Yellow River Protection Law of the PRC

Dan Young Business Consultancy — www.danyoungcpa.com

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Adopted at the 37th Session of the Standing Committee of the 13th National People's Congress on October 30, 2022

Effective: April 1, 2023

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of strengthening the protection of the ecological environment in the Yellow River basin, ensuring the safety of the Yellow River, promoting the conservation and intensive use of water resources, facilitating high-quality development, protecting and carrying forward Yellow River culture, and achieving harmony between humans and nature and the sustainable development of the Chinese nation.

Article 2 — This Law shall apply to various activities for ecological protection and high-quality development in the Yellow River basin. For purposes of this Law, the Yellow River basin means the catchment areas of the main stream, tributaries, and lakes of the Yellow River as formed by the relevant provincial-level administrative regions, including Qinghai, Sichuan, Gansu, Ningxia, Inner Mongolia, Shaanxi, Shanxi, Henan, and Shandong.

Article 3 — Ecological protection and high-quality development in the Yellow River basin shall adhere to the leadership of the Communist Party of China, implement the new development concept, and follow the principles of ecological priority and green development, acting in accordance with the carrying capacity of water resources, adopting systematic governance and coordinated promotion, and adapting measures to local conditions.

Article 4 — The State shall establish a coordination mechanism for ecological protection and high-quality development in the Yellow River basin, exercising unified guidance and overall coordination over major issues.

Article 5 — Local people's governments at all levels within the Yellow River basin shall be responsible for the ecological protection and high-quality development within their respective administrative regions.

Chapter II — Planning and Control

Article 6 — The State shall establish a planning system for ecological protection and high-quality development in the Yellow River basin, with the national territorial spatial plan for the Yellow River basin serving as the fundamental basis.

Article 7 — The relevant departments of the State Council and the provincial-level people's governments within the basin shall formulate special plans for the protection of the ecological environment, water resources, flood control, sediment control, and cultural protection in the Yellow River basin.

Article 8 — The State shall strictly control the development intensity of territorial space in the Yellow River basin. Ecological protection red lines, permanent basic farmland, and urban development boundaries shall be strictly observed.

Article 9 — The natural shoreline of the Yellow River shall be strictly protected. It shall be prohibited to illegally occupy shorelines, river courses, and flood discharge areas of the Yellow River basin.

Chapter III — Ecological Protection and Restoration

Article 10 — The State shall strengthen the protection and restoration of the ecological system at the source of the Yellow River, in the Qilian Mountains, the Loess Plateau, the Hetao Plain, and the Yellow River Delta, maintaining the diversity, stability, and sustainability of the ecosystem.

Article 11 — The State shall strengthen the prevention and control of soil erosion in the Yellow River basin, implementing comprehensive soil and water conservation measures including terracing, afforestation, and grassland restoration, and banning cultivation on slopes of 25 degrees or steeper.

Article 12 — The State shall protect biodiversity in the Yellow River basin, establishing nature reserves and other protection areas for important ecosystems and habitats of rare and endangered species.

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Article 13 — It shall be prohibited to introduce alien species that may threaten the ecological security of the Yellow River basin. Exotic species that have been introduced and found to be invasive shall be controlled or eradicated.

Chapter IV — Water Resource Conservation and Intensive Use

Article 14 — The State shall implement mandatory water conservation in the Yellow River basin, adhering to the principle of determining developmental activities by water availability, optimizing the allocation of water resources, and implementing total water use and intensity controls.

Article 15 — The State shall implement unified dispatch of water resources in the Yellow River basin, ensuring basic ecological water flow for the main stream and important tributaries and maintaining the health of the river ecosystem.

Article 16 — The State shall strengthen the protection of groundwater in the Yellow River basin. It shall be prohibited to exploit groundwater without authorization, and strict control shall be exercised over areas subject to groundwater over-extraction.

Article 17 — Agricultural water use in the Yellow River basin shall implement high-efficiency water-saving irrigation. Industrial water use shall adopt advanced water-saving technologies, processes, and equipment. Urban water supply networks shall control leakage rates.

Chapter V — Sediment Control and Flood Prevention

Article 18 — The State shall improve the sediment control system of the Yellow River, implementing comprehensive measures for sediment reduction, regulation, and utilization, and strengthening the operation and management of key reservoirs for sediment control.

Article 19 — The State shall accelerate the flood control safety system of the Yellow River, strengthening the construction and management of embankments, flood detention and storage areas, and flood control reservoirs, and enhancing flood prevention and disaster reduction capabilities.

Article 20 — It shall be prohibited to construct buildings, structures, or engage in production activities within flood discharge areas and flood detention and storage areas of the Yellow River without authorization.

Chapter VI — Pollution Prevention and Control

Article 21 — The State shall strengthen comprehensive environmental governance in the Yellow River basin, strictly controlling the discharge of industrial pollution sources, urban domestic pollution, agricultural non-point source pollution, and vessel pollution.

Article 22 — It shall be prohibited to construct chemical projects within a certain distance of the shoreline of the main stream and important tributaries of the Yellow River. Existing projects that do not meet requirements shall be renovated or relocated.

Article 23 — The State shall implement the treatment and resource utilization of tailings ponds and mine solid waste within the Yellow River basin, preventing contamination of water bodies and soil by heavy metals and other toxic and hazardous substances.

Article 24 — The State shall strengthen the prevention and control of soil contamination in major grain-producing areas of the Yellow River basin, strictly controlling the discharge of toxic and hazardous substances into farmland.

Chapter VII — High-Quality Development

Article 25 — The State Council and local people's governments within the Yellow River basin shall promote the transformation and upgrading of traditional industries, develop clean energy, energy conservation,

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environmental protection, and other green industries, and foster new drivers of high-quality development.

Article 26 — The State shall promote urban-rural integrated development in the Yellow River basin, improve urban infrastructure and public service capabilities, and build livable, business-friendly, and tourism-oriented cities and rural areas.

Article 27 — The State shall encourage scientific and technological innovation to support ecological protection and high-quality development in the Yellow River basin, strengthening research on key technologies for water conservation, pollution control, and ecological restoration.

Chapter VIII — Protection and Inheritance of Yellow River Culture

Article 28 — The State shall compile and protect Yellow River cultural resources, protecting cultural relics, historical sites, ancient irrigation systems, water conservancy heritage, and intangible cultural heritage along the Yellow River.

Article 29 — The State shall promote the construction of a national cultural park of the Yellow River, systematically protecting and displaying Yellow River culture and promoting the integration of culture and tourism development.

Article 30 — The State shall encourage the creation of literary and artistic works with Yellow River cultural characteristics, publicizing Yellow River culture and carrying forward the national spirit embodied in the Yellow River culture.

Chapter IX — Legal Liability

Article 31 — Where any entity, in violation of this Law, constructs a chemical project within a prohibited area along the shoreline of the main stream or important tributaries of the Yellow River, the relevant department shall order cessation of construction, removal within a prescribed time limit, and restoration to the original condition. A fine of not less than RMB 500,000 and not more than RMB 2,000,000 shall also be imposed.

Article 32 — Where anyone illegally exploits groundwater in the Yellow River basin, the water administration department shall order cessation of the illegal act and impose a fine. Where the circumstances are serious, water extraction facilities shall be sealed or removed.

Article 33 — Where anyone illegally occupies shorelines, river courses, or flood discharge areas of the Yellow River basin, the water administration department shall order cessation of the illegal act, removal within a prescribed time limit, and restoration to the original condition, and shall impose a fine.

Article 34 — Where anyone discharges water pollutants in violation of the provisions of this Law, the ecological environment department shall impose penalties in accordance with the Law on the Prevention and Control of Water Pollution and other relevant laws and regulations.

Article 35 — Where anyone, in violation of this Law, causes damage to the ecological environment of the Yellow River basin, the violator shall bear compensation liability for ecological and environmental damage in accordance with the law.

Article 36 — Where a State organ or its staff fails to perform its duties under this Law, the responsible leaders and directly responsible persons shall be subject to sanctions in accordance with the law.

Chapter X — Supplementary Provisions

Article 37 — The State Council and relevant departments shall formulate supporting regulations and measures in accordance with this Law. The standing committees of the people’s congresses of provinces and autonomous regions within the Yellow River basin may formulate local regulations.

Article 38 — This Law shall come into force on April 1, 2023.

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