities of the People's Republic of China may, in accordance with this Law, formulate rules for its implementation, which shall enter into force upon approval by the State Council.

Article 17 — This Law shall enter into force as of the date of promulgation.

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