Surveying and Mapping Law of the PRC

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of strengthening the administration of surveying and mapping, promoting the development of the surveying and mapping industry, safeguarding the service of surveying and mapping to economic construction, national defense construction, social development and ecological protection, and protecting the security of the state’s geographic information.

Article 2 — This Law shall apply to surveying and mapping activities and the administration thereof carried out within the territory of the People’s Republic of China and other sea areas under the jurisdiction of the People’s Republic of China.

Article 3 — Surveying and mapping work is a basic work for economic construction, national defense construction and social development. The people’s governments at all levels shall strengthen leadership over surveying and mapping work.

Article 4 — The competent department of surveying, mapping and geoinformation under the State Council shall be responsible for the unified supervision and administration of surveying and mapping work throughout

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the country.

Article 5 — Entities and individuals engaged in surveying and mapping activities shall abide by the laws and regulations of the state and shall not endanger state security or harm the public interest.

Article 6 — The state shall encourage scientific and technological innovation and progress in surveying and mapping, adopt advanced technology and equipment, and promote the sharing and application of surveying and mapping results.

Article 7 — Entities and individuals engaged in surveying and mapping activities shall keep confidential the state secrets learned in the course of surveying and mapping activities.

Chapter II — Surveying and Mapping Benchmarks and Systems

Article 8 — The state shall establish and adopt the national unified geodetic benchmark, vertical datum, depth datum and gravity datum, the data of which shall be examined and verified by the competent department of surveying, mapping and geoinformation under the State Council and submitted to the State Council for approval before they may be published and used.

Article 9 — The state shall establish a national unified geodetic coordinate system, plane coordinate system, vertical height system, geodetic height system and gravity measurement system, and shall determine the classification, precision and use of the national geodetic survey and geodetic control network at all levels, as well as the national basic scale map series and basic precision.

Article 10 — The adoption of a relatively independent plane coordinate system due to the needs of construction, urban planning or scientific research shall be subject to approval by the competent department of surveying, mapping and geoinformation under the State Council or the competent department of surveying, mapping and geoinformation of the people's government of the province, autonomous region or municipality directly under the Central Government.

Chapter III — Surveying and Mapping Operations

Article 11 — Entities engaged in surveying and mapping activities shall have the technical personnel and technical equipment suitable for the surveying and mapping activities they engage in, and shall obtain the corresponding Surveying and Mapping Qualification Certificate in accordance with the law before they may engage in surveying and mapping activities.

Article 12 — Surveying and mapping entities shall not engage in surveying and mapping activities beyond the scope of their qualification grades, and shall not engage in surveying and mapping activities in the name of other surveying and mapping entities, or allow other entities to engage in surveying and mapping activities in their own names.

Article 13 — Surveying and mapping personnel engaged in surveying and mapping activities shall hold the surveying and mapping work certificate in accordance with the law.

Article 14 — A foreign organization or individual that intends to carry out surveying and mapping within the territory of the People's Republic of China shall obtain the approval of the competent department of surveying, mapping and geoinformation under the State Council and the relevant military surveying and mapping department, and shall abide by the relevant laws and administrative regulations of the People's Republic of China. Such activities shall be carried out in the form of a Sino-foreign equity joint venture or cooperative joint venture, and shall not involve state secrets or endanger state security.

Chapter IV — Surveying and Mapping Results

Article 15 — The state shall implement a system for the collection and submission of surveying and mapping results. After the completion of a surveying and mapping project, the investor or the surveying and mapping

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entity undertaking the surveying and mapping project that is funded by the state shall collect and submit the surveying and mapping results data to the competent department of surveying, mapping and geoinformation under the State Council or the competent department of surveying, mapping and geoinformation of the people's government of the province, autonomous region or municipality directly under the Central Government.

Article 16 — The state shall implement a quality inspection and supervision system for surveying and mapping results. Surveying and mapping entities shall establish and improve the quality management system for surveying and mapping results, and shall be responsible for the quality of the surveying and mapping results they produce.

Article 17 — The state shall implement a classified management system for important geographic information data. Important geographic information data of the People's Republic of China shall be examined and verified by the competent department of surveying, mapping and geoinformation under the State Council in conjunction with the relevant competent departments under the State Council and the relevant military surveying and mapping department, and shall be published upon approval by the State Council.

Article 18 — Users of surveying and mapping results shall not copy, resell or disseminate without authorization the surveying and mapping results that are classified as state secrets in accordance with the law, or the surveying and mapping results that are provided with restrictions on the purpose and scope of use.

Chapter V — Protection of Surveying Markers

Article 19 — Surveying markers are national infrastructure and shall be protected. No entity or individual may damage, destroy or move without authorization any surveying marker, or occupy permanently or temporarily the land used for surveying markers without authorization.

Article 20 — Entities and individuals shall not commit any acts that endanger the safety and effective use of surveying markers, including damaging or moving without authorization permanent surveying markers, occupying the land used for permanent surveying markers, carrying out activities within the security control area of permanent surveying markers, or dismantling or damaging facilities ancillary to surveying markers.

Article 21 — Where any construction project requires the demolition of permanent surveying markers or renders permanent surveying markers ineffective, the construction entity shall obtain approval and shall bear the costs of relocation and reconstruction.

Chapter VI — Legal Liability

Article 22 — Where any entity engages in surveying and mapping activities without obtaining the Surveying and Mapping Qualification Certificate or beyond the scope of its qualification grade, the competent department of surveying, mapping and geoinformation shall order cessation of the illegal act, confiscate the illegal gains and the surveying and mapping results, and impose a fine of not less than one time but not more than two times the agreed remuneration for surveying and mapping. Where the circumstances are serious, the surveying and mapping qualification certificate shall be revoked.

Article 23 — Where any entity fails to collect and submit the surveying and mapping results in accordance with the provisions, the competent department of surveying, mapping and geoinformation shall order the entity to collect and submit the results within a specified period.

Article 24 — Where any entity or individual copies, resells or disseminates without authorization the surveying and mapping results that are classified as state secrets, the competent department of surveying, mapping and geoinformation shall order cessation of the illegal act, confiscate the illegal gains, and impose a fine. Where a crime is constituted, criminal liability shall be pursued in accordance with the law.

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Article 25 — Where a foreign organization or individual carries out surveying and mapping within the territory without authorization, the competent department under the State Council shall order cessation of the illegal act, confiscate the surveying and mapping results and tools, and impose a fine.

Chapter VII — Supplementary Provisions

Article 26 — Matters concerning military surveying and mapping shall be prescribed by the Central Military Commission in accordance with the provisions of this Law.

Article 27 — This Law shall enter into force as of July 1, 2002. The Surveying and Mapping Law of the People's Republic of China adopted at the 29th Meeting of the Standing Committee of the Ninth National People's Congress on August 29, 2002, shall enter into force as of December 1, 2002. This version incorporates the amendments adopted at the 27th Meeting of the Standing Committee of the Twelfth National People's Congress on April 27, 2017.

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