



中华人民共和国海洋环境保护法 Law of China on Maritime Environmental Protection

Article 1: To protect the marine environment and safeguard national marine rights and interests, this Law is formulated in accordance with the Constitution.

Article 2: This Law applies to the waters under the jurisdiction of China. Any unit or individual engaged in activities that affect the marine environment in the waters under the jurisdiction of China and in the coastal land areas shall comply with this Law. The pollution of the marine environment occurs outside the China waters but causing environmental pollution in the waters under jurisdiction of China, the relevant provisions of this Law shall apply.

Article 3: Marine environmental protection shall adhere to the principle of prevention first and responsibility for damage.

Article 4 The Ministry of Ecology and Environment of the State Council (MEE) is responsible for the supervision and administration of the national marine environment and is responsible for the prevention and control of marine environmental pollution caused by nationwide land-based pollutants and ocean dumped waste.

The Ministry of Natural Resources of the State Council (MNR) is responsible for the protection of marine ecology, coastlines, and islands nationwide.

The Ministry of Transport of the State Council (MOT) is responsible for the supervision and administration of marine environment pollution caused by ships in the port and near shore waters and directs the emergency response to major marine oil spills. The Maritime Safety Administration (MSA) is specifically responsible for the supervision and administration of marine environment pollution caused by relevant ships and is responsible for the investigation and handling of pollution accidents; boarding inspections of pollution accidents caused by foreign ships sailing, berthing, and operating in China EEZ. If a ship pollution accident causes damage to the fishery, The Ministry of Fisheries of the State Council



(MOF) shall participate in the investigation. The MOF is responsible for the supervision and administration of pollution of the marine environment by fishing vessels in and around fishing port waters, the protection of the ecological environment of fishery waters, and the investigation and handling of fishery pollution accidents other than pollution accidents.

The coastguard agency (CGA) supervises activities such as marine engineering construction projects, marine environmental pollution damage caused by ocean dumping of waste, protection, and utilization of the seaward side of the coastline of natural reserves, investigates and punishes illegal activities, and participates in the emergency response to marine environmental pollution accidents. The military ecological and environmental protection department is responsible for the supervision and administration of marine environment pollution by military ships and the investigation and handling of pollution accidents.

Article 5,6,7,8 omitted.

Article 9: All units and individuals have the obligation to protect the marine environment and have the right to supervise and report the illegal activities of units and individuals that pollute the marine environment and damage the marine ecology, as well as marine environment supervisors and administrators.

Any unit or individual engaged in activities that affect the marine environment should take effective measures to prevent and reduce marine environmental pollution and ecological damage. Polluters must disclose pollutant discharge information as per requirements.

Article 10 China supports scientific and technological research and development practices in marine environmental protection and supports international exchanges and cooperation in marine environmental protection to improve the scientific and technological level of marine environmental protection.



Article 11: Units and individuals who have made significant achievements in marine environmental protection shall be commended and rewarded in accordance with relevant national regulations.

Article 12,13 omitted

Article 14 The MEE shall formulate a national marine ecological environment protection plan and submit it to the State Council for approval before implementation. Local governments shall implement marine environmental protection work in accordance with the national marine ecological environment protection plan.

Article 15 omitted

Article 16 The MEE is responsible for formulating national marine environmental quality standards. Local governments may formulate local marine environment quality standards for items that are not stipulated in the national marine environment quality standards; for items that are stipulated in the national marine environment quality standards, they may formulate local marine environment quality standards that are stricter than the national marine environment quality standards.

Article 17 Marine environmental quality standards should be evaluated regularly and revised as appropriate.

Article 18 omitted

Article 19 Units that need to directly discharge industrial wastewater and medical wastewater into the ocean must obtain a pollution discharge permit in accordance with the law. Units that implement pollution discharge permit administration shall strictly follow the requirements of the pollution discharge permit regarding the type, concentration, discharge volume, discharge method, discharge destination and self-monitoring of pollutants.



It is prohibited to discharge pollutants into the ocean by evading supervision by setting up private hidden pipes, tampering or forging monitoring data, or operating pollution prevention and control facilities abnormally.

Article 20,21,22 omitted.

Article 23: The MEE oversees monitoring the marine ecological environment, regularly organizing investigations and evaluations of the quality of the marine ecological environment and issuing a national bulletin on the state of the marine ecological environment.

The NOR organizes marine resource surveys and marine ecological early warning monitoring, and issues marine ecological early warning monitoring alerts and bulletins.

Other departments and institutions that exercise the power of marine environmental supervision and administration in accordance with the provisions of this Law shall carry out monitoring and surveillance in accordance with their respective responsibilities.

Article 24,25,26 omitted.

Article 27: Units and individuals who cause or may cause marine environmental pollution or ecological damage due to accidents or other sudden events shall immediately take effective measures to relieve or reduce the harm, promptly notify those who may be harmed, and report to the departments and institutions exercising the power of marine environmental supervision and administration in accordance with this Law and accept and cooperate in investigation. Local government shall take effective measures to eliminate or reduce the harm when the ecological environment in the coastal waters of their administrative regions is seriously damaged.

Article 28: The state shall, in accordance with the needs of preventing marine environmental pollution, formulate national



emergency plans for major marine pollution incidents, establish and improve emergency mechanisms for marine oil spills and pollution, and ensure necessary funds for response work.

The MEE is responsible for formulating emergency plans for marine oil spills and pollution incidents in national offshore oil exploration and development and organizing their implementation.

The MSA is responsible for formulating emergency plans for major maritime oil spills and pollution incidents of ship and reporting them to the MEE and the ministry of Emergency Administration of China (MEM) for record.

Local governments should formulate relevant emergency plans and promptly deploy them in the event of marine environmental emergencies, take effective measures to alleviate or mitigate the harm.

Units that may experience sudden marine environmental incidents should develop their own emergency plans in accordance with relevant regulations, equip them with emergency equipment and facility, and regularly organize emergency drills; Emergency plans shall be filed with the departments and institutions that exercise the power of marine environmental supervision and administration in accordance with the provisions of this Law.

Article 29: Departments and institutions that exercise the power of marine environmental supervision and administration in accordance with the provisions of this Law have the right to conduct on-site inspections of units and individuals engaged in activities that affect the marine environment; When any violation of the provisions of this law is found during cruise surveillance, it shall be stopped and investigated for evidence. If necessary, effective measures shall be taken to prevent the situation from escalating, and relevant departments or institutions shall be reported for handling.

The examinee shall truthfully report the situation and provide necessary information. The inspector shall keep confidential the trade secrets, personal privacy, and personal information of the



inspected person in accordance with the law.

Departments and institutions exercising the power of marine environmental supervision and administration in accordance with the provisions of this Law may implement joint law enforcement at sea.

Article 30: If it causes or may cause serious marine environmental pollution or ecological damage, or if relevant evidence may be lost or concealed, the department and institution exercising the power of marine environmental supervision and administration in accordance with the provisions of this Law may seal or detain the relevant ships, facilities, equipment, and items.

Article 31: If, outside the waters under the jurisdiction of the People's Republic of China, environmental pollution or ecological damage is caused or may be caused, relevant departments and institutions have the right to [take necessary measures](#).

Article 32: The MEE, in conjunction with relevant departments and institutions, shall establish a credit record and evaluation application system for enterprises, institutions, and other producers and operators that discharge pollutants into the ocean, engage in marine dumping of waste, and engage in marine ecological environment governance and services. The relevant credit records shall be included in the national public credit information sharing platform.

Article 33: Local government shall take effective measures to focus on protecting typical and representative marine ecosystems such as mangroves, coral reefs, seaweed fields, seagrass beds, coastal wetlands, islands, bays, estuaries, and important fishing areas, natural concentrated distribution areas of rare and endangered marine organisms, survival areas of marine organisms with important economic value, and marine natural relics and landscapes with significant scientific and cultural value.

Article 34: The government shall, in accordance with the law, include important marine ecosystems, natural concentrated distribution areas of rare and endangered marine organisms,



marine natural relics, and natural landscape concentrated distribution areas into national parks, nature reserves, or nature parks and other nature reserves.

Article 35: The state shall establish and improve a compensation system for marine ecological protection. Local government should support the implementation of marine ecological protection compensation through transfer payments, industrial support, and other means.

Article 36: The state strengthens the protection of marine biodiversity, improves the investigation, monitoring, evaluation, and protection system of marine biodiversity, maintains, and repairs important marine ecological corridors, and prevents damage to marine biodiversity.

The development and utilization of marine and coastal resources should effectively protect important marine ecosystems, biological species, and genetic resources, and maintain marine biodiversity.

Article 37: The state encourages scientific research on the proliferation and release of aquatic organisms, supports scientific planning, and adopts measures such as releasing artificial fish reefs and planting seaweed fields, seagrass beds, and corals according to local conditions to restore marine biodiversity and restore and improve marine ecology.

Article 38: Strict ecological protection measures shall be taken to develop the resources of islands and surrounding waters, and shall not cause damage to the topography, beaches, vegetation, and ecological environment of the islands and surrounding waters.

Article 39: The state strictly protects natural shorelines and establishes a sound system for controlling natural shorelines. Local government is responsible for defining the scope of strict protection of the coastline and publishing it.

Local government should strengthen the classification protection and utilization of coastline, protect, and restore natural coastline,



promote the ecological transformation of artificial coastline, maintain the stability and balance of coastline and beach, and scientifically and reasonably delineate the retreat line of coastal buildings according to local conditions.

It is prohibited to illegally occupy or damage the natural coastline.

Article 40,41 Omitted

Article 42: Marine ecosystems with significant ecological, economic, and social value that have been damaged shall be repaired. Marine ecological restoration should focus on improving habitats, restoring biodiversity, and basic ecosystem functions, with natural restoration as the focus and artificial restoration as a supplement, and prioritize the restoration of typical and representative marine ecosystems.

The natural resources regulatory department of the State Council is responsible for coordinating marine ecological restoration, leading the organization of the preparation of marine ecological restoration plans, and implementing major projects related to marine ecological restoration. The formulation of marine ecological restoration plans should undergo scientific argumentation and evaluation.

The natural resources and ecological environment departments of the State Council shall carry out supervision and evaluation of the effectiveness of restoration in accordance with their respective responsibilities.

Article 43: The NOR is responsible for carrying out national marine ecological disaster prevention, risk assessment, and hidden danger investigation and control.

Local government is responsible for responding to marine ecological disasters, taking necessary measures for disaster prevention, disposal, and post disaster recovery to prevent and mitigate the impact of disasters. Enterprises, institutions, and other producers and operators shall take necessary measures to



prevent the expansion of marine ecological disasters.

Article 44: The state encourages the development of ecological fisheries, promotes various production methods of ecological fisheries, improves the marine ecological conditions, and protects the marine environment.

Local government shall, in line with local conditions, draw up and organize the implementation of plans for mudflat in aquaculture waters, determine the waters and mudflat that can be used for aquaculture, scientifically delineate areas where mariculture is prohibited, restricted and cultured, and establish a mechanism for clearing up and withdrawing mariculture from the areas where mariculture is prohibited.

Article 45: Engaging in marine aquaculture activities shall protect the marine environment, scientifically determine the scale and density of aquaculture, reasonably feed and fertilize, use drugs correctly, collect and treat solid waste in a timely and standardized manner, and prevent damage to the marine ecological environment. It is prohibited to add or expand the scale of feeding and fertilizing seawater aquaculture in nearshore waters with severely excessive nitrogen and phosphorus concentrations. The discharge of aquaculture wastewater pollutants into the ocean should comply with pollutant discharge standards. Local government should formulate local standards for the discharge of pollutants from marine aquaculture and strengthen the supervision and administration of the prevention and control of aquaculture wastewater pollution. Polluting units for industrialized aquaculture and centralized contiguous aquaculture with unified discharge outlets shall self-monitor the tail water of aquaculture in accordance with relevant regulations.

Article 46: The discharge of land-based pollutants into the sea shall strictly comply with the standards and relevant regulations set by the state or local authorities.

Article 47 Omitted



Article 48: It is prohibited to establish new industrial discharge outlets and urban sewage treatment plant discharge outlets in nature reserves, important fishing areas, bathhouses, ecological protection red line areas, and other areas that require special protection; Except as otherwise provided by laws and administrative regulations.

In areas with conditions, sewage outlets should be set up in deep water and offshore discharge should be implemented.

Article 49: For the discharge of pollutants into the ocean through open ditches (channels), water environment quality administration shall be implemented in accordance with relevant national and local regulations and standards.

Article 50: Local government shall, in accordance with regulations, strengthen the administration of rivers entering the sea, cooperate in promoting pollution prevention and control of rivers entering the sea, and ensure that the water quality at the mouth of the river meets the relevant requirements for environmental quality at the mouth of the river.

Article 51 It is prohibited to discharge oil, acid, alkali, and highly toxic waste liquid into the sea.

It is prohibited to discharge radioactive wastewater into the sea that pollutes the marine environment and damages the marine ecology. Strictly control the discharge of wastewater containing non-degradable organic matter and heavy metals into the sea.

Article 52 Medical wastewater containing pathogens, domestic wastewater, and industrial wastewater shall be treated and meet the relevant national and local discharge standards before being discharged into the sea.

Article 53: Industrial wastewater containing organic matter and nutrients and domestic sewage shall be strictly controlled for discharge into bays, semi enclosed seas, and other sea areas with



poor self-purification capacity.

Article 54: When discharging hot wastewater into the sea, effective measures shall be taken to ensure that the water temperature in adjacent nature reserves and fishery waters meets the national and local marine environmental quality standards, and to avoid thermal pollution causing harm to rare and endangered marine organisms and marine aquatic resources.

Article 55 Omitted

Article 56: The abandonment, stacking, and treatment of tailings, slag, coal ash residue, garbage, and other solid waste in coastal land areas shall be carried out in accordance with the relevant provisions of the Law of the People's Republic of China on the Prevention and Control of Environmental Pollution by Solid Waste, and effective measures shall be taken to prevent solid waste from entering the ocean. Prohibit the disposal, stacking, and disposal of solid waste on the beach; Except as otherwise provided by laws and administrative regulations.

Article 57: Local government shall be responsible for the prevention and control of marine garbage pollution in their managed sea areas, establish a monitoring and cleaning system for marine garbage, coordinate the planning and construction of [facilities](#) for receiving, transporting, and processing marine garbage on land, clarify the marine garbage control areas of relevant departments, establish a monitoring, interception, collection, salvage, transportation, and treatment system for marine garbage, and organize its implementation. Effective measures shall be taken to encourage and support public participation in the above-mentioned activities. The departments of ecological environment, housing and urban-rural construction, development and reform under the State Council shall strengthen the supervision, guidance, and guarantee of marine garbage pollution prevention and control according to their respective responsibilities.



Article 58 The transit transfer of hazardous waste through the internal waters and territorial waters of China is prohibited. Any transfer of hazardous waste through other sea areas under the jurisdiction of China must obtain prior written consent from the MEE.

Article 59 Omitted

Article 60: The state shall take necessary measures to prevent, reduce and control marine environmental pollution damage caused by or through the atmosphere.

Article 61: New construction, renovation, and expansion projects shall include the funds required for pollution prevention and ecological protection in the investment plan of the construction project. It is prohibited to illegally construct projects that pollute the environment or damage the ecology or engage in other activities in nature reserves, important fishing waters, and other areas that require special protection designated by law.

Article 62: Engineering construction projects shall undergo environmental impact assessment in accordance with the relevant national regulations on environmental impact assessment of construction projects. Construction projects that have not been carried out in accordance with the law and have passed the environmental impact assessment shall not commence construction. Environmental protection facilities should be designed, constructed, and put into operation simultaneously with the main project. Environmental protection facilities shall comply with the requirements of the approved environmental impact assessment report (table). The construction unit shall conduct acceptance of environmental protection facilities in accordance with relevant laws and regulations, prepare acceptance reports, and make them public to the society. Construction projects shall not be put into production or use if environmental protection facilities have not been inspected or have failed to meet the standards.



Article 63: It is prohibited to build new production projects in coastal and land areas that do not comply with national industrial policies, such as chemical pulp and paper making, chemical industry, printing and dyeing, leather making, electroplating, brewing, oil refining, shore flushing and ship dismantling, and other serious pollution of the marine environment.

Article 64: New construction, renovation, and expansion projects shall take effective measures to protect the wildlife and their living environment that are key protected by the state and local authorities, protect marine aquatic resources, and avoid or reduce the impact on marine life.

It is prohibited to mine sea sand within the strictly protected shoreline area. Strict measures should be taken to protect the marine environment when developing and utilizing sea sand resources in other regions in accordance with the law. The transportation of sea sand resources should hold a legal source certificate; Sea sand miners shall provide legal proof of origin for ships carrying sea sand.

Effective measures should be taken to prevent pollution of the marine environment when drilling wells from the shore to extract seabed mineral resources.

Article 65: Engineering construction projects shall not use materials containing radioactive substances that exceed the standard or toxic and harmful substances that are easily soluble; It shall not cause erosion, siltation, or damage to the territorial sea basepoints and their surrounding environment and shall not endanger the stability of the territorial sea basepoints.

Article 66: When blasting operations are required in engineering construction projects, effective measures shall be taken to protect the marine environment.

Effective measures should be taken during offshore oil exploration, development, and transportation to avoid oil spills.

Article 67: Engineering construction projects shall not illegally



discharge pollutants, waste, and other harmful substances into the ocean. The oily wastewater and oily mixtures from marine oil and gas drilling platforms (ships), production and living platforms, production storage and unloading devices, and other marine oil and gas equipment should be treated and discharged after meeting the standards; Residual oil and waste oil shall be recycled and shall not be discharged into the sea. The oil-based mud and other toxic composite mud used in drilling shall not be discharged into the sea. The discharge of water-based mud, non-toxic composite mud, and drilling cuttings shall comply with relevant national regulations.

Article 68: Marine oil and gas drilling platforms (ships), production and living platforms, production storage and unloading devices, and other marine oil and gas equipment and related offshore facilities shall not dispose of oily industrial solid waste into the sea. The disposal of other solid waste shall not cause marine environmental pollution.

Article 69: During offshore oil testing, it shall be ensured that oil and gas are fully burned, and oil and oil-based mixtures shall not be discharged into the sea.

Article 70: In the exploration and development of marine oil and gas resources, emergency plans for oil and gas pollution shall be formulated in accordance with relevant regulations and submitted to the marine agency of the competent ecological environment department of the State Council for record keeping.

Article 71: No individual or unapproved unit may dump any waste into the sea areas under the jurisdiction of the People's Republic of China. If waste needs to be dumped, the unit that generates the waste shall submit a written application to the MEE and issue an inspection report on the characteristics and composition of the waste. Only after obtaining a dumping permit can dumping be carried out. The state encourages the comprehensive utilization of dredged materials and other wastes to avoid or reduce ocean dumping. It is prohibited to dump waste from outside China in



China EEZ.

Article 72: The MEE shall formulate evaluation procedures and standards for ocean dumped waste based on the toxicity of the waste, the content of toxic substances and the degree of impact on the marine environment. The list of waste that can be dumped into the ocean is formulated by MEE.

Article 73: The MEE and the MOR shall prepare a national marine dumping area plan and submit it to the State Council for approval.

Article 74: The MEE shall assess the use status of marine dumping areas, and adjust, suspend use, or close marine dumping areas based on the assessment results. The adjustment, suspension of use and closure of marine dumping areas shall be notified to the relevant departments of the State Council and coast guard agencies and announced to the public.

Article 75: Units that are permitted to dump waste shall carry out dumping in designated areas in accordance with the time limit and conditions specified in the permit. Dumping vessels and other carriers must install and use marine dumping online monitoring equipment that meets the requirements and be connected to the supervision system of the ecological environment department of the State Council.

Article 76: Units that are permitted to dump waste shall, in accordance with regulations, report the dumping situation to the MEE that issued the license. Ships dumping waste should report to MSA and CGA leaving the port.

Article 77 It is prohibited to burn waste at sea. It is prohibited to dispose at sea of radioactive waste or other radioactive materials that pollute the marine environment and damage the marine ecology.

Article 78 If a unit approved to dump waste entrusts the implementation of waste ocean dumping operations, it shall verify



the subject qualifications, technical capabilities, and credit status of the entrusted unit, sign a written contract in accordance with the law, and stipulate pollution prevention and ecological protection in the contract requirements and supervise their implementation.

When an entrusted unit implements waste ocean dumping operations, it shall comply with relevant laws, regulations and contracted agreements and fulfill pollution prevention and ecological protection requirements.

If a unit permitted to dump waste violates the provisions of paragraph 1 of this article, in addition to being punished in accordance with relevant laws and regulations, it shall also bear joint and several liability with the entrusted unit that caused environmental pollution and ecological damage.

Article 79 In China EEZ, any ship and related operations may not illegally discharge ship garbage, domestic sewage, sludge, water containing toxic and harmful substances, exhaust gas and other pollutants, waste, ballast water and sediment other harmful substances into the sea. Ships should take effective measures in accordance with relevant national regulations to treat and dispose of ballast water and sediments, and strictly prevent and control the introduction of foreign harmful organisms. Those engaged in the reception of ship pollutants and waste, as well as ship clearance and tank washing operations, must have corresponding reception and processing capabilities.

Article 80: The ship's structure, anti-pollution equipment and facility shall comply with regulations and pass inspection. When ships discharge ship pollutants, ballast water and sediments, they shall truthfully record and preserve them.

Article 81 Ships shall abide by the provisions of the Maritime Traffic Safety Law and prevent maritime accidents caused by collisions, running aground, strandings, fires or explosions, etc.

Article 82 The state improves and implements the civil



compensation liability system for ship oil pollution damage; in accordance with the principle that liability for ship oil pollution damage is shared by shipowners and cargo owners, the state improves and implements the ship oil pollution insurance and oil pollution compensation fund systems. The specific measures are as follows: State Council regulations.

Article 83: For ships carrying goods with pollution hazards entering and exiting ports, the carrier, owner, or agent of the goods shall declare to MSA in advance. Only after approval can entry and exit ports or loading and unloading operations be carried out.

Article 84 When a ship is delivered to carry goods with pollution hazards, the shipper shall truthfully inform the carrier of the official name of the goods, the pollution hazards and the protective measures that should be taken. The documents, packaging, markings, quantity limits, etc. of goods with hazardous pollution shall comply with the relevant regulations on the goods delivered.

Ships that need to carry goods with unknown pollution hazards must conduct an assessment in advance in accordance with relevant regulations.

When loading and unloading oil and toxic and hazardous goods, both the ship and the shore must abide by safety and anti-pollution operating procedures.

Article 85 The Local government shall make overall plans and construct facilities for the reception, transshipment, treatment, and disposal of ship pollutants, etc., and establish corresponding reception, transshipment, treatment and disposal facilities. Multi-sector joint supervision system.

Local governments are responsible for the supervision and administration of pollution prevention and control in fishing ports, fishing vessel berths and surrounding areas in the sea areas under their administration, standardizing the recycling and disposal of production and domestic sewage and fishery garbage, and promoting the construction of pollution prevention and control equipment and environmental cleanup and rectification.



Ports, terminals, loading and unloading stations and ship repair and dismantling units shall be equipped with sufficient receiving facilities for handling ship pollutants and waste in accordance with relevant regulations, so that the facilities are in good condition and operate effectively.

Ports, terminals, loading and unloading stations and ships that load and unload oil and other pollution-hazardous goods should prepare pollution emergency plans and be equipped with corresponding pollution emergency equipment and facility.

Article 86: The MSA shall organize the formulation of a list of hazardous materials that are prohibited or restricted from being installed and used on Chinese ships.

Ship repair and building units or ship owners, operators or managers shall have a list of hazardous materials on board the ship, which shall be continuously updated during the ship construction, operation and maintenance process, and provided to units engaged in ship dismantling before the ship is dismantled.

Article 87 Units engaged in ship dismantling shall reduce ship pollutants to the minimum before dismantling the ship and conduct safe and environmentally sound disposal of ship pollutants, waste and other harmful substances generated by dismantling. Disassembled ship parts must not enter the water body. Ship dismantling operations by beaching are prohibited.

Article 88: The state encourages ships to use clean energy and reduce emissions of greenhouse gases and atmospheric pollutants. Local government should formulate plans for the construction and renovation of port shore power, ship power reception and other facilities, and organize their implementation. The power supply capacity of port shore power facilities should be adapted to the power needs of ships calling at the port.

Ships should take effective measures to improve energy efficiency



levels. Ships that are qualified to use shore power should use shore power when docking, except for those using clean energy.

Local government shall provide support in accordance with regulations for the transformation and use of port shore power facilities, ship power receiving facilities, and the construction of clean energy or new energy-powered ships.

Article 89 Vessels and related operating activities shall abide by relevant laws, regulations, and standards, and take effective measures to prevent marine environmental pollution. Maritime administration agencies and others should strengthen the supervision and administration of ships and related operating activities.

When a ship conducts STS operations of bulk liquid pollution-hazardous cargo, it shall prepare an operation plan, adopt effective safety and pollution prevention and control measures, and submit it for approval in advance in accordance with relevant regulations.

Article 90: If a ship is involved in a maritime accident and causes or is likely to cause major pollution damage to the marine environment, MSA has the right to take compulsory measures to avoid or reduce pollution damage.

For ships and offshore facilities that cause major pollution damage or threaten pollution in sea areas under the jurisdiction of the People's Republic of China due to maritime accidents on the high seas, MSA has the right to take necessary measures commensurate with the actual or possible damage.

Article 91 All ships have the obligation to monitor maritime pollution. When discovering a maritime pollution incident or violation of the provisions of this Law, they shall immediately report it to the nearest department or institution that exercises marine environment supervision and administration power in accordance with the provisions of this Law.

If a civil aircraft discovers a discharge or pollution incident at sea,



it shall promptly report it to the nearest civil aviation air traffic control unit. The unit that receives the report shall immediately report it to the department or agency that exercises the power to supervise and manage the marine environment in accordance with the provisions of this Law.

Article 92: The MOT may designate areas for controlling the discharge of pollutants from ships. Ships entering the controlled area shall comply with the relevant control requirements for ship pollutant emissions.

Article 93: In case of any of the following behaviors in violation of the provisions of this Law, the local government shall order correction or take measures such as restricting production or suspending production for rectification in accordance with the provisions of this Law, and shall also impose a fine; Those with serious circumstances shall be ordered to suspend business or close-down:

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

(2) Those who discharge pollutants without obtaining a pollution discharge permit in accordance with the law;

(3) Emissions of pollutants exceeding standards and total control indicators;

(4) Those who illegally discharge pollutants into the ocean by setting up hidden pipes, tampering with or forging monitoring data, or operating pollution prevention and control facilities improperly to evade supervision;

(5) Violating the provisions of this Law on the discharge of ballast water and sediment from ships;

(6) Other behaviors that do not discharge pollutants and waste into the ocean in accordance with the provisions of this Law.

Those who engage in any of the first or second acts mentioned in



the preceding paragraph shall be fined not less than 200000 yuan but not more than 1 million yuan; Those who engage in the third item of the preceding paragraph shall be fined not less than 100000 yuan but not more than 1 million yuan; Those who engage in the fourth item of the preceding paragraph shall be fined not less than 100000 yuan but not more than 1 million yuan. If the circumstances are serious, their pollutant discharge permit shall be revoked; Those who engage in any of the behaviors mentioned in the fifth or sixth items of the preceding paragraph shall be fined not less than 10000 yuan but not more than 200000 yuan. Individuals who dispose of, pile up, and dispose of household waste on the beach without authorization shall be fined not less than 100 yuan but not more than 1000 yuan per occurrence.

Article 94: In case of any of the following behaviors in violation of the provisions of this Law, the department or institution exercising the power of marine environmental supervision and administration in accordance with the provisions of this Law shall order correction and impose a fine:

- (1) Failure to disclose pollution discharge information in accordance with the law or engaging in fraudulent activities.
- (2) Those who fail to report in accordance with regulations due to accidents or other sudden events that cause or may cause marine environmental pollution or ecological damage.
- (3) Failure to develop and file emergency plans in accordance with relevant regulations, or failure to equip emergency equipment in accordance with relevant regulations.
- (4) Failure to take immediate effective measures or escape after accidents or other sudden events that cause or may cause marine environmental pollution or ecological damage.
- (5) Failure to take necessary response measures, resulting in the expansion of marine ecological hazards.

Those who engage in the first item of the preceding paragraph shall be fined not less than 20000 yuan but not more than 200000



yuan. Those who refuse to make corrections shall be ordered to restrict production or suspend production for rectification; For those who engage in the second item of the preceding paragraph, a fine of not less than 50000 yuan but not more than 500000 yuan shall be imposed, and the directly responsible supervisors and other directly responsible personnel shall be fined not less than 10000 yuan but not more than 100000 yuan, and their relevant qualifications and licenses may be temporarily suspended or revoked; Those who engage in the third item of the preceding paragraph shall be fined not less than 20000 yuan but not more than 200000 yuan; Those who engage in any of the fourth or fifth acts mentioned in the preceding paragraph shall be fined not less than 200000 yuan but not more than 2 million yuan.

Article 95: Those who, in violation of the provisions of this Law, refuse or obstruct investigations and on-site inspections, or engage in fraud during inspections, shall be ordered to make corrections by the department or institution exercising the power of marine environmental supervision and administration in accordance with the provisions of this Law, and shall be fined not less than 50000 yuan but not more than 200000 yuan; A fine of not less than 20000 yuan but not more than 100000 yuan shall be imposed on the directly responsible supervisors and other directly responsible personnel.

Article 96: If a person violates the provisions of this Law and causes damage to marine ecosystems such as coral reefs or nature reserves, the department or institution exercising the power of marine environmental supervision and administration in accordance with the provisions of this Law shall order correction and take remedial measures, and impose a fine of not less than 1000 yuan but not more than 10000 yuan per square meter.

Article 97: In case of any of the following behaviors in violation of the provisions of this Law, the department or institution exercising the power of marine environmental supervision and administration in accordance with the provisions of this Law shall order correction



and impose a fine:

- (1) Occupying or damaging natural shorelines;
- (2) Mining sea sand within the strict protection of the coastline;
- (3) Violating other provisions of this law regarding sea sand and mineral resources.

Those who engage in the first item of the preceding paragraph shall be fined not less than 500 yuan but not more than 10000 yuan per meter; For those who engage in the second item of the preceding paragraph, a fine of not less than twice but not more than twenty times the value of the goods shall be imposed; for those whose value is less than 100000 yuan, a fine of not less than 200000 yuan but not more than 2 million yuan shall be imposed; Those who engage in the third item of the preceding paragraph shall be fined not less than 50000 yuan but not more than 500000 yuan.

Article 98: If anyone violates the provisions of this Law and engages in any of the following behaviors in marine aquaculture activities, the department or institution exercising the power of marine environmental supervision and administration in accordance with the provisions of this Law shall order correction and impose a fine of not less than 20000 yuan but not more than 200000 yuan; If the circumstances are serious, with the approval of Local government with approval power, it shall be ordered to suspend business or close down:

- (1) Violating the regulations of prohibited or restricted breeding areas;
- (2) Violating regulations on breeding scale and density;
- (3) Violating regulations on feeding, fertilizing, and drug use;
- (4) Failure to self-monitor aquaculture waste water as per the requirement of relevant regulations.



Article 99: Those who violate the provisions of this Law by setting up discharge outlets into the sea shall be ordered by the competent ecological environment department to close or dismantle them, and shall be fined not less than 20000 yuan but not more than 100000 yuan; Those who refuse to close or demolish shall be forcibly closed or demolished, and the necessary expenses shall be borne by the violator, and a fine of not less than 100000 yuan but not more than 500000 yuan shall be imposed; If the circumstances are serious, production can be ordered to be suspended for rectification.

Those who violate the provisions of this Law by setting up discharge outlets into the sea without filing shall be ordered by the competent ecological environment department to make corrections and fined not less than 20000 yuan but not more than 100000 yuan.

Those who violate the provisions of this Law and fail to carry out monitoring and automatic monitoring in accordance with regulations at the discharge outlets into the sea shall be ordered by the competent ecological and environmental department to make corrections and fined not less than 20000 yuan but not more than 100000 yuan; Those who refuse to make corrections may be ordered to suspend production for rectification.

If natural resources, fisheries, and other departments, as well as maritime administration agencies, maritime police agencies, and military ecological and environmental protection departments, discover one of the three illegal behaviors mentioned in the preceding paragraph, they shall notify the competent ecological and environmental department.

Article 100: Whoever, in violation of the provisions of this Law, transfers hazardous waste through the waters under the jurisdiction of the People's Republic of China shall be ordered by the state maritime administration to withdraw the vessel illegally transporting the hazardous waste from the waters under the jurisdiction of the People's Republic of China and be fined not less



than 500000 yuan but not more than 5 million yuan.

Article 101: If a construction unit violates the provisions of this Law and fails to implement the relevant requirements of the construction project investment plan, the MEE shall order it to make corrections and impose a fine of not less than 50000 yuan but not more than 200000 yuan; Those who refuse to make corrections shall be fined not less than 200000 yuan but not more than 1 million yuan.

If a construction unit violates the provisions of this Law by starting construction without obtaining approval or requesting a reexamination of the environmental impact report (form) in accordance with the law, the MEE or the CGA shall order it to stop construction, impose a fine of not less than 1% but not more than 5% of the total investment of the construction project based on the illegal circumstances and harmful consequences, and may also order it to restore its original state; The supervisory personnel and other directly responsible personnel of the construction unit shall be punished in accordance with the law. If the construction unit fails to file the environmental impact registration form in accordance with the law, the competent ecological environment department shall order the filing and impose a fine of no more than 50000 yuan.

Article 102: Those who, in violation of the provisions of this Law, construct engineering projects that pollute the environment, damage the ecology or engage in other activities in nature reserves, important fishery waters, and other areas that require special protection in accordance with the law, or build new production projects in coastal land areas that do not comply with national industrial policies, shall be ordered to close by Local governments in accordance with their administration authority.

Those who engage in production and construction activities in violation of the ecological environment access list shall be ordered by the department or institution exercising the power of marine environment supervision and administration in accordance with the provisions of this Law to stop the illegal behavior, demolish



and restore the original state within a time limit, and the necessary expenses shall be borne by the violator. A fine of not less than 500000 yuan but not more than 5 million yuan shall be imposed, and the directly responsible supervisor and other directly responsible personnel shall be fined not less than 50000 yuan but not more than 100000 yuan; If the circumstances are serious, it shall be reported to Local government with approval authority and ordered to close.

Article 103: If environmental protection facilities are not designed, constructed, or put into use simultaneously with the main project in violation of the provisions of this Law, or if environmental protection facilities are put into production or use without being completed, meeting the prescribed requirements, undergoing acceptance inspection, or failing to pass the acceptance test, the MEE or the CGA shall order correction and impose a fine of not less than 200000 yuan but not more than 1 million yuan; Those who refuse to make corrections shall be fined not less than one million yuan but not more than two million yuan; Impose a fine of not less than 50000 yuan but not more than 200000 yuan on the directly responsible supervisors and other responsible personnel; Those who cause significant environmental pollution or ecological damage shall be ordered to stop production and use, or shall be ordered to close down with the approval of Local government with approval authority.

Article 104 If a construction project violates the provisions of this Law and commits any of the following acts, the department or institution exercising the power of marine environmental supervision and administration in accordance with the provisions of this Law shall order it to stop the illegal act, eliminate the harm, and impose a fine of not less than 200000 yuan but not more than 1 million yuan; If the circumstances are serious, with the approval of Local government with approval power, it shall be ordered to suspend business or close down:

(1) Using materials containing radioactive substances that



exceed the standard or are prone to dissolving toxic and harmful substances;

(2) Causing erosion, siltation, damage to the territorial sea basepoint and its surrounding environment, or endangering the stability of the territorial sea basepoint.

Article 105: Those who violate the provisions of this Law by engaging in marine oil and gas exploration and development activities, causing marine environmental pollution, shall be ordered by the CGA to make corrections, given a warning, and fined not less than 200000 yuan but not more than 1 million yuan.

Article 106: In case of any of the following behaviors in violation of the provisions of this Law, the MEE and its dispatch agency, MSA or CGA shall order correction and impose a fine. If necessary, the ship may be detained; If the circumstances are serious, with the approval of Local government with approval power, it shall be ordered to suspend business or close-down:

(1) Ships dumping waste leaving the port without reporting;

(2) Dumping waste into the ocean without obtaining a dumping permit;

(3) Burning waste or disposing of radioactive waste and other radioactive substances at sea.

If the first item of the preceding paragraph is committed, the owner, operator or manager of the illegal vessel shall be fined not less than 3000 yuan but not more than 30000 yuan, and the captain, responsible crew member or other responsible personnel shall be fined not less than 500 yuan but not more than 5000 yuan; Those who engage in the second item of the preceding paragraph shall be fined not less than 200000 yuan but not more than 2 million yuan; Those who engage in the third item of the preceding paragraph shall be fined not less than 500000 yuan but not more than 5 million yuan. Those who engage in any of the behaviors mentioned in the second or third items of the preceding paragraph and are subject to administrative penalties three or



more times within two years shall not engage in marine dumping of waste within three years.

Article 107: In case of any of the following behaviors in violation of the provisions of this Law, the MEE, MSA or CGA shall order correction, impose fines, temporarily suspend or revoke the dumping permit, and may seize the ship if necessary; If the circumstances are serious, with the approval of Local government with approval power, it shall be ordered to suspend business or close down:

- (1) Failure to report dumping situations in accordance with national regulations;
- (2) Failure to install and use online monitoring equipment for marine dumping in accordance with national regulations;
- (3) Units that have been approved to dump waste fail to commission marine dumping operations for waste in accordance with the provisions of this Law, or fail to supervise the implementation in accordance with the provisions of this Law;
- (4) Failure to dump waste in accordance with the provisions of the dumping permit.

Those who engage in the first item of the preceding paragraph shall be fined not less than 5000 yuan but not more than 20000 yuan per occurrence; Those who engage in the second item of the preceding paragraph shall be fined not less than 20000 yuan but not more than 200000 yuan; Those who engage in the third item of the preceding paragraph shall be fined not less than 30000 yuan but not more than 300000 yuan; Those who engage in the fourth item of the preceding paragraph shall be fined not less than 200000 yuan but not more than 1 million yuan. If their dumping license is revoked, they shall not engage in marine dumping of waste within three years.

Those who apply for and obtain a dumping permit by providing



false application materials, deception, bribery and other improper means shall have their dumping permit revoked by the competent ecological environment department of the State Council and its maritime agency in accordance with the law, and shall be fined not less than 200000 yuan but not more than 500000 yuan; No dumping permit can be applied for again within three years.

Article 108: Whoever, in violation of the provisions of this Law, transports waste from outside the People's Republic of China into the waters under the jurisdiction of the People's Republic of China for dumping shall be ordered by the CGA to make corrections, and shall be fined not less than 500000 yuan but not more than 5 million yuan based on the harmful consequences caused or likely to be caused.

Article 109: Whoever violates the provisions of this Law and commits any of the following acts shall be ordered to make corrections and fined by the department or institution exercising the power of marine environmental supervision and administration in accordance with the provisions of this Law:

(1) Ports, docks, loading and unloading stations, and ship repair and dismantling units fail to equip or effectively operate ship pollutant and waste receiving facilities in accordance with regulations, or the structure of the ship, the anti-pollution equipment and equipment equipped do not comply with national anti-pollution regulations or have not been inspected and qualified;

(2) Engaged in the reception of ship pollutants and waste, as well as ship cleaning and washing operations, without corresponding reception and processing capabilities;

(3) Engaging in ship dismantling, old ship modification, salvage, and other water and underwater construction operations, causing pollution damage to the marine environment;



(4) Adopting the method of beach flushing for ship dismantling operations.

Those who engage in any of the first or second acts mentioned in the preceding paragraph shall be fined not less than 20000 yuan but not more than 300000 yuan; Those who engage in the third item of the preceding paragraph shall be fined not less than 50000 yuan but not more than 200000 yuan; Those who engage in the fourth item of the preceding paragraph shall be fined not less than 100000 yuan but not more than 1 million yuan.

Article 110: In case of any of the following behaviors in violation of the provisions of this Law, the department or institution exercising the power of marine environmental supervision and administration in accordance with the provisions of this Law shall order correction and impose a fine:

(1) Failure to keep a list of hazardous materials on board, failure to continuously update the list of hazardous materials during ship construction, operation, and maintenance, or failure to provide the list of hazardous materials to the unit engaged in ship dismantling prior to ship dismantling;

(2) Ships that do not hold anti-pollution certificates or anti-pollution documents, or fail to monitor and control according to regulations, truthfully record and preserve the discharge and operation records of ship pollutants, ballast water, and sediments;

(3) Measures taken by ships to improve energy efficiency levels have not met relevant regulations;

(4) Ships entering the controlled area do not meet the relevant control requirements for ship pollutant emissions;

(5) Port operators or shore power supply enterprises with shore power supply capabilities fail to provide shore power to ships that meet the conditions for shore power use in accordance with national regulations;



(6) Ships that meet the conditions for using shore power are docked and do not use shore power in accordance with national regulations.

Those who engage in the first item of the preceding paragraph shall be fined not more than 20000 yuan; Those who engage in the second item of the preceding paragraph shall be fined not more than 100000 yuan; Those who engage in the third item of the preceding paragraph shall be fined not less than 10000 yuan but not more than 100000 yuan; Those who engage in the fourth item of the preceding paragraph shall be fined not less than 30000 yuan but not more than 300000 yuan; Those who engage in any of the behaviors mentioned in the fifth or sixth items of the preceding paragraph shall be fined not less than 10000 yuan but not more than 100000 yuan. If the circumstances are serious, they shall be fined not less than 100000 yuan but not more than 500000 yuan.

Article 111: In case of any of the following behaviors in violation of the provisions of this Law, the department or institution exercising the power of marine environmental supervision and administration in accordance with the provisions of this Law shall order correction and impose a fine:

(1) Refusing to report or falsely reporting the declared items for the transportation of pollution hazardous goods by ships;

(2) If the consignor fails to truthfully inform the carrier of the official name, pollution hazards, and protective measures to be taken of the consigned goods with pollution hazards;

(3) If the documents, packaging, markings, and quantity restrictions of the pollution hazardous goods delivered by the shipper to the carrier do not comply with the relevant regulations on the delivered goods;

(4) If the consignor carries contaminated goods or falsely reports contaminated goods as ordinary goods in the consigned ordinary goods;



(5) Ships are required to transport goods with unknown pollution hazards without prior evaluation in accordance with relevant regulations.

Those who engage in the first item of the preceding paragraph shall be fined not more than 50000 yuan; Those who engage in the second item of the preceding paragraph shall be fined not less than 50000 yuan but not more than 100000 yuan; Those who engage in any of the behaviors mentioned in the third or fifth items of the preceding paragraph shall be fined not less than 20000 yuan but not more than 100000 yuan; Those who engage in the fourth item of the preceding paragraph shall be fined not less than 100000 yuan but not more than 200000 yuan.

Article 112: Whoever violates the provisions of this Law and commits any of the following acts shall be ordered to make corrections by the department or institution exercising the power of marine environmental supervision and administration in accordance with the provisions of this Law, and shall be fined not less than 10000 yuan but not more than 50000 yuan:

(1) Ships carrying goods with pollution hazards enter and exit ports or engage in loading and unloading operations without permission;

(2) The operation of loading and unloading oil and toxic and harmful goods, where both the ship and the shore fail to comply with the safety and anti-pollution operation regulations;

(3) Ships carrying out transshipment operations of hazardous goods caused by bulk liquid pollution without preparing operation plans or without obtaining approval in accordance with relevant regulations.

Article 113: Enterprises, institutions, and other producers and operators who violate this Regulation by discharging, dumping, or disposing of pollutants, waste, or other substances into the sea shall be fined and ordered to make corrections. The department or institution that made the punishment decision in accordance with the law shall organize a review. If it is found that they



continue to carry out the illegal act or refuse or obstruct the review, they shall be punished continuously daily in accordance with the provisions of the Environmental Protection Law of the People's Republic of China.

Article 114: Those who pollute the marine environment, damage marine ecology, and cause damage to others shall bear civil liability in accordance with the provisions of the Civil Code of the People's Republic of China and other laws.

For those who pollute the marine environment, damage the marine ecology, and cause significant losses to the country, the department exercising the power of marine environmental supervision and administration in accordance with the provisions of this Law shall, on behalf of the state, make a claim for compensation for damages to the responsible party.

Article 115: Units that violate the provisions of this Law and cause marine environmental pollution or ecological damage accidents shall, in addition to assuming compensation liability in accordance with the law, be fined by the department or institution exercising the power of marine environmental supervision and administration in accordance with the provisions of this Law; The directly responsible supervisors and other directly responsible personnel may be fined up to 50% of the income obtained from the unit in the last year; If the directly responsible supervisor and other directly responsible personnel belong to public officials, they shall be punished in accordance with the law.

For those who cause general or significant marine environmental pollution or ecological damage accidents, a fine of 20% of the direct loss shall be calculated; For those who cause major or catastrophic marine environmental pollution or ecological damage accidents, a fine of 30% of the direct loss shall be calculated.



Article 116: If pollution damage to the marine environment cannot be avoided even after timely and reasonable measures have been taken, the responsible party for the pollution damage shall be exempted from liability:

- (1) War;
- (2) Irresistible natural disasters;
- (3) Negligence or other negligent behavior of the competent department responsible for lighthouses or other navigational aids in the performance of their duties.

Article 117: If the dumping fee is not paid in accordance with the provisions of this Law, the competent ecological and environmental department of the State Council and its maritime agency shall order the payment to be made within a specified time limit; Those who refuse to pay on time shall be fined not less than twice but not more than three times the amount of dumping fees that should be paid, and may be ordered to suspend business or close down with the approval of Local government with approval power.

Article 118: If marine environmental supervision and administration personnel abuse their power, neglect their duties, and engage in favoritism and fraud, resulting in marine environmental pollution damage and ecological damage, they shall be punished in accordance with the law.

Article 119: Those who violate the provisions of this Law and constitute violations of public security administration shall be punished for public security administration in accordance with the law; If a crime is constituted, criminal responsibility shall be pursued in accordance with the law.

Article 120 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 harmful effects such as damaging marine biological resources, endangering human health, hindering fisheries and other legitimate activities at sea, damaging the quality of seawater use, and reducing environmental quality.

(2) Internal waters refer to all the sea areas on the inland side of China's territorial sea baseline.

(3) Coastal land refers to the area connected to the coast, or directly or indirectly emitting pollutants and related activities into the ocean through pipelines, ditches, and facilities.

(4) Coastal wetlands refer to the waters with a water depth of not more than six meters at low tide and their coastal wetted areas, including permanent waters with a water depth of not more than six meters, intertidal zones (or flood plains) and coastal lowlands, but excluding artificial waters and mudflat used for aquaculture.

(5) Land pollution sources (referred to as land sources) refer to places, facilities, etc. that discharge pollutants from land to the sea, causing or potentially causing marine environmental pollution.

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

(7) Dumping refers to the act of disposing of waste and other harmful substances into the ocean through ships, aircraft, platforms or other means of transportation, including the abandonment of ships, aircraft, platforms and their auxiliary facilities and other floating tools.

(8) The coastline refers to the boundary line between sea and land at the average high tide level of many years, which is based on the results of coastline surveys organized by the state.

(9) The estuary of a river refers to the area where the river terminal is combined with the receiving water (sea).



10) Marine ecological disasters refer to the sudden proliferation or high aggregation of one or more marine organisms caused by natural environmental changes or human factors, which damage the structure and function of marine ecosystems.

(11) Fishery waters refer to spawning grounds, feeding grounds, wintering grounds, migration channels, and breeding grounds for fish, shrimp, crab, shellfish, algae, and other aquatic animals and plants.

(12) Emission refers to the act of discharging pollutants into the ocean, including pumping, spilling, releasing, spraying, and dumping.

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

(14) The discharge outlet into the sea refers to the outlet that directly or through pipelines, ditches, channels and other discharge channels discharges sewage into the marine environment and water bodies, including industrial discharge outlets, urban sewage treatment plant discharge outlets, agricultural discharge outlets, and other types of discharge outlets.

(15) Oil based mixture refers to any mixture containing oil.

(16) Maritime incineration refers to the intentional burning of waste or other substances on offshore incineration facilities for the purpose of thermal destruction, except for behaviors that occur during the normal operation of ships, platforms, or other artificial structures.

Article 121: The specific division of powers of relevant departments related to marine environmental supervision and administration, which is not stipulated in this Law, shall be determined by the State Council.

The responsibilities of the departments exercising the power of marine environment supervision and administration by Local governments shall be determined by Local governments of provinces, autonomous regions, and municipalities directly under



the Central Government in accordance with this Law and relevant regulations of the State Council.

Article 122 The measures for the protection and administration of military vessels and military sea environments shall be formulated by the State Council and the Central Military Commission in accordance with this Law.

Article 123 If the international treaties related to marine environmental protection that the People's Republic of China has concluded or participated in have different provisions from this Law, the provisions of the international treaties shall apply; However, the provisions that the People's Republic of China declares reservations are excluded.

Article 124: This Law shall come into effect on January 1, 2024.