Nuclear Safety Law 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 ensuring nuclear safety, preventing and responding to nuclear accidents, protecting the safety of life and health of the general public and their property, protecting the ecological environment, and promoting the sound and sustainable development of the nuclear energy industry.

Article 2 — This Law shall apply to nuclear safety-related activities carried out within the territory of the People’s Republic of China and other sea areas under its jurisdiction.

Article 3 — Nuclear safety shall adhere to the principles of safety first, prevention-oriented, well-defined responsibility, strict management, comprehensive defense, and full participation.

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Article 4 — Entities engaged in nuclear facility operations shall bear overall responsibility for nuclear safety. Entities providing equipment, engineering, services, and other support for nuclear facility operations shall bear corresponding responsibilities.

Article 5 — The nuclear safety supervision and administration department under the State Council shall be responsible for the supervision and administration of nuclear safety. The nuclear industry administration department, the energy department, and other relevant departments shall be responsible for nuclear safety administration within their respective functions.

Article 6 — The State Council shall establish a national nuclear safety coordination mechanism to coordinate nuclear safety work and study and resolve major nuclear safety issues.

Article 7 — The State shall establish a nuclear safety culture. Entities engaged in nuclear facility operations shall cultivate and maintain a healthy nuclear safety culture and instill a safety-first philosophy among all employees.

Article 8 — No entity or individual may endanger nuclear safety. Citizens, legal persons, and other organizations shall have the right to report acts endangering nuclear safety to the relevant departments.

Chapter II — Safety of Nuclear Facilities

Article 9 — Entities engaged in nuclear facility operations shall apply for a permit in accordance with regulations and may carry out nuclear facility siting, construction, commissioning, operation, and decommissioning activities only after obtaining the relevant permits.

Article 10 — Nuclear facility siting shall be subject to scientific demonstration and comply with national land space planning, environmental protection planning, and nuclear safety planning, and satisfy the requirements of site suitability.

Article 11 — The design of nuclear facilities shall comply with national nuclear safety standards, adopt the most advanced technology and the most stringent safety standards, and ensure that nuclear facilities can maintain safety under various operating conditions and accident conditions.

Article 12 — Nuclear facilities shall be designed with multiple protective barriers and defense-in-depth measures to prevent radioactive material releases and mitigate accident consequences.

Article 13 — A nuclear facility shall not begin construction until the construction permit is obtained. The quality of construction shall comply with national nuclear safety standards and design requirements.

Article 14 — Prior to initial fuel loading of a nuclear facility, the operating entity shall apply for an operating permit from the nuclear safety supervision and administration department under the State Council.

Article 15 — An operating permit may be issued only after the nuclear facility has met the operating conditions specified in the permit, the emergency plan has been filed, and all pre-operational conditions have been satisfied.

Article 16 — The operating entity shall operate the nuclear facility within the scope of the operating permit and in accordance with nuclear safety standards and operating procedures.

Article 17 — Nuclear facility operators shall establish and implement a quality assurance program to ensure nuclear safety.

Article 18 — Nuclear facility operators shall establish a monitoring and periodic testing program and conduct regular monitoring and testing of nuclear safety-related structures, systems, and components.

Article 19 — Nuclear facility operators shall establish a system for the reporting and analysis of nuclear safety-related events, record and report nuclear safety events, and conduct investigations and analyses.

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Article 20 — Nuclear facility operators shall establish a nuclear safety assessment system, conduct periodic safety assessments of nuclear facilities, and take corrective actions for identified deficiencies.

Article 21 — Nuclear facility operators shall maintain a full-time nuclear safety management team and appoint a chief nuclear safety officer.

Article 22 — Operators of nuclear power plants and other commercial nuclear facilities shall purchase third-party liability insurance for nuclear facility damage and establish a nuclear damage compensation fund.

Article 23 — The service life of a nuclear facility shall be set based on design requirements and safety assessments. The service life may be extended only after a safety review and approval.

Article 24 — Decommissioning of a nuclear facility shall follow the approved decommissioning plan, and nuclear safety requirements shall be met throughout the decommissioning process.

Chapter III — Safety of Nuclear Materials and Radioactive Waste

Article 25 — The production, use, processing, storage, transport, and disposal of nuclear materials shall be subject to a licensing system. Nuclear material accounting and physical protection shall be implemented.

Article 26 — Nuclear materials shall be managed by category and grade, with appropriate protective measures taken to prevent loss, theft, sabotage, or illegal transfer.

Article 27 — Entities holding nuclear materials shall establish a nuclear material accounting and control system, maintain accurate records, and report to the relevant department on a regular basis.

Article 28 — Transport of nuclear materials shall comply with national regulations on the safe transport of radioactive materials and shall be carried out using dedicated means of transport.

Article 29 — Radioactive waste shall be managed by category and disposed of in a safe manner. The principles of minimization and clearance shall be applied to radioactive waste management.

Article 30 — The production, sale, use, and disposal of radioactive sources shall be subject to a licensing system, and radioactive sources shall be managed on a full life-cycle basis.

Article 31 — Radioactive waste disposal facilities shall be constructed, operated, and closed in accordance with national nuclear safety standards.

Article 32 — Low and intermediate level radioactive waste shall be disposed of in near-surface disposal facilities or intermediate depth disposal facilities. High level radioactive waste shall be disposed of in deep geological disposal facilities.

Article 33 — Entities producing radioactive waste shall minimize the generation of radioactive waste and process the waste into a form suitable for disposal in a timely manner.

Article 34 — The decommissioning of nuclear facilities shall be accompanied by the safe management and disposal of radioactive waste generated during decommissioning.

Article 35 — The State shall establish a radioactive waste management fund system to ensure the safe disposal of radioactive waste.

Article 36 — Entities producing radioactive waste shall bear the costs of radioactive waste management and disposal.

Article 37 — The import and export of nuclear materials, nuclear equipment, and related technologies shall comply with national export control regulations and non-proliferation obligations.

Article 38 — The monitoring of environmental radioactivity shall be conducted in the vicinity of nuclear facilities and in areas where nuclear materials and radioactive waste are present.

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Chapter IV — Emergency Response to Nuclear Accidents

Article 39 — The State shall establish a nuclear accident emergency management system and formulate a national nuclear accident emergency plan.

Article 40 — Nuclear facility operators shall formulate on-site emergency plans and conduct emergency drills on a regular basis. The frequency and content of emergency drills shall meet national requirements.

Article 41 — People's governments of provinces, autonomous regions, and municipalities directly under the Central Government where nuclear facilities are located shall formulate off-site emergency plans.

Article 42 — Nuclear facility operators shall establish an emergency response organization, provide emergency facilities and equipment, and maintain them in good working condition.

Article 43 — When a nuclear accident emergency occurs, nuclear facility operators shall take immediate emergency response measures, activate the emergency plan, and report to the nuclear safety supervision and administration department and other relevant departments.

Article 44 — The nuclear safety supervision and administration department shall, upon receiving a nuclear accident emergency report, immediately assess the accident grade, verify the accident situation, and activate the national nuclear accident emergency plan.

Article 45 — The people's governments at various levels, nuclear facility operators, and relevant departments shall take protective measures in accordance with the nuclear accident emergency plan to protect the public and the environment.

Article 46 — Nuclear facility operators and relevant departments shall promptly and objectively release nuclear accident emergency information to the public.

Article 47 — After the emergency state of a nuclear accident is terminated, the nuclear facility operator shall carry out decommissioning, site restoration, environmental remediation, and radiation monitoring.

Chapter V — Information Disclosure and Public Participation

Article 48 — Nuclear safety supervision and administration departments shall establish a nuclear safety information disclosure system and release nuclear safety-related information to the public in accordance with law.

Article 49 — Nuclear facility operators shall disclose nuclear safety-related information, including nuclear safety management systems, nuclear facility safety status, effluent monitoring results, and nuclear accident emergency plans.

Article 50 — Citizens, legal persons, and other organizations may apply for access to nuclear safety-related information in accordance with law. Nuclear safety supervision and administration departments and nuclear facility operators shall respond within the statutory time limit.

Article 51 — For major matters relating to public interests in the siting, construction, operation, and decommissioning of nuclear facilities, public opinions shall be solicited through hearings, discussion sessions, questionnaires, or other means.

Article 52 — Schools shall incorporate nuclear safety knowledge into science education curricula. Media shall conduct publicity and education on nuclear safety knowledge.

Article 53 — Relevant government departments and nuclear facility operators shall explain and respond to public concerns about nuclear safety in a timely manner.

Article 54 — Nuclear safety supervision and administration departments shall provide convenient channels for the public to participate in nuclear safety supervision.

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Article 55 — Nuclear facility operators shall establish a liaison and communication mechanism with local residents to share information and address concerns on a regular basis.

Chapter VI — Supervision and Inspection

Article 56 — The nuclear safety supervision and administration department under the State Council shall establish a nuclear safety supervision and inspection system and conduct supervision and inspection of nuclear safety.

Article 57 — Nuclear safety inspectors shall have relevant professional knowledge and qualifications and shall produce their inspection credentials when performing inspection duties.

Article 58 — Nuclear safety supervision and administration departments shall have the right to take the following measures when conducting supervision and inspection: (1) enter the site for inspection and investigation; (2) access and copy relevant documents and records; (3) interview relevant personnel; (4) inspect and collect samples; (5) order cessation of illegal acts.

Article 59 — Entities engaged in nuclear safety-related activities shall cooperate with supervision and inspection and shall provide truthful explanations of the situation and necessary information.

Article 60 — Nuclear safety inspectors shall keep confidential the commercial secrets and personal privacy obtained in the course of performing their duties.

Article 61 — Nuclear safety supervision and administration departments shall establish a nuclear safety reporting system, make their reporting hotline public, accept reports, and handle them in a timely manner.

Article 62 — Where a nuclear safety hazard is identified, the nuclear safety supervision and administration department shall order the entity to take corrective measures.

Article 63 — Nuclear safety supervision and administration departments shall conduct nuclear safety inspections and assessments of nuclear facilities on a regular basis.

Chapter VII — Legal Liability

Article 64 — Where a nuclear facility operator violates this Law by conducting nuclear facility siting, construction, commissioning, operation, or decommissioning without a permit or beyond the scope of the permit, the nuclear safety supervision and administration department shall order cessation of the illegal act and impose a fine.

Article 65 — Where a nuclear facility operator fails to implement quality assurance, monitoring, or periodic testing requirements, the nuclear safety supervision and administration department shall order correction and impose a fine.

Article 66 — Where a nuclear facility operator conceals a nuclear safety event or makes a false report, the nuclear safety supervision and administration department shall impose a fine.

Article 67 — Where a nuclear facility operator fails to carry out nuclear safety assessments or to take corrective actions as required, the nuclear safety supervision and administration department shall order correction and impose a fine.

Article 68 — Where a nuclear facility operator fails to establish a nuclear safety management team or to appoint a chief nuclear safety officer, the nuclear safety supervision and administration department shall order correction and impose a fine.

Article 69 — Where a nuclear facility operator fails to purchase nuclear damage third-party liability insurance or to contribute to the nuclear damage compensation fund, the nuclear safety supervision and administration department shall order correction and impose a fine.

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Article 70 — Where a nuclear facility operator fails to decommission the facility in accordance with the decommissioning plan, the nuclear safety supervision and administration department shall order correction and impose a fine.

Article 71 — Where an entity violates the provisions on the administration of nuclear materials, radioactive sources, or radioactive waste, the nuclear safety supervision and administration department or other relevant department shall impose penalties in accordance with this Law and relevant regulations.

Article 72 — Where an entity produces, sells, uses, or disposes of radioactive sources without a license, the nuclear safety supervision and administration department shall order cessation of the illegal act and impose a fine.

Article 73 — Where a nuclear facility operator fails to formulate an emergency plan or to conduct emergency drills as required, the nuclear safety supervision and administration department shall order correction and impose a fine.

Article 74 — Where a nuclear facility operator fails to report a nuclear accident emergency in accordance with regulations, the nuclear safety supervision and administration department shall impose a fine.

Article 75 — Where a nuclear facility operator fails to disclose nuclear safety information as required, the nuclear safety supervision and administration department shall order correction and impose a fine.

Article 76 — Where an entity refuses or obstructs nuclear safety supervision and inspection, the nuclear safety supervision and administration department shall impose a fine.

Article 77 — Where an entity transfers or resells a nuclear safety permit, the nuclear safety supervision and administration department shall revoke the permit and impose a fine.

Article 78 — Where a nuclear safety incident occurs due to a violation of this Law, the nuclear safety supervision and administration department may order cessation of operations for rectification, and the relevant approval department may revoke the relevant license.

Article 79 — Where a nuclear facility operator commits multiple illegal acts under this Law, the nuclear safety supervision and administration department may impose cumulative penalties.

Article 80 — Where a nuclear safety incident occurs causing damage to others, the entity responsible shall bear liability for compensation in accordance with law.

Article 81 — Where a staff member of a nuclear safety supervision and administration department or other relevant department neglects his duties, abuses his power, or engages in malpractice for personal gain, disciplinary action shall be taken; where a crime is constituted, criminal liability shall be pursued in accordance with law.

Article 82 — Where a violation of this Law constitutes a violation of public security administration, penalties shall be imposed by the public security authority in accordance with law.

Article 83 — Where a violation of this Law constitutes a crime, criminal liability shall be pursued in accordance with law.

Chapter VIII — Supplementary Provisions

Article 84 — The meanings of the following terms used in this Law: (1) Nuclear facilities include nuclear power plants, research reactors, spent fuel storage facilities, nuclear fuel cycle facilities, and radioactive waste treatment and disposal facilities. (2) Nuclear materials include uranium-233, uranium-235, plutonium-239, and materials containing any of these isotopes. (3) Nuclear safety refers to the measures taken to prevent nuclear accidents and mitigate their consequences.

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Article 85 — The safety of military nuclear facilities and the safety of nuclear materials and radioactive waste in military activities shall be governed by separate regulations formulated by the State Council and the Central Military Commission.

Article 86 — Where international treaties on nuclear safety concluded or acceded to by the People's Republic of China contain provisions different from those of this Law, the provisions of the international treaties shall apply, except for provisions on which the People's Republic of China has declared reservations.

Article 87 — This Law shall come into force as of January 1, 2018.

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