Law on the Prevention and Control of Water Pollution of the People’s Republic of China

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of preventing and controlling water pollution, protecting and improving the water environment, safeguarding the safety of drinking water, and promoting comprehensive, coordinated and sustainable economic and social development.

Article 2 — This Law shall apply to the prevention and control of pollution of rivers, lakes, canals, channels, reservoirs and other surface water bodies and groundwater within the territory of the People’s Republic of China. The prevention and control of marine pollution shall be governed by the Marine Environment

Protection Law of the People's Republic of China and shall not be subject to this Law.

Article 3 — The prevention and control of water pollution shall adhere to the principles of giving priority to prevention, combining prevention and control, and exercising comprehensive control, giving priority to the protection of drinking water sources, strictly controlling industrial pollution and urban domestic pollution, preventing and controlling agricultural non-point source pollution, actively promoting the construction of ecological treatment projects, and preventing, controlling and reducing water environmental pollution and ecological damage.

Article 4 — People's governments at or above the county level shall incorporate the prevention and control of water pollution into their national economic and social development plans. Local people's governments at various levels shall be responsible for the water environment quality of their respective administrative areas and shall take measures in a timely manner to prevent and control water pollution.

Article 5 — The State shall implement a system of target responsibility and an evaluation system for the prevention and control of water pollution, and shall publicly release the evaluation results as an important part of the comprehensive evaluation of local people's governments and their leading officials.

Article 6 — Enterprises, public institutions and other producers and business operators shall prevent and control water pollution and assume liability for any damage caused in accordance with the law. Citizens shall enhance their awareness of environmental protection and consciously perform their obligations to protect the water environment.

Chapter II — Standards and Plans for Prevention and Control of Water Pollution

Article 7 — The administrative department of environmental protection under the State Council shall formulate the national water environment quality standards. The people's governments of provinces, autonomous regions and municipalities directly under the Central Government may formulate their local water environment quality standards for items not specified in the national water environment quality standards. For items already specified in the national water environment quality standards, they may formulate local standards that are stricter than the national standards.

Article 8 — The administrative department of environmental protection under the State Council shall, in accordance with the national water environment quality standards and the national economic and technical conditions, formulate the national pollutant discharge standards. Local people's governments may formulate local pollutant discharge standards that are stricter than the national standards.

Article 9 — The prevention and control of water pollution shall be carried out in a unified manner by river basins or regions. Plans for the prevention and control of water pollution shall be formulated for key river basins and regions. The plans shall include the status of water environment quality, the objectives of pollution prevention and control, the main tasks and measures, etc.

Chapter III — Supervision over Prevention and Control of Water Pollution

Article 10 — New construction, reconstruction or expansion projects that discharge water pollutants directly or indirectly into water bodies shall be subject to environmental impact assessment in accordance with the law. The facilities for the prevention and control of water pollution of a construction project shall be designed, constructed and put into operation simultaneously with the main body of the project.

Article 11 — The State shall implement a system of pollutant discharge permits. Enterprises, public institutions and other producers and business operators that directly or indirectly discharge industrial wastewater, medical wastewater or other wastewater that shall be subject to permit management as prescribed by law shall obtain a pollutant discharge permit. No entity may discharge such wastewater without a pollutant discharge permit.

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Article 12 — Enterprises, public institutions and other producers and business operators that discharge water pollutants shall monitor the discharged water pollutants in accordance with the provisions, keep the original monitoring records, and install automatic monitoring equipment for water pollutant discharge. The monitoring data of the automatic monitoring equipment shall be networked with the monitoring equipment of the administrative departments of environmental protection.

Chapter IV — Measures for Prevention and Control of Water Pollution

Article 13 — The State shall prohibit any entity or individual from discharging, without a pollutant discharge permit or in violation of the provisions of the pollutant discharge permit, water pollutants into water bodies. The State shall prohibit the discharge of water pollutants in excess of the national or local pollutant discharge standards.

Article 14 — Enterprises and business operators that discharge industrial wastewater shall adopt effective measures to collect and treat the wastewater generated, so as to prevent environmental pollution. Enterprises that discharge toxic and hazardous water pollutants shall conduct pretreatment of the wastewater to meet the standards before discharging it into the urban sewage centralized treatment facilities.

Article 15 — The administrative departments of environmental protection and other relevant departments shall strengthen the supervision and inspection of enterprises that discharge toxic and hazardous water pollutants, and may install automatic monitoring equipment to monitor the status of pollutant discharge by such enterprises.

Article 16 — The State shall implement a cleaner production audit system for enterprises that discharge toxic and hazardous water pollutants. Such enterprises shall conduct cleaner production audits on a regular basis and implement cleaner production improvement plans.

Article 17 — Urban sewage shall be treated in a centralized manner. Local people's governments at or above the county level shall build urban sewage centralized treatment facilities and supporting pipe networks in accordance with the plans. Enterprises and business operators that discharge wastewater into urban sewage centralized treatment facilities shall pretreat the wastewater to comply with the standards for acceptance by such facilities.

Article 18 — The State shall support the reuse of recycled water and the utilization of rainwater. In areas where water resources are scarce, the use of recycled water shall be encouraged in industrial production, urban greening, road cleaning, vehicle washing, building construction, and ecological landscape, among others.

Chapter V — Prevention and Control of Pollution of Drinking Water Sources and Other Special Water Bodies

Article 19 — The State shall establish a system of drinking water source protection zones. Drinking water source protection zones shall be classified into Grade I and Grade II protection zones, and certain areas on the periphery of the protection zones may be designated as quasi-protection zones where necessary.

Article 20 — It is prohibited to establish any sewage outlets within drinking water source protection zones. The existing sewage outlets shall be removed within a time limit. It is prohibited to engage in aquaculture, tourism, swimming, fishing or other activities that may pollute the drinking water in Grade I drinking water source protection zones.

Article 21 — It is prohibited to establish any new or expand any existing projects that discharge water pollutants within the Grade II protection zones of drinking water sources. New construction, reconstruction or expansion projects shall not increase the amount of water pollutants discharged.

Chapter VI — Disposal of Water Pollution Accidents

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Article 22 — People's governments at various levels and their relevant departments and enterprises and public institutions that are likely to cause water pollution accidents shall formulate contingency plans for water pollution accidents and be prepared for emergency response. Enterprises and public institutions that produce, store, transport, sell or use toxic or hazardous chemicals shall take effective measures to prevent safety accidents that may cause water pollution during emergencies.

Article 23 — Enterprises, public institutions and other producers and business operators that cause or are likely to cause water pollution accidents shall immediately take emergency measures, inform the entities and residents that are likely to be endangered, and report to the local people's government or the administrative department of environmental protection.

Chapter VII — Legal Liability

Article 24 — Where an enterprise, public institution or other producer or business operator discharges water pollutants in violation of this Law, the administrative department of environmental protection shall order it to make corrections or impose restrictions on its production or discharge, or order it to suspend production for rectification, and impose a fine. Where the circumstances are serious, the people's government with the power of approval shall order it to close down.

Article 25 — Where an enterprise, public institution or other producer or business operator discharges water pollutants in violation of this Law and causes damage, it shall assume tort liability in accordance with the law. Where more than one discharger causes damage, the dischargers shall be jointly and severally liable.

Article 26 — Where the lawful rights and interests of any entity or individual are harmed due to water pollution, the entity or individual shall have the right to request the polluter to eliminate the harm and compensate for the loss. The limitation period for filing a lawsuit for compensation for damage caused by water pollution shall be three years, counting from the date on which the party knows or should have known that the damage has been caused by the pollution.

Chapter VIII — Supplementary Provisions

Article 27 — The meanings of the following terms as used in this Law are: "water pollution" means the introduction into a water body of any substance that changes the chemical, physical, biological or radioactive characteristics of the water, thereby affecting the effective use of the water, endangering human health or damaging the ecological environment, resulting in deterioration of water quality. "Water pollutants" means substances that directly or indirectly cause water pollution.

Article 28 — This Law shall come into force on June 1, 2008. The Water Pollution Prevention and Control Law of the People's Republic of China adopted on May 11, 1984 and amended on May 15, 1996 shall be repealed simultaneously. The Amendment was adopted on June 27, 2017.

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