

SHANGHAI HIGHWOODS SHIP CO., LTD.

Chinese Law on Marine Environmental Protection

Article 1 This Law is formulated in order to protect and improve the marine environment, protect marine resources, prevent and control pollution damage, maintain ecological balance, protect human health, and promote the sustainable development of the economy and society.

Article 2 This Law applies to the internal waters, territorial sea, contiguous zone, exclusive economic zone, continental shelf, and other sea areas under the jurisdiction of China. Any unit or individual engaged in navigation, exploration, development, production, tourism, scientific research and other activities within the sea area under the jurisdiction of China, or engaged in activities affecting the marine environment within the land area, must comply with this Law. This law is also applicable to those outside the jurisdiction of the China that cause pollution in the jurisdiction of China.

Article 3 The Nation shall delineate ecological protection red lines in key marine ecological function zones, sensitive areas of ecological environment and fragile areas, and implement strict environment protection.

The Nation establishes and implements a control system of total pollutant quantity for key sea areas, makes control standards for major pollutants, and allocates the control amount of pollutants to major pollution sources. Specific measures shall be formulated by the State Council.

Article 4 All units and individuals have the obligation to protect the marine environment, and have the right to supervise and report violations and derelictions of conduct by the units and individuals that pollute and damage the marine environment.

Article 5 Ministry of Energy and Environment of P.R of China (MEE) supervises and manages environmental protection work nationwide, supervises marine environmental protection work, and is responsible for preventing and controlling marine pollution damage caused by land-based pollutants and

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coastal construction projects nationwide.

State Ocean Administration(SOA) is responsible for the supervision and management of the marine environment, organizing investigation, monitoring, evaluation and scientific research of the marine environment, and is responsible for preventing nationwide marine construction projects and marine dumping waste from damaging marine environment. SOA is responsible for the supervision and management of the marine environment pollution caused by non-military ships in the port, non-fishery and non-military ships outside the waters of the port area, and is responsible for the investigation and handling of pollution accidents; is responsible for boarding foreign flag ships involving in Pollution accidents for investigation.

If a ship pollution accident causes damage to the fishery, China Fisheries Law Enforcement(CFLE) shall join in the investigation and handling.

CFLE is responsible for the supervision and management of the marine environment polluted by non-military ships in fishing port waters and fishery ships outside fishing port waters, is responsible for the protection of the ecological environment of fishery waters, and investigates and handles fishery pollution accidents other than the pollution accidents specified in the preceding paragraph.

The military environmental department is responsible for the supervision and management of the marine environment polluted by military ships and for the investigation and handling of pollution accidents.

The duties of governments at coastal port or above the city level shall be determined by the governments of respective provinces, autonomous regions, and municipalities directly under the Central Government in accordance with this Law and the relevant regulations of the State Council.

Article 6 MEE, SOA and CFLE exercising the supervision and management authority over the marine environment shall disclose relevant information on the marine environment in accordance with the division of responsibilities; the relevant pollutant discharge units shall disclose the information on

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pollutant discharge according to law.

Article 7 SOA, together with the relevant departments of the State Council and the governments of respective provinces, autonomous regions, and municipalities directly under the Central Government, shall formulate a national marine functional zoning based on the national marine main functional zone plan and report it to the State Council for approval. local governments at all levels shall protect and scientifically use sea areas in accordance with national and local marine functional zoning.

Article 8 The State shall formulate a nationwide marine environmental protection plan and a regional marine environmental protection plan for key sea areas in accordance with the marine functional zoning.

The local governments of coastal provinces, autonomous regions and municipalities directly under the Central Government and the departments exercising the supervision and management of the marine environment may establish regional cooperation organizations for marine environmental protection and be responsible for the implementation of regional marine environmental protection planning in key sea areas, prevention and control of marine environmental pollution and marine Ecological protection work.

Article 9 The trans-regional marine environmental protection work shall be resolved through coordination by the relevant coastal local government or coordinated by the superior government.

The major marine environmental protection work across departments shall be coordinated by MEE; if coordination cannot be resolved, the State Council shall make a decision.

Article 10 The State shall formulate the nationwide quality standards of marine environment based on the national economic and technological conditions. Local governments of coastal provinces, autonomous regions, and municipalities directly under the Central Government may formulate local marine environmental quality standards for items not specified

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in the national marine environmental quality standards. local governments at all levels determine the objectives and tasks of marine environmental protection in accordance with the provisions of national and local marine environmental quality standards and the environmental quality of the coastal waters of the administrative area, and incorporate them into the work plan of local government, and implement them in accordance with the corresponding marine environmental quality standards.

Article 11 The formulation of national and local water pollutant discharge standards shall take national and local marine environmental quality standards as one of the important requirements. In the key sea areas where the nation establishes and implements a total pollutant quantity control system, the formulation of water pollutant discharge standards should also take the total pollutant quantity control standards of major pollutants as an important requirements.

While implementing the national and local water pollutant discharge standards, the pollutant discharge unit shall abide by the total pollutant quantity control standards of the major pollutants assigned to the unit.

For key sea areas that exceed the total pollutant quantity control standards for major pollutants and sea areas that have not completed the objectives and tasks of marine environmental protection, MEE and SOA at or above the provincial level shall suspend the examination and approval of new projects.

Article 12 Units and individuals that directly discharge pollutants into the ocean must pay pollutant discharge fees in accordance with the requirement of regulations. If the environmental protection tax is paid in accordance with the law, the waste disposal fees will no longer be paid. When dumping waste into the ocean, the dumping fee must be paid in accordance with national regulations.

The disposal charges and dumping fees levied in accordance with the provisions of this Law must be used for the rectification of marine environmental pollution and cannot be used for other purposes. The specific measures shall be made by the

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State Council.

Article 13 The State shall strengthen the research and development of science and technology for the prevention and control of pollution damage to the marine environment, and implement a system for eliminating outdated production processes and equipment that seriously pollute the marine environment. Units should give priority to the use of clean energy, adopt clean production processes with high resource utilization rates and low pollutant emissions, and prevent pollution of the marine environment.

Article 14 SOA shall, in accordance with the national environmental monitoring and surveillance standards, manage the survey, monitoring and surveillance of marine environment, formulate specific implementation measures, and organize the national marine environmental monitoring and surveillance network to conduct regular evaluations on the quality of marine environment and publish the report of marine monitoring.

The departments that exercise the power of supervision and management of the marine environment in accordance with the provisions of this Law shall be responsible for the monitoring and surveillance of their respective water areas.

Other relevant departments are respectively responsible for monitoring the estuaries and major pollutant outfalls.

Article 15 The relevant department of the State Council shall exchange marine environment monitoring data/information with MEE each other necessary for the compilation of the national environmental quality bulletin.

Article 16 SOA is responsible for managing the marine comprehensive information system and providing services for the supervision and management of marine environmental protection.

Article 17 Units and individuals that cause or may cause marine environmental pollution due to accidents or other emergencies must immediately take effective measures to

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notify those who may be harmed, and to report the respective marine environment authorities who will organize investigation in accordance with the provisions of this Law. When the coastal waters is seriously polluted, Local government must take effective measures to remove or mitigate the hazards.

Article 18 The State formulates a national emergency plan for major marine pollution accidents in accordance with the requirement of protecting marine environment.

SOA is responsible for formulating the national emergency plan for major offshore oil spills in offshore oil exploration activities, and submits it to MEE for record.

MSA is responsible for formulating the national emergency plan for major marine oil spill pollution accidents, and reporting it to MEE for the record.

Units that may have major marine environmental pollution accidents along the coast should formulate emergency plans for pollution accidents in accordance with the requirement of regulations and file with MEE and SOA.

Local governments at or above the city level and their relevant departments must remove or mitigate hazards in accordance with emergency plans when major marine pollution accidents occur.

Article 19 Departments exercising the power of supervision and management of the marine environment in accordance with the provisions of this Law may implement joint law enforcement at sea. When a marine pollution accident or violation of the provisions of this Law is discovered during cruise surveillance, it shall be stopped and investigated and evidence collected. Those have the right to take effective measures to prevent the expansion of pollution if necessary, and report to the relevant competent authorities to deal with. Departments that exercise the power of supervision and management of the marine environment in accordance with the provisions of this Law have the right to conduct on-site inspections of units and individuals on discharge pollutants within their jurisdiction. The person being inspected should truthfully report the situation and provide necessary information. The authority shall keep confidential of technical

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and business of the inspected.

Article 20 The State Council and local governments at all levels in the coastal areas shall take effective measures to protect typical and representative marine ecosystems such as mangroves, coral reefs, coastal wetlands, islands, bays, estuaries, and important fishery waters. Natural concentrated distribution areas of endangered marine life, marine life areas with important economic value and marine natural historical relics and natural landscapes with significant scientific and cultural value.

The destroyed marine ecology with important economic and social values should be renovated and restored.

Article 21 The relevant departments of the State Council and the local governments shall select and establish marine nature reserves according to the needs of protecting marine ecology. The establishment of a national marine nature reserve must be approved by the State Council.

Article 22 Any of the following conditions shall establish a marine nature reserve:

- (1) A typical marine natural geographical area, a representative natural ecological area, and a marine natural ecological area that has been damaged but can be restored by protection;
- (2) Areas with a high abundance of marine life species, or areas with a natural concentration of rare and endangered marine life species;
- (3) Sea areas, coasts, islands, coastal wetlands, estuaries and bays with special protection value;
- (4) The area where marine natural remains with significant scientific and cultural value are located;
- (5) Other areas that require special protection.

Article 23 Any area with special geographical conditions, ecosystems, biological and non-living resources, and special needs for marine development and utilization may establish special marine protection areas, adopt effective protection measures and scientific development methods for special

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management.

Article 24 The state establishes and improves the marine ecological protection compensation system.

The development and utilization of marine resources should be based on a reasonable layout of marine functional zoning, strictly abide by the ecological protection compulsory requirement, and must not cause damage to the marine ecological environment.

Article 25 The import of marine animal and plant species shall be scientifically demonstrated to avoid harm to marine ecosystems.

Article 26 The development of resources in islands and surrounding sea areas shall adopt strict ecological protection measures, and shall not cause damage to island topography, shores, vegetation, and the ecological environment of sea areas around islands.

Article 27 Local governments at all levels in coastal areas shall, in light of the characteristics of the local natural environment, construct coastal protection facilities, coastal protection forests, gardens and green spaces in coastal towns, and comprehensively control coastal erosion and seawater intrusion areas.

It is forbidden to destroy coastal protection facilities, coastal protection forests, gardens and green spaces in coastal towns.

Article 28 The State encourages the development of ecological fishery construction, promotes a variety of ecological fishery production methods, and improves the marine ecological situation.

The environmental impact assessment shall be carried out for new construction, reconstruction and expansion of marine aquaculture farms. Marine aquaculture should scientifically set the aquaculture areas, and should reasonably feed, fertilize, and correctly use drugs to prevent pollution of the marine environment.

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Article 29 The discharge of land-based pollutants into the sea must strictly implement the standards and relevant regulations stipulated by the state or localities.

Article 30 The selection of the location of the pollutant outfall into the sea shall be reported to the competent administrative department for environmental protection of Local government at or above the municipal level where the district is established after scientific demonstration according to the marine functional zoning, seawater power conditions and relevant regulations.

MEE shall notify SOA, MSA and CFLE and the military environmental department of the establishment of pollutant outfalls within 15 working days after the completion of the filing. No pollutant outlets may be built in marine nature reserves, important fishery waters, seaside scenic spots and other areas that require special protection. In areas where conditions permit, pollutant outlets should be set up in the deep sea, offshore discharge should be implemented. The establishment of deep-sea offshore discharge outlets for land-based pollutants shall be determined according to the marine functional zoning, seawater power conditions and relevant conditions of subsea facilities. The specific measures shall be prescribed by the State Council.

Article 31 The competent administrative department of environmental protection and the competent department of water administration of local governments of provinces, autonomous regions and municipalities directly under the Central Government shall strengthen the management of rivers entering the sea in accordance with the provisions of relevant laws on the prevention and control of water pollution, keep the water quality at the mouth of the sea.

Article 32 Units that discharge land-based pollutants must declare to MEE the land-based pollutant discharge facilities, treatment facilities, and types, quantities, and concentrations

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of land-based pollutants discharged under normal operating conditions, and provide prevention and control Relevant technologies and information on marine environmental pollution. If there is a major change in the type, quantity and concentration of land-based pollutants discharged, it must be reported in time.

Article 33 It is forbidden to discharge oils, acids, alkalis, highly toxic waste liquids and high and medium-level radioactive waste water into the sea. Strictly restrict the discharge of low-level radioactive wastewater into the sea; if it is indeed necessary to discharge, the national radiation protection regulations must be strictly implemented. Strictly control the discharge of wastewater containing non-degradable organic matter and heavy metals into the sea.

Article 34 Medical sewage, domestic sewage and industrial wastewater containing pathogens must be treated and meet the relevant national discharge standards before they can be discharged into the sea.

Article 35 Industrial waste water and domestic sewage containing organic matter and nutrients shall be strictly controlled and not to be discharged into bays, semi-enclosed seas and other sea areas with poor self-purification ability.

Article 36 To discharge thermal waste water into the sea, effective measures must be taken to ensure that the water temperature in the adjacent fishery waters meets the national marine environmental quality standards, and to avoid the harm of thermal pollution to aquatic resources.

Article 37 The application of using chemical pesticides in coastal farmlands and forest farms must implement the national regulations and standards for the safe use of pesticides. Coastal farmlands and forest farms should use chemical fertilizers and plant growth regulators reasonably

Article 38 The disposal, dumping and disposal of tailings, slag, coal ash residue, garbage and other solid wastes on the beach shall abide the relevant provisions of the "China Law

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on the Prevention and Control of Environmental Pollution by Solid Wastes”.

Article 39 It is forbidden to transfer hazardous wastes through the internal waters and territorial waters of the People's Republic of China. For the transfer of hazardous wastes in other sea areas under the jurisdiction of the People's Republic of China, the written permit of MEE must be obtained in advance.

Article 40 Local government of coastal cities shall construct and improve the urban drainage pipeline network, construct urban grey water treatment plants or other centralized sewage treatment facilities, and strengthen comprehensive treatment of urban waste water. Construction of sewage disposal projects must comply with relevant state regulations.

Article 41 The State shall take necessary measures to prevent, reduce and control damage to the marine environment from the atmosphere or through the atmosphere.

Article 42 New construction, reconstruction and expansion of coastal construction projects must abide by the state regulations on environmental protection management of construction projects, and include the funds required to prevent and control pollution into the construction project investment plan.

In the marine nature reserves, seaside scenic spots, important fishery waters and other areas that require special protection, the construction of coastal projects or other activities that pollute the environment and damage the landscape shall not be permitted.

Article 43 Units of coastal construction projects must conduct scientific investigations on the marine environment, select sites reasonably based on natural and social conditions, and prepare environmental impact reports (tables). Before the construction project starts, submit the environmental impact report (table) to MEE for review and approval. Before approving the environmental impact report (table), MEE must

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solicit the opinions of SOA, CFLE, the military environmental department.

Article 44 The environmental protection facilities of coastal construction projects must be designed, constructed and put into usage at the same time as main project. Environmental protection facilities shall meet the requirements of the approved environmental impact assessment report (table).

Article 45 It is forbidden to build new project of chemical pulping and papermaking, chemical industry, printing and dyeing, tanning, electroplating, brewing, oil refining, ship breaking on the shore and other industrial production that seriously pollute the marine environment in coastal land areas.

Article 46 In the construction of coastal projects, effective measures must be taken to protect the wild animals and plants and their living environment and marine aquatic resources under national and local protection. Strictly restrict the mining of sand and gravel on the coast. In the open-pit mining of seashore sand ore and the drilling of seabed mineral resources from the shore, effective measures must be taken to prevent pollution of the marine environment.

Article 47 Ocean engineering construction projects must comply with the national marine main functional zone planning, marine functional zoning, marine environmental protection planning and relevant national environmental protection standards. The marine construction unit shall conduct a scientific survey of the marine environment, prepare a marine environmental impact report (table), and report to the marine administrative department for review and approval before the construction project starts. Before approving the marine environmental impact report (table), the marine administrative department must solicit the opinions of SOA and CFLE and the military environmental department.

Article 48 The environmental protection facilities of marine construction projects must be designed, constructed and put into operation at the same time as the main project. If the

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environmental protection facilities have not been inspected and accepted by the competent marine administrative department, or the experience is not qualified, the construction project shall not be put into production or use. The demolition or unused environmental protection facilities must be approved in advance by the competent marine administrative department.

Article 49 In marine engineering construction projects, no materials containing ultra-standard radioactive materials or materials that easily dissolve toxic and harmful substances shall be used.

Article 50 When marine engineering construction projects require blasting operations, effective measures must be taken to protect marine resources. In the process of offshore oil exploration and development, oil transportation, effective measures must be taken to avoid oil spills.

Article 51 The oily sludge and oily mixtures of offshore oil rigs, drilling platforms and oil production platforms must be discharged after being treated to meet the standard; residual oil and waste oil must be recovered by shore facility and must not be discharged into the sea. After being discharged and treated, its oil content shall not exceed the standards set by the state. Oil-based mud and other toxic compound mud used in drilling shall not be discharged into the sea. The discharge of water-based mud and non-toxic composite mud and drill cuttings must comply with relevant national regulations.

Article 52 Offshore oil drilling rigs, drilling platforms, oil production platforms and their related offshore installations shall not dispose of oily industrial waste into the sea. Disposal of other industrial waste shall not cause pollution to the marine environment.

Article 53 When testing oil at sea, it shall ensure that oil and gas are fully combusted, and oil and oily mixtures shall not be discharged into the sea.

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Article 54 For the exploration and development of offshore oil, an oil spill emergency plan must be prepared in accordance with the relevant provisions and reported to MSA for record.

Article 55 No unit may dump any waste into the sea areas under the jurisdiction of China without the approval of authorities. Units that need to dump wastes must submit a written application to authorities, and only after they have been approved by authorities issuing a permit.

It is prohibited to dump wastes outside China into the sea areas under the jurisdiction of China.

Article 56 MSA shall formulate evaluation procedures and standards for marine dumping wastes based on the toxicity of the wastes, the content of toxic substances and the impact on the marine environment.

Dumping waste into the ocean shall be managed in a hierarchical manner according to the type and quantity of waste.

The list of wastes that can be dumped into the ocean shall be prepared by MSA, and shall be submitted to the State Council for approval after the review of MEE.

Article 57 The national marine administrative department shall select marine dumping areas in accordance with the principles of science, rationality, economy, and safety, and shall report to the State Council for approval after the review of the environmental protection administrative department of the State Council. Temporary ocean dumping areas shall be approved by the SOA and reported to MEE for record.

Before selecting a marine dumping zone and approving a temporary marine dumping zone, MEE must solicit the opinions of SOA and CFLE.

Article 58 SOA supervises and manages the use of dumping areas, organizes the environmental monitoring of the dumping areas, shall close the dumping areas that are deemed unsuitable for continued use and terminate all dumping activities in the dumping areas, report to the State

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Council for the record.

Article 59 Units that are permitted to dump waste must dump in the designated area within the time limit and conditions specified in the permit. After the waste is loaded, the approval department should verify it.

Article 60 Units approved to dump waste shall record the dumping operations in detail and make a written report to the approval department after dumping. Ships that dump waste must make a written report to MSA at ship's departure port.

Article 61 It is forbidden to burn waste at sea. It is prohibited to dispose of radioactive waste or other radioactive materials at sea. The exemption concentration of radioactive materials in wastes is set by the State Council.

Article 62 In the sea areas under the jurisdiction of China, no ship or related activities shall violate the regulations to discharge pollutants, waste and ballast water, ship garbage and other harmful substances into the sea. Those engaged in ship pollutants, waste, ship garbage receiving, ship cleaning and tank cleaning must have the corresponding receiving and disposal capabilities.

Article 63 Vessels must hold certificates and documents to prevent pollution of the marine environment in accordance with the relevant regulations, and they shall truthfully record when conducting pollutant discharge and operations.

Article 64 Ships must be equipped with corresponding anti-pollution equipment and materials. The structure and equipment of ships carrying cargoes with pollution hazards shall be able to prevent or reduce pollution of the marine environment caused by the cargoes.

Article 65 Vessels shall abide by the provisions of maritime traffic safety laws and regulations to prevent marine accidents caused by collision, collision of rocks, grounding, fire or explosions, etc., from marine environment pollution.

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Article 66 The State improves and implements the public compensation liability system for oil pollution damage from ships; in accordance with the principle that shipowners and cargo owners bear the risk of compensation for oil spill from ships, a system of ship oil spill insurance and oil spill compensation funds is established.

The specific measures for implementing the ship oil spill insurance and oil spill compensation fund system shall be prescribed by the State Council.

Article 67 Ships, cargo owners or agents that carry polluted hazardous goods in and out of ports have to make an early declaration prior to MSA. After being approved, they can enter and exit the port, stay in transit or load and unload operations.

Article 68 The documents, packaging, signs, quantity restrictions, etc., that are delivered to ships for shipment of pollution-hazardous goods must comply with the relevant regulations on the goods they are loaded. Ships that need to ship cargoes of unclear pollution hazards shall be assessed in advance in accordance with relevant regulations.

For the loading and unloading of oils and toxic and hazardous cargoes, both the ship crew and the shore operators must abide by the safety and anti-pollution operation regulations.

Article 69 Ports, docks, loading and unloading stations and ship repair and construction yards must have sufficient receiving facilities for handling ship pollutants and wastes in accordance with relevant regulations and keep the facilities in good condition. Ports, docks, loading and unloading stations and ships handling oil must prepare emergency plans for oil spill pollution and be equipped with corresponding emergency equipment and equipment for oil spill pollution.

Article 70 Ships and related activities shall comply with relevant laws, regulations and standards, and take effective measures to prevent marine environment from pollution. MSA and other relevant departments should strengthen the

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supervision and management of ships and related operational activities. Ships carrying out STS operation of liquid hazardous cargoes shall report to MSA in advance for approval in accordance with relevant regulations.

Article 71 If a ship has a shipwreck accident that causes or is likely to cause significant pollution damage to the marine environment, MSA has the power to compulsorily take measures to avoid or reduce pollution damage. MSA has the right to take necessary measures of commensurate with the actual or possible damage to ships and marine floating platforms at seas where a shipwreck accident has caused major pollution damage or a threat of pollution.

Article 72 All ships have the obligation to monitor marine pollution. When they found marine pollution accidents or activities in violations of the provisions of this Law, they must immediately report to the nearest MSA, SOA, MEE respectively. When an aircraft discovers a pollution or pollution incident at sea, it must report to the nearest civil air traffic control unit in a timely manner. The unit that receives the report shall immediately notify the nearest MSA, SOA, MEE respectively.

Article 73 If one of the following acts is in violation of the relevant provisions of this Law, the department exercising the right to supervise and manage the marine environment in accordance with the provisions of this Law shall order it to stop the illegal acts, make corrections within a time limit, or order to take measures such as production limitation and rectification, and A fine is imposed; if the refusal to make a correction is found, the department that made the decision to punish it in accordance with the law may, from the second day from when the correction was ordered, continue to punish on daily basis with the amount of the original fine; If the situation is serious, the production can be shut down after obtaining approval from local government:

(1) Discharge pollutants or other substances prohibited by this law into the sea;

(2) Failing to discharge pollutants into the sea in accordance with these regulations, or discharging pollutants exceeding

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the standards or assigned total quantity control;

(3) Dumping waste into the ocean without obtaining an ocean dumping permit;

(4) Failing to immediately take measures to deal with marine environment pollution accidents due to accidents or other unexpected events.

If one of the acts in items (1) and (3) of the preceding paragraph is imposed, a fine of more than 30,000 yuan but less than 200,000 yuan shall be imposed; if there is one of the acts in items (2) and (4) of the preceding clause, it shall be punishable. A fine of more than 20,000 yuan but less than 100,000 yuan.

Article 74 Anyone who violates the relevant provisions of this Law and commits one of the following acts shall be given a warning or imposed a fine by the department that exercises the right to supervise and manage the marine environment in accordance with the provisions of this Law:

(1) Failing to declare in accordance with the regulations, or even refusing to report matters related to pollutant discharge, or deceiving during the declaration;

(2) An accident or other unexpected event is not reported in accordance with regulations;

(3) Failure to record dumping in accordance with regulations, or fail to submit dumping reports in accordance with regulations;

(4) Refusing to report or misreporting the declaration items of ships carrying pollution-hazardous goods

If one of the acts in items (1) and (3) of the preceding paragraph is imposed, a fine of less than 20,000 yuan shall be imposed; if one of the acts in items (2) and (4) of the preceding clause is imposed, a fine of less than 50,000 yuan shall be imposed.

Article 75 Anyone who violates the provisions of the second paragraph of Article 19 of this Law, refuses on-site inspection, or falsifies when inspected shall be given a warning by the department exercising the right to supervise and manage the marine environment in accordance with the provisions of this Law, and A fine of less than 20,000 yuan will be initiated.

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Article 76 Anyone who violates the provisions of this Law and causes damage to marine ecosystems such as coral reefs, mangroves, marine aquatic resources, and marine protected areas shall be ordered to correct and take remedial measures within a time limit by the department exercising the right to supervise and manage the marine environment in accordance with the provisions of this Law. , And impose a fine of more than RMB10,000 yuan but less than RMB100,000; if there is illegal income, the illegal income shall be confiscated.

Article 77 Anyone who violates the provisions of the first and third paragraphs of Article 30 of this Law shall be ordered to close by MEE, and a fine of more than RMB 20,000 yuan but less than RMB100,000.

If SOA,MSA,CFLE and the military environmental department find that the installation of sewage outfalls into the sea violates the provisions of paragraphs 1 and 3 of Article 30 of this Law, shall notify MEE to punish it in accordance with the provisions of the preceding paragraph. "

Article 78 If any hazardous waste is transferred through the jurisdiction of China in violation of the provisions of Article 39 of this Law, MSA shall order ships that illegally transport the hazardous waste to leave the waters under jurisdiction of China. A fine of not less than RMB50,000 but not more than RMB500,000 shall be imposed.

Article 79 If a coastal construction project fails to carry out environmental impact assessment according to law, it shall be handled in accordance with the provisions of the "Law of the People's Republic of China on Environmental Impact Assessment"

Article 80. In violation of the provisions of Article 44 of this Law, if the coastal construction project has not built environmental protection facilities, or the environmental protection facilities have been put into production or use without meeting the prescribed requirements, MEE shall order it to stop production, and impose a fine of more than RMB20,000 but less than

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RMB100,000.

Article 81 Anyone who violates the provisions of Article 45 of this Law and establishes new industrial production and construction projects that seriously pollute the marine environment shall be ordered to close by local government.

Article 82 Anyone who violates the provisions of the first paragraph of Article 47 of this Law to carry out a marine construction project shall be ordered by MSA to stop construction, a fine of more than one-percent of the total investment of the construction project and less than five-percent of that, and may be ordered to recover the original condition.

In violation of the provisions of Article 48 of this Law, if the marine construction is not completed with environmental protection facilities, and the environmental protection facilities are put into production and use without meeting the prescribed requirements, MSA shall order it to stop production and use, and shall be subject to a fine of more than RMB10,000 and less than RMB200,000.

Article 83 Anyone who violates the provisions of Article 49 of this Law and uses materials containing radioactive substances exceeding the standard or which are prone to dissolve toxic and hazardous substances shall be fined less than RMB50,000 by authority and ordered to stop the construction, the operation of the project until the pollution hazard is eliminated.

Article 84 Anyone who violates the provisions of this Law to carry out offshore oil exploration and development activities and causes pollution to the marine environment shall be given a warning by SOA and shall be fined not less than RMB20,000 but not more than RMB200,000.

Article 85 Anyone who violates the provisions of this Law and fails to dump in accordance with the provisions of the permit or dumps waste into an enclosed dumping area shall be warned by SOA and imposed a penalty of RMB30,000 to

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RMB200,000. If the circumstances are serious, the license may be temporarily suspended or revoked.

Article 86 Anyone who violates the provisions of Article 55, paragraph 3 of this Law to dumps wastes outside China into the sea areas under the jurisdiction of China shall be warned by MSA and shall be warned according to the cause or possibility. For the resulting harm, a fine of not less than RMB100,000 but not more than RMB1 million shall be imposed.

Article 87 Anyone who violates the provisions of this Law and commits one of the following acts shall be given a warning or imposed a fine by the department exercising the power of supervision and management of the marine environment in accordance with the provisions of this Law:

- (1) Ports, docks, loading and unloading stations and ships are not equipped with anti-pollution facilities and equipment;
- (2) Ships do not hold anti-pollution certificates, anti-pollution documents, or do not record pollutant discharge records in accordance with regulations;
- (3) Engaging in ship breaking on the water and in the waters of the port area, refitting old ships, salvaging and other water and underwater construction operations, causing damage to the marine environment;
- (4) The cargo carried by the ship does not meet the anti-pollution and transportable conditions.

If one of the acts in items (1) and (4) of the preceding paragraph is imposed, a fine of not less than RMB20,000 but not more than RMB100,000 shall be imposed; for any act of (2) of the preceding paragraph, a fine of not more than RMB20,000 shall be imposed; In case of the act of item (3) of the paragraph, a fine of more than RMB50,000 and less than RMB200,000 shall be imposed.

Article 88: In violation of the provisions of this Law, ships, oil platforms, and ports, docks, and loading and unloading stations for loading and unloading oil that do not prepare oil spill emergency plans shall be warned by the department that exercises the right to supervise and manage the marine environment in accordance with the provisions of this Law, or

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Order corrections within a time limit.

Article 89 The person responsible for marine environmental pollution shall recover the marine environment and compensate for the loss; if the marine environment pollution is caused solely by the third party's intentional or negligence, the third party shall eliminate the damage and bear the responsibility for compensation.

Any the destruction of marine ecology, marine aquatic resources and marine protected areas have caused significant losses to the state, the department exercising the power of marine environmental supervision and management in accordance with the provisions of this Law shall, on behalf of the state, make claims for damages to those responsible.

Article 90. Units that violate the provisions of this Law and cause marine environmental pollution accidents shall, in addition to being liable for compensation according to law, be fined by the department exercising the power of marine environmental supervision and management in accordance with the Law; The responsible person and other directly responsible persons may be fined less than 50% of the income obtained from the unit in the last year; if the directly responsible person and other directly responsible persons belong to state personnel, they shall be punished according to law.

For those who cause general or major marine environmental pollution accidents, a fine of 20% of the direct losses shall be initiated; for those cause major or extra-large marine environmental pollution accidents, a fine of 30% of the direct losses shall be initiated. Whoever seriously pollutes the marine environment and destroys marine ecology and constitutes a crime shall be investigated for criminal responsibility according to the law.

Article 91 It is completely one of the following situations, and after taking reasonable measures in a timely manner, and still unable to avoid causing pollution damage to the marine environment, those responsible for causing pollution damage

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are exempted from liability:

- (1) War;
- (2) Irresistible natural disasters;
- (3) The competent department in charge of the lighthouse or other navigation aids, negligence or other negligence in the performance of their duties.

Article 92 The administrative penalties for violations of the provisions of Article 12 of this Law concerning the payment of sewage charges and dumping fees shall be prescribed by the State Council.

Article 93 The marine environmental supervision and management officer who abuse their powers, neglect their duties, or engage in malpractices for personal gains and cause damage to the marine environment shall be given administrative punishment according to law; those who constitute a crime shall be investigated for criminal responsibility according to law.

Article 94 The meanings of the following terms in this Law are:

(1) Marine environmental pollution damage refers to the direct or indirect introduction of substances or energy into the marine environment, resulting in damage to marine living resources, endangering human health, impairing fisheries and other legal activities at sea, impairing the quality of seawater use and reducing environmental quality. influences.

(2) Inland water refers to all sea areas on the inland side of China territorial sea baseline.

(3) Coastal wetlands refer to waters with shallow water depths of less than six meters and their coastal wetlands at low tide, including permanent waters with water depths not exceeding six meters, intertidal zones (or floodplains) and coastal lowlands.

(4) Marine functional zoning refers to the definition of the dominant functions and categories of marine utilization based on the natural and social attributes of the ocean, as well as the specific conditions of natural resources and the environment.

(5) Fishery waters refer to fish and shrimp spawning grounds,

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feeding grounds, overwintering grounds, migratory passages and fish, shrimp, shellfish and algae breeding grounds.

(6) Oil refers to any type of oil and its refined products.

(7) Oily mixture refers to any mixture containing oil.

(8) Discharge refers to the act of discharging pollutants into the ocean, including pumping out, overflowing, discharging, spraying and pouring out.

(9) Terrestrial pollution sources (referred to as terrestrial sources) refer to places and facilities that discharge pollutants from land to the sea and cause or may cause pollution to the marine environment.

(10) Land-based pollutants refer to pollutants discharged from land-based pollution sources.

(11) Dumping refers to the act of disposing of wastes and other harmful substances to the sea through ships, aircraft, platforms or other vehicles, including the act of abandoning ships, aircraft, platforms and their auxiliary facilities and other floating tools.

(12) Coastal land area refers to an area connected to the coast, or directly or indirectly discharging pollutants and related activities to the ocean through pipes, ditches, and facilities.

(13) Marine incineration refers to the act of intentionally burning waste or other substances in an offshore incineration facility for the purpose of thermal destruction, except for the incidental incidents that occur during the normal operation of ships, platforms or other artificial structures .

Article 95 The specific division of functions and powers of the relevant departments involved in marine environmental supervision and management shall be stipulated by the State Council if they are not specified in this Law.

Article 96 If the international conventions related to marine environmental protection concluded or participated in by the People's Republic of China have different provisions from this Law, the provisions of international conventions shall apply; however, the provisions of China that declare reservations shall be excluded.

Article 97 This Law comes into effect on April 1, 2000.