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# 中华人民共和国循环经济促进法（2019修正）

# Circular Economy Promotion Law of the People's Republic of China (Amended in 2019)

中华人民共和国循环经济促进法

Circular Economy Promotion Law of the People's Republic of China

（2008年8月29日第十一届全国人民代表大会常务委员会第四次会议通过　根据2018年10月26日第十三届全国人民代表大会常务委员会第六次会议《关于修改〈中华人民共和国野生动物保护法〉等十五部法律的决定》修正）

(Adopted at the 4th session of the Standing Committee of the 11th National People's Congress of the People's Republic of China on August 29, 2008, and revised according to the Decision on Revising 15 Laws including the Law of the People's Republic of China on the Protection of Wildlife at the 6th session of the Standing Committee of the 13th National People's Congress of the People's Republic of China on October 26, 2018)

第一章 总 则

Chapter 1 General Provisions

第一条   为了促进循环经济发展，提高资源利用效率，保护和改善环境，实现可持续发展，制定本法。

Article 1 This Law is formulated for the purposes of promoting development of sustainable economy, raising resource utilisation efficiency, protecting and improving the environment and materialising sustainable development.

第二条   本法所称循环经济，是指在生产、流通和消费等过程中进行的减量化、再利用、资源化活动的总称。

Article 2 The Circular Economy herein is the general term for the activities of decrement, recycling and resource recovery in production, circulation and consumption.

本法所称减量化，是指在生产、流通和消费等过程中减少资源消耗和废物产生。

Decrement herein means the reduction of the resource consumption and waste generation in production, circulation and consumption.

本法所称再利用，是指将废物直接作为产品或者经修复、翻新、再制造后继续作为产品使用，或者将废物的全部或者部分作为其他产品的部件予以使用。

Reuse referred to in this Law shall mean using waste directly as a product or using waste as a product after repair, refurbishment or remanufacturing, or using waste wholly or partially as a component of other product.

本法所称资源化，是指将废物直接作为原料进行利用或者对废物进行再生利用。

Recycling referred to in this Law shall mean using waste directly as raw materials or using recycled waste.

第三条   发展循环经济是国家经济社会发展的一项重大战略，应当遵循统筹规划、合理布局，因地制宜、注重实效，政府推动、市场引导，企业实施、公众参与的方针。

Article 3 Development of sustainable economy is an important strategy for national economic and social development and shall comply with the principles of overall planning, reasonable layout, consideration of local conditions, emphasis on actual effect, government promotion, market guidance, implementation by enterprises and public participation.

第四条   发展循环经济应当在技术可行、经济合理和有利于节约资源、保护环境的前提下，按照减量化优先的原则实施。

Article 4 The development of the cycle economy shall be implemented in accordance with the principle of the priority of decrement under the preconditions of being technologically feasible and economically reasonable and being conducive to saving resources and protecting environment.

在废物再利用和资源化过程中，应当保障生产安全，保证产品质量符合国家规定的标准，并防止产生再次污染。

In the process of waste recycling and resource recovery, efforts shall be made to guarantee production safety, guarantee product quality in compliance with standards specified by the State, and prevent re-pollution.

第五条   国务院循环经济发展综合管理部门负责组织协调、监督管理全国循环经济发展工作；国务院生态环境等有关主管部门按照各自的职责负责有关循环经济的监督管理工作。

Article 5 The general administrative authorities for development of sustainable economy of the State Council shall be responsible for organisation, coordination, supervision and administration of development of sustainable economy nationwide; the relevant administrative authorities for ecology and environment, etc of the State Council shall be responsible for supervision and administration relating to sustainable economy pursuant to their respective duties.

县级以上地方人民政府循环经济发展综合管理部门负责组织协调、监督管理本行政区域的循环经济发展工作；县级以上地方人民政府生态环境等有关主管部门按照各自的职责负责有关循环经济的监督管理工作。

The general administrative authorities for development of sustainable economy of local People's Governments at county level and above shall be responsible for organisation, coordination, supervision and administration of development of sustainable economy within their administrative region; the relevant administrative authorities for ecology and environment, etc of local People's Governments at county level and above shall be responsible for supervision and administration relating to sustainable economy pursuant to their respective duties.

第六条   国家制定产业政策，应当符合发展循环经济的要求。

Article 6 Industrial policies formulated by the State shall satisfy the requirements for development of sustainable economy.

县级以上人民政府编制国民经济和社会发展规划及年度计划，县级以上人民政府有关部门编制环境保护、科学技术等规划，应当包括发展循环经济的内容。

Contents about the promotion of circular economy shall be included in any national economic and social development scheme and any annual planning formulated by any people's government above county level, and any planning regarding environmental protection and sci-tech development etc. formulated by any relevant department under the people's government above county level.

第七条   国家鼓励和支持开展循环经济科学技术的研究、开发和推广，鼓励开展循环经济宣传、教育、科学知识普及和国际合作。

Article 7 The State shall encourage and support research, development and promotion of science and technology for sustainable economy, and encourage publicity, education, popularisation of scientific knowledge and international cooperation of sustainable economy.

第八条   县级以上人民政府应当建立发展循环经济的目标责任制，采取规划、财政、投资、政府采购等措施，促进循环经济发展。

Article 8 People's governments above county level shall establish a goal-responsibility system for circular economy promotion and take measures with respect to planning, finance, investment and government procurement, etc. to promote circular economy.

第九条   企业事业单位应当建立健全管理制度，采取措施，降低资源消耗，减少废物的产生量和排放量，提高废物的再利用和资源化水平。

Article 9 Enterprises and public institutions shall establish a sound management system, take measures to reduce resource consumption and the generation and discharge of wastes, and improve the reuse and recycling of wastes.

第十条   公民应当增强节约资源和保护环境意识，合理消费，节约资源。

Article 10 Citizens shall have a better sense of resource conservation and environmental protection, consume reasonably and save resources.

国家鼓励和引导公民使用节能、节水、节材和有利于保护环境的产品及再生产品，减少废物的产生量和排放量。

The State shall encourage and guide citizens to use energy-saving, water-saving, material-saving and environmental friendly products and recycled products, and reduce generation and discharge of waste.

公民有权举报浪费资源、破坏环境的行为，有权了解政府发展循环经济的信息并提出意见和建议。

Citizens shall have the right to report any act of waste of resources and destruction of environment, to understand government information on development of sustainable economy, and to give their opinions and suggestions.

第十一条   国家鼓励和支持行业协会在循环经济发展中发挥技术指导和服务作用。县级以上人民政府可以委托有条件的行业协会等社会组织开展促进循环经济发展的公共服务。

Article 11 The State shall encourage and support industry associations to optimise technical guidance and service functions in development of sustainable economy. The people's government above county level may consign qualified trade associations or other social organizations to provide public services on the promotion of circular economy.

国家鼓励和支持中介机构、学会和其他社会组织开展循环经济宣传、技术推广和咨询服务，促进循环经济发展。

The State shall encourage and support intermediaries, societies and other social organisations in launching publicity, technical promotion and consultancy services for sustainable economy to promote development of sustainable economy.

第二章 基本管理制度

Chapter 2 Basic Management System

第十二条   国务院循环经济发展综合管理部门会同国务院生态环境等有关主管部门编制全国循环经济发展规划，报国务院批准后公布施行。设区的市级以上地方人民政府循环经济发展综合管理部门会同本级人民政府生态环境等有关主管部门编制本行政区域循环经济发展规划，报本级人民政府批准后公布施行。

Article 12 The general administrative authorities for development of sustainable economy of the State Council shall, jointly with the relevant administrative authorities for ecological environment, etc of the State Council, formulate the planning for development of sustainable economy nationwide and submit the plan to the State Council for approval before announcement and implementation. The general administrative authorities for development of sustainable economy of local People's Governments at municipal level and above of municipalities divided into districts shall, jointly with the relevant administrative authorities for ecology and environment, etc of the People's Government at counterpart level, formulate the plan for development of sustainable economy of their administrative region and submit the plan to the People's Government at counterpart level for approval before announcement and implementation.

循环经济发展规划应当包括规划目标、适用范围、主要内容、重点任务和保障措施等，并规定资源产出率、废物再利用和资源化率等指标。

The planning for development of sustainable economy shall include planning targets, scope of application, main contents, key tasks and safeguard measures, etc and shall stipulate indexes such as resource output rate, waste reuse and recycling rate, etc.

第十三条   县级以上地方人民政府应当依据上级人民政府下达的本行政区域主要污染物排放、建设用地和用水总量控制指标，规划和调整本行政区域的产业结构，促进循环经济发展。

Article 13 Local People's Governments at county level and above shall, pursuant to the control indexes instructed by the higher-level People's Government for the administrative region for discharge of key pollutants, development land use and total water use, plan and adjust the industrial structure of their administrative region to promote development of sustainable economy.

新建、改建、扩建建设项目，必须符合本行政区域主要污染物排放、建设用地和用水总量控制指标的要求。

New construction, alteration, expansion projects shall comply with the requirements of the control indexes of the administrative region for discharge of key pollutants, development land use and total water use.

第十四条   国务院循环经济发展综合管理部门会同国务院统计、生态环境等有关主管部门建立和完善循环经济评价指标体系。

Article 14 The general administrative authorities for development of sustainable economy of the State Council shall, jointly with the relevant administrative authorities for statistics and ecological environment, etc of the State Council, establish and improve upon the evaluation index system for sustainable economy.

上级人民政府根据前款规定的循环经济主要评价指标，对下级人民政府发展循环经济的状况定期进行考核，并将主要评价指标完成情况作为对地方人民政府及其负责人考核评价的内容。

The higher-level People's Government shall regularly examine the status of development of sustainable economy by the lower-level People's Government according to the main evaluation indexes for sustainable economy stipulated in the preceding paragraph, and consider the attainment of main evaluation indexes as the contents for examination and evaluation of the local People's Government and its persons-in-charge.

第十五条   生产列入强制回收名录的产品或者包装物的企业，必须对废弃的产品或者包装物负责回收；对其中可以利用的，由各该生产企业负责利用；对因不具备技术经济条件而不适合利用的，由各该生产企业负责无害化处置。

Article 15 Enterprises manufacturing products or packaging materials which are listed in the catalogue of mandatory recycling items shall be responsible for recycling of waste products or packaging materials; the manufacturing enterprises shall be responsible for reuse of waste products or packaging materials which are usable; the manufacturing enterprises shall be responsible for rendering the waste products or packaging materials harmless before disposal if such products or packaging materials are not technologically or economically viable for reuse.

对前款规定的废弃产品或者包装物，生产者委托销售者或者其他组织进行回收的，或者委托废物利用或者处置企业进行利用或者处置的，受托方应当依照有关法律、行政法规的规定和合同的约定负责回收或者利用、处置。

Where the manufacturer entrusts the seller or other organisation to recycle the waste products or packaging materials stipulated in the preceding paragraph or entrusts a waste recycling or disposal enterprise to reuse or dispose of such waste products or packaging materials, the entrusted party shall be responsible for recycling or reuse or disposal pursuant to the provisions of the relevant laws and administrative regulations and the contractual agreement.

对列入强制回收名录的产品和包装物，消费者应当将废弃的产品或者包装物交给生产者或者其委托回收的销售者或者其他组织。

Consumers shall return waste products or packaging materials which are listed in the catalogue of mandatory recycling items to the manufacturer or the seller or other organisation entrusted by the manufacturer to recycle such waste products or packaging materials.

强制回收的产品和包装物的名录及管理办法，由国务院循环经济发展综合管理部门规定。

The catalogue and administrative measures for products and packing materials that shall be recovered compulsorily shall be formulated by the general administration for promoting circular economy under the State Council.

第十六条   国家对钢铁、有色金属、煤炭、电力、石油加工、化工、建材、建筑、造纸、印染等行业年综合能源消费量、用水量超过国家规定总量的重点企业，实行能耗、水耗的重点监督管理制度。

Article 16 The State shall implement a system of focused supervision and administration of energy and water consumption for key enterprises in industries such as the steel and iron, non-ferrous metals, coal, power, petroleum processing, chemical, building materials, construction, paper-making, printing and dyeing, etc, whose annual combined energy consumption and water consumption exceed the total quantity stipulated by the State.

重点能源消费单位的节能监督管理，依照《中华人民共和国节约能源法》的规定执行。

The administration and supervision regarding energy saving over major energy-consumption entities shall comply with provisions of the Energy Conservation Law of the People's Republic of China.

重点用水单位的监督管理办法，由国务院循环经济发展综合管理部门会同国务院有关部门规定。

The supervision and administration measures for key water users shall be stipulated by the general administrative authorities for development of sustainable economy of the State Council jointly with the relevant departments of the State Council.

第十七条   国家建立健全循环经济统计制度，加强资源消耗、综合利用和废物产生的统计管理，并将主要统计指标定期向社会公布。

Article 17 The State shall establish a proper statistical system for sustainable economy, strengthen administration of statistics of resource consumption, comprehensive utilisation and waste generation, and announce the main statistical indicators to the public on a regular basis.

国务院标准化主管部门会同国务院循环经济发展综合管理和生态环境等有关主管部门建立健全循环经济标准体系，制定和完善节能、节水、节材和废物再利用、资源化等标准。

The standardisation administrative authorities of the State Council shall, jointly with the relevant administrative authorities such as the general administrative authorities for development of sustainable economy and ecological environment, etc of the State Council, establish a proper standards system for sustainable economy, and formulate and improve upon standards for energy saving, water saving, material saving, reuse and recycling of waste, etc.

国家建立健全能源效率标识等产品资源消耗标识制度。

The State shall establish a product and resource consumption mark system such as energy efficiency mark.

第三章 减 量 化

Chapter 3 Reduction

第十八条   国务院循环经济发展综合管理部门会同国务院生态环境等有关主管部门，定期发布鼓励、限制和淘汰的技术、工艺、设备、材料和产品名录。

Article 18 The general administration for promoting circular economy under the State Council shall promulgate the catalogue of technologies, processes, equipment, materials and products that are encouraged or restricted or eliminated by the government.

禁止生产、进口、销售列入淘汰名录的设备、材料和产品，禁止使用列入淘汰名录的技术、工艺、设备和材料。

Manufacturing, importation and sale of equipment, materials and products listed in the catalogue of eliminated items shall be prohibited; use of technologies, workflows, equipment and materials listed in the catalogue of eliminated items shall be prohibited.

第十九条   从事工艺、设备、产品及包装物设计，应当按照减少资源消耗和废物产生的要求，优先选择采用易回收、易拆解、易降解、无毒无害或者低毒低害的材料和设计方案，并应当符合有关国家标准的强制性要求。

Article 19 Design of workflows, equipment, products and packaging materials shall preferentially select and adopt materials and design schemes which are easy to be recycled, easily disassembled, easily degraded, non-toxic and harm or with low toxicity and harm, and shall comply with the mandatory requirements of the relevant standards of the State.

对在拆解和处置过程中可能造成环境污染的电器电子等产品，不得设计使用国家禁止使用的有毒有害物质。禁止在电器电子等产品中使用的有毒有害物质名录，由国务院循环经济发展综合管理部门会同国务院生态环境等有关主管部门制定。

Toxic and hazardous substances prohibited by the State shall not be used in design of electrical appliances and electronic products, etc which may cause environmental pollution in the disassembly and disposal process. The catalogue of toxic and hazardous substances prohibited to be used in electrical appliances and electronic products, etc shall be formulated by the general administrative authorities for development of sustainable economy of the State Council jointly with the relevant administrative authorities for ecological environment, etc of the State Council.

设计产品包装物应当执行产品包装标准，防止过度包装造成资源浪费和环境污染。

Design of packaging for products shall comply with product packaging standards and shall avoid over-packaging which will cause wastage of resources and environmental pollution.

第二十条   工业企业应当采用先进或者适用的节水技术、工艺和设备，制定并实施节水计划，加强节水管理，对生产用水进行全过程控制。

Article 20 Industrial enterprises shall adopt advanced or appropriate water-saving technologies, processes and equipment, formulate and implement water-saving plans, strengthen water-saving management, and carry out whole-process control of water consumption in production activities.

工业企业应当加强用水计量管理，配备和使用合格的用水计量器具，建立水耗统计和用水状况分析制度。

Industrial enterprises shall strengthen measurement and management of water use, equip and use qualified water measurement instruments, establish a water consumption statistics and water use analysis system.

新建、改建、扩建建设项目，应当配套建设节水设施。节水设施应当与主体工程同时设计、同时施工、同时投产使用。

New construction projects, rebuilding projects and extension projects shall be equipped with water-saving facilities. The water-saving facilities shall be designed, constructed and put into use at the same time as that of the principal project.

国家鼓励和支持沿海地区进行海水淡化和海水直接利用，节约淡水资源。

The State shall encourage and support desalination and direct utilisation of sea water at coastal regions and conservation of fresh water resources.

第二十一条   国家鼓励和支持企业使用高效节油产品。

Article 21 The State encourages and supports enterprises in using high-efficiency oil-saving products.

电力、石油加工、化工、钢铁、有色金属和建材等企业，必须在国家规定的范围和期限内，以洁净煤、石油焦、天然气等清洁能源替代燃料油，停止使用不符合国家规定的燃油发电机组和燃油锅炉。

Enterprises in industries such as power, petroleum processing, chemical, steel and iron, non-ferrous metals and building materials, etc shall replace fuel oil with clean energies such as clean coal, petroleum coke, natural gas, etc within the scope and duration stipulated by the State, and cease to use fuel generators and fuel boilers which do not comply with the provisions of the State.

内燃机和机动车制造企业应当按照国家规定的内燃机和机动车燃油经济性标准，采用节油技术，减少石油产品消耗量。

Enterprises manufacturing internal combustion engines and motor vehicles shall adopt fuel-saving technologies pursuant to the fuel economy standards for internal combustion engines and motor vehicles stipulated by the State to reduce consumption of petroleum products.

第二十二条   开采矿产资源，应当统筹规划，制定合理的开发利用方案，采用合理的开采顺序、方法和选矿工艺。采矿许可证颁发机关应当对申请人提交的开发利用方案中的开采回采率、采矿贫化率、选矿回收率、矿山水循环利用率和土地复垦率等指标依法进行审查；审查不合格的，不予颁发采矿许可证。采矿许可证颁发机关应当依法加强对开采矿产资源的监督管理。

Article 22 In mining mineral resources, a mining enterprise shall have overall planning, work out a rational development and utilization scheme, and adopt a rational mining sequence and method and proper ore-dressing technique. The issuing authorities of mining permits shall examine indexes such as the mining recovery rate, mine dilution rate, ore-dressing recovery rate, mine water recycling rate and land reclamation rate, etc in the development and utilisation scheme submitted by the applicant pursuant to the law; where the application does not pass examination, a mining permit shall not be issued. The issuing authorities of mining permits shall strengthen supervision and administration of exploration of mineral resources pursuant to the law.

矿山企业在开采主要矿种的同时，应当对具有工业价值的共生和伴生矿实行综合开采、合理利用；对必须同时采出而暂时不能利用的矿产以及含有有用组分的尾矿，应当采取保护措施，防止资源损失和生态破坏。

Mining enterprises shall, while exploiting main minerals, conduct comprehensive exploitation and rational utilization of paragenetic and associated minerals that are of industrial value; and shall adopt protective measures for minerals that must be exploited at the same time while cannot be used at the same time and for tailings that contain useful components to prevent loss of resources and ecological destruction.

第二十三条   建筑设计、建设、施工等单位应当按照国家有关规定和标准，对其设计、建设、施工的建筑物及构筑物采用节能、节水、节地、节材的技术工艺和小型、轻型、再生产品。有条件的地区，应当充分利用太阳能、地热能、风能等可再生能源。

Article 23 Architectural designers, developers, builders, etc shall adopt energy-saving, water-saving, land-saving and material-saving technologies and processes and small, light and recycled products for buildings and structures in their designs, development projects and construction projects pursuant to the relevant provisions and standards of the State. Areas shall, if possible, fully utilize solar energy, geothermal energy, wind energy and other renewable energy resources.

国家鼓励利用无毒无害的固体废物生产建筑材料，鼓励使用散装水泥，推广使用预拌混凝土和预拌砂浆。

The State shall encourage the use of nontoxic and harmless solid waste for production of building materials, encourage the use of bulk cement and promote the use of ready-mixed concrete and mortar.

禁止损毁耕地烧砖。在国务院或者省、自治区、直辖市人民政府规定的期限和区域内，禁止生产、销售和使用粘土砖。

It is forbidden to destroy cultivated land by burning bricks. The manufacture, sale and use of clay bricks shall be prohibited within the duration and region stipulated by the State Council or the People's Governments of provinces, autonomous regions and centrally-administered municipalities.

第二十四条   县级以上人民政府及其农业等主管部门应当推进土地集约利用，鼓励和支持农业生产者采用节水、节肥、节药的先进种植、养殖和灌溉技术，推动农业机械节能，优先发展生态农业。

Article 24 The people's governments above county level as well as their agricultural departments shall promote the intensive use of land, encourage and support agricultural producers to adopt advanced planting, breeding and irrigating technologies that reduce the use of water, fertilizer and pesticide, promote the energy saving of agricultural machinery, and give the priority to develop ecological agriculture.

在缺水地区，应当调整种植结构，优先发展节水型农业，推进雨水集蓄利用，建设和管护节水灌溉设施，提高用水效率，减少水的蒸发和漏失。

In water-deficient regions, plantation structure shall be adjusted, water-saving agriculture shall be developed preferentially, rain water collection and utilization shall be promoted, water-saving irrigation facilities shall be constructed and managed, water use efficiency shall be improved and water evaporation and loss shall be reduced.

第二十五条   国家机关及使用财政性资金的其他组织应当厉行节约、杜绝浪费，带头使用节能、节水、节地、节材和有利于保护环境的产品、设备和设施，节约使用办公用品。国务院和县级以上地方人民政府管理机关事务工作的机构会同本级人民政府有关部门制定本级国家机关等机构的用能、用水定额指标，财政部门根据该定额指标制定支出标准。

Article 25 State agencies and other organisations which use treasury funds shall seriously implement conservation and eliminate wastage, take the lead in using energy-saving, water-saving, land-saving, material-saving and environmental friendly products, equipment and facilities, and implement economical use of office supplies. Organs responsible for government administrative affairs under the State Council and the people's governments above county level shall formulate energy and water quota for government agencies at the same level; financial department shall make expenditure standard according to the quota.

城市人民政府和建筑物的所有者或者使用者，应当采取措施，加强建筑物维护管理，延长建筑物使用寿命。对符合城市规划和工程建设标准，在合理使用寿命内的建筑物，除为了公共利益的需要外，城市人民政府不得决定拆除。

The people's government of a city and owner or user of a building shall take measures to strengthen the maintenance and management of the building to extend its service life. The people's government of a city shall not demolish any building which meets the city planning and construction standards and is within its reasonable service life, unless for public interests.

第二十六条   餐饮、娱乐、宾馆等服务性企业，应当采用节能、节水、节材和有利于保护环境的产品，减少使用或者不使用浪费资源、污染环境的产品。

Article 26 Service enterprises in the food and beverage, entertainment, hotel industries, etc shall adopt energy-saving, water-saving, material-saving and environmental friendly products, and reduce or eliminate the use of products which cause wastage of resources and environmental pollution.

本法施行后新建的餐饮、娱乐、宾馆等服务性企业，应当采用节能、节水、节材和有利于保护环境的技术、设备和设施。

Service enterprises in the food and beverage, entertainment, hotel industries, etc newly established after the implementation of this Law shall adopt energy-saving, water-saving, material-saving and environmental friendly technologies, equipment and facilities.

第二十七条   国家鼓励和支持使用再生水。在有条件使用再生水的地区，限制或者禁止将自来水作为城市道路清扫、城市绿化和景观用水使用。

Article 27 The State encourages and supports the use of reclaimed water. In areas which satisfy the criteria for use of reclaimed water, the use of tap water for cleaning of urban roads and urban landscaping shall be restricted or prohibited.

第二十八条   国家在保障产品安全和卫生的前提下，限制一次性消费品的生产和销售。具体名录由国务院循环经济发展综合管理部门会同国务院财政、生态环境等有关主管部门制定。

Article 28 The State shall restrict the production and sale of one-time products on the basis of safeguarding the product safety and sanitation. The catalogue of said products shall be formulated by the general administration for promoting circular economy under the State Council with relevant departments for finance and ecological environment under the State Council.

对列入前款规定名录中的一次性消费品的生产和销售，由国务院财政、税务和对外贸易等主管部门制定限制性的税收和出口等措施。

With respect to the production and sale of the one-time products included in the catalogue provided in the preceding paragraph, departments for finance, taxation and foreign trade under the State Council shall formulate restrictive tax and export measures.

第四章 再利用和资源化

Chapter 4 Recycling and Resource Recovery

第二十九条   县级以上人民政府应当统筹规划区域经济布局，合理调整产业结构，促进企业在资源综合利用等领域进行合作，实现资源的高效利用和循环使用。

Article 29 The people's governments above the county level shall make a comprehensive plan of the regional economic layout, reasonably adjust the industrial structure, promote the cooperation of enterprises on the comprehensive use of resources, and realize the high efficient use and cycle use resources.

各类产业园区应当组织区内企业进行资源综合利用，促进循环经济发展。

All types of industrial parks shall organise the enterprises within the industrial parks to implement comprehensive utilisation of resources, and promote development of sustainable economy.

国家鼓励各类产业园区的企业进行废物交换利用、能量梯级利用、土地集约利用、水的分类利用和循环使用，共同使用基础设施和其他有关设施。

The State shall encourage the enterprises in all types of industrial parks to carry out exchange and utilisation of waste, utilisation of energy cascade, collective utilisation of land, utilisation of water by categories and water recycling, and common use of infrastructure and other relevant facilities.

新建和改造各类产业园区应当依法进行环境影响评价，并采取生态保护和污染控制措施，确保本区域的环境质量达到规定的标准。

New and industrial parks of various types shall carry out environmental impact assessment pursuant to the law, and adopt ecological protection and pollution control measures to ensure that the environmental quality of the region attains the stipulated standards.

第三十条   企业应当按照国家规定，对生产过程中产生的粉煤灰、煤矸石、尾矿、废石、废料、废气等工业废物进行综合利用。

Article 30 Enterprises shall carry out comprehensive utilisation of industrial waste such as fly ash, gangue, tailings, waste rock, waste materials, waste gas, etc generated in the production process pursuant to the provisions of the State.

第三十一条   企业应当发展串联用水系统和循环用水系统，提高水的重复利用率。

Article 31 Enterprises shall develop tandem water use system and water recycling system to raise water reuse rate.

企业应当采用先进技术、工艺和设备，对生产过程中产生的废水进行再生利用。

Enterprises shall use advanced technologies, processes and equipment to recycle waste water generated in the production process.

第三十二条   企业应当采用先进或者适用的回收技术、工艺和设备，对生产过程中产生的余热、余压等进行综合利用。

Article 32 Enterprises shall adopt advanced or appropriate recycling technologies, workflows and equipment for comprehensive utilisation of residual heat, residual pressure, etc generated in the manufacturing process.

建设利用余热、余压、煤层气以及煤矸石、煤泥、垃圾等低热值燃料的并网发电项目，应当依照法律和国务院的规定取得行政许可或者报送备案。电网企业应当按照国家规定，与综合利用资源发电的企业签订并网协议，提供上网服务，并全额收购并网发电项目的上网电量。

Where any enterprise builds a grid-connected power generation project utilizing remaining heat and pressure, coalbed gas, and low-calorie fuels including gangue, slime and garbage etc., it shall obtain an administrative license or report for filing in accordance with laws and provisions of the State Council. Power grid enterprises shall enter into a grid connection agreement with enterprises engaging in power generation through comprehensive utilisation of resources pursuant to the provisions of the State, provide grid connection services, and make full acquisition of grid connection power capacity of the power generation projects.

第三十三条   建设单位应当对工程施工中产生的建筑废物进行综合利用；不具备综合利用条件的，应当委托具备条件的生产经营者进行综合利用或者无害化处置。

Article 33 Developers shall carry out comprehensive utilisation of construction waste produced in the construction process; where the construction project does not satisfy the criteria for comprehensive utilisation, a manufacturer or business operator which satisfies the criteria shall be entrusted to carry out comprehensive utilisation or to carry out decontamination.

第三十四条   国家鼓励和支持农业生产者和相关企业采用先进或者适用技术，对农作物秸秆、畜禽粪便、农产品加工业副产品、废农用薄膜等进行综合利用，开发利用沼气等生物质能源。

Article 34 The State encourages and supports agricultural producers and relevant enterprises to employ advanced or applicable technologies to make a comprehensive utilization of straws of crops, excrements of livestock and poultry, by-products from the processing of agricultural products, and waste agricultural films, and develop and utilize marsh gas and other biomass energies.

第三十五条   县级以上人民政府及其林业草原主管部门应当积极发展生态林业，鼓励和支持林业生产者和相关企业采用木材节约和代用技术，开展林业废弃物和次小薪材、沙生灌木等综合利用，提高木材综合利用率。

Article 35 The people's governments at or above county level and their departments in charge of forestry and grassland shall actively develop ecological forestry, encourage and support forestry producers and relevant enterprises to employ timber-saving and alternative technologies to make a comprehensive utilization of forestry wastes, inferior woods, short ends, fuel woods and sand shrubs, etc. and improve the comprehensive utilization rate of timbers.

第三十六条   国家支持生产经营者建立产业废物交换信息系统，促进企业交流产业废物信息。

Article 36 The State shall support production operators to establish industrial waste information exchange systems to promote the exchange of industrial waste information among enterprises.

企业对生产过程中产生的废物不具备综合利用条件的，应当提供给具备条件的生产经营者进行综合利用。

Enterprises which do not satisfy the criteria to carry out comprehensive utilisation of waste produced in their production process shall provide such waste to manufacturers and business operators which satisfy the criteria to carry out comprehensive utilisation.

第三十七条   国家鼓励和推进废物回收体系建设。

Article 37 The State encourages and promotes the establishment of waste recovery systems.

地方人民政府应当按照城乡规划，合理布局废物回收网点和交易市场，支持废物回收企业和其他组织开展废物的收集、储存、运输及信息交流。

Local people's governments shall make a reasonable layout of waste recovery stands and trading markets according to their urban-rural planning, and support waste recovery enterprises and other organizations to conduct waste collection, storage, transport and information exchange.

废物回收交易市场应当符合国家环境保护、安全和消防等规定。

Waste recycling and trading markets shall comply with the provisions of the State on environmental protection, security and fire safety, etc.

第三十八条   对废电器电子产品、报废机动车船、废轮胎、废铅酸电池等特定产品进行拆解或者再利用，应当符合有关法律、行政法规的规定。

Article 38 Disassembly or reuse of specific products such as waste electrical appliances and electronic products, scrapped motor vehicles and vessels, waste tires, waste lead-acid batteries, etc shall comply with the provisions of the relevant laws and administrative regulations.

第三十九条   回收的电器电子产品，经过修复后销售的，必须符合再利用产品标准，并在显著位置标识为再利用产品。

Article 39 Recovered electric and electronic products that are used for sale after repair shall meet the recycle product standards and be labeled "recycle product" at a marked place.

回收的电器电子产品，需要拆解和再生利用的，应当交售给具备条件的拆解企业。

Recycled electrical appliances and electronic products which are required to be disassembled and recycled shall be sold to disassembly enterprises which satisfy the criteria.

第四十条   国家支持企业开展机动车零部件、工程机械、机床等产品的再制造和轮胎翻新。

Article 40 The State shall support enterprises in launching remanufacturing of products such as automobile parts, engineering machinery, machine tools, etc and retreading of tires.

销售的再制造产品和翻新产品的质量必须符合国家规定的标准，并在显著位置标识为再制造产品或者翻新产品。

The quality of remanufactured products and renovated products for sale shall comply with the standards stipulated by the State, and shall be labelled prominently as remanufactured products or renovated products.

第四十一条   县级以上人民政府应当统筹规划建设城乡生活垃圾分类收集和资源化利用设施，建立和完善分类收集和资源化利用体系，提高生活垃圾资源化率。

Article 41 The people's governments above county level shall make a comprehensive plan on building facilities for the classified collection and recycling use of urban and rural household garbage, establish and improve the system for classified collection and recycling use, and raise the recycling rate of household garbage.

县级以上人民政府应当支持企业建设污泥资源化利用和处置设施，提高污泥综合利用水平，防止产生再次污染。

People's Governments of county level and above shall support enterprises in development of sludge resource recycling and disposal facilities, raise the level of comprehensive utilisation of sludge, and prevent further pollution.

第五章 激 励 措 施

Chapter 5 Stimulation Measures

第四十二条   国务院和省、自治区、直辖市人民政府设立发展循环经济的有关专项资金，支持循环经济的科技研究开发、循环经济技术和产品的示范与推广、重大循环经济项目的实施、发展循环经济的信息服务等。具体办法由国务院财政部门会同国务院循环经济发展综合管理等有关主管部门制定。

Article 42 The State Council and the People's Governments of provinces, autonomous regions and centrally-administered municipalities shall establish the relevant special funds for development of sustainable economy, support scientific and technological research and development in sustainable economy, demonstration and promotion of technologies and products of sustainable economy, implementation of major sustainable economy projects, information services for development of sustainable economy, etc. The detailed measures shall be formulated by the finance department of the State Council jointly with the relevant administrative authorities such as the general administrative authorities for development of sustainable economy, etc of the State Council.

第四十三条   国务院和省、自治区、直辖市人民政府及其有关部门应当将循环经济重大科技攻关项目的自主创新研究、应用示范和产业化发展列入国家或者省级科技发展规划和高技术产业发展规划，并安排财政性资金予以支持。

Article 43 The State Council, the people's governments of provinces, autonomous regions and municipalities directly under the Central Government as well as their relevant departments shall incorporate the independent innovation research, application demonstration and industrialization of key sci-tech projects on circular economy in national or provincial sci-tech development plans and high-tech industrial development plans, and appropriate certain fiscal capital for support.

利用财政性资金引进循环经济重大技术、装备的，应当制定消化、吸收和创新方案，报有关主管部门审批并由其监督实施；有关主管部门应当根据实际需要建立协调机制，对重大技术、装备的引进和消化、吸收、创新实行统筹协调，并给予资金支持。

Where treasury funds are used for introduction of key technologies and equipment for sustainable economy, a digestion, absorption and innovation scheme shall be formulated and submitted to the relevant administrative authorities for examination and approval, and shall be implemented under their supervision; the relevant administrative authorities shall, based on actual needs, establish a coordination mechanism to coordinate introduction of key technologies and equipment and the digestion, absorption and innovation thereof, and grant funding support.

第四十四条   国家对促进循环经济发展的产业活动给予税收优惠，并运用税收等措施鼓励进口先进的节能、节水、节材等技术、设备和产品，限制在生产过程中耗能高、污染重的产品的出口。具体办法由国务院财政、税务主管部门制定。

Article 44 The State shall grant tax incentives for industrial activities which promote development of sustainable economy, and adopt tax measures, etc to encourage importation of advanced energy-saving, water-saving, material-saving technologies, equipment and products, and restrict exportation of products which have a high energy consumption and cause serious pollution in their production process. The detailed measures shall be formulated by the finance and tax departments of the State Council.

企业使用或者生产列入国家清洁生产、资源综合利用等鼓励名录的技术、工艺、设备或者产品的，按照国家有关规定享受税收优惠。

Enterprises using or manufacturing technologies, workflows, equipment or products listed in the State's catalogue of encouraged clean production, comprehensive utilisation of resources, etc shall enjoy tax incentives pursuant to the relevant provisions of the State.

第四十五条   县级以上人民政府循环经济发展综合管理部门在制定和实施投资计划时，应当将节能、节水、节地、节材、资源综合利用等项目列为重点投资领域。

Article 45 The general administrative authorities for development of sustainable economy of People's Governments at county level and above shall, in the formulation and implementation of investment plans, list energy-saving, water-saving, land-saving, material-saving and comprehensive utilisation of resources projects as key investment areas.

对符合国家产业政策的节能、节水、节地、节材、资源综合利用等项目，金融机构应当给予优先贷款等信贷支持，并积极提供配套金融服务。

Financial institutions shall grant credit support such as preferential loans, etc to energy-saving, water-saving, land-saving, material-saving and comprehensive utilisation of resources projects which comply with the industrial policies of the State, and actively provide complementary financial services.

对生产、进口、销售或者使用列入淘汰名录的技术、工艺、设备、材料或者产品的企业，金融机构不得提供任何形式的授信支持。

Financial institutions shall not provide any form of credit support to enterprises engaging in manufacturing, importation, sale or use of technologies, workflows, equipment, materials or products listed in the catalogue of eliminated items.

第四十六条   国家实行有利于资源节约和合理利用的价格政策，引导单位和个人节约和合理使用水、电、气等资源性产品。

Article 46 The State shall implement pricing policies beneficial to conservation of resources and reasonable utilisation to guide organisations and individuals in conservation and reasonable utilisation of resource products such as water, electricity, gas, etc.

国务院和省、自治区、直辖市人民政府的价格主管部门应当按照国家产业政策，对资源高消耗行业中的限制类项目，实行限制性的价格政策。

Pricing departments under the State Council and the people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall carry out restrictive price policies for restrictive projects in high-resource-consumption industries in accordance with national industrial policies.

对利用余热、余压、煤层气以及煤矸石、煤泥、垃圾等低热值燃料的并网发电项目，价格主管部门按照有利于资源综合利用的原则确定其上网电价。

Where any grid-connected power generation project uses remaining heat and pressure, coalbed gas, and low-calorie fuels including gangue, slime and garbage etc., pricing departments shall fix the on-grid electricity price for it in accordance with principles conducive to comprehensive resource utilization.

省、自治区、直辖市人民政府可以根据本行政区域经济社会发展状况，实行垃圾排放收费制度。收取的费用专项用于垃圾分类、收集、运输、贮存、利用和处置，不得挪作他用。

The people's governments of provinces, autonomous regions and municipalities directly under the Central Government may establish a waste discharge charge system according to local economic and social development situation. The fees collected shall be used specifically for garbage categorisation, collection, transportation, storage, utilisation and disposal and shall not be used for other purposes.

国家鼓励通过以旧换新、押金等方式回收废物。

The State encourages reclaiming wastes by way of trade-in and cash pledge, etc.

第四十七条   国家实行有利于循环经济发展的政府采购政策。使用财政性资金进行采购的，应当优先采购节能、节水、节材和有利于保护环境的产品及再生产品。

Article 47 The State shall implement government procurement policies which are beneficial to development of sustainable economy. Energy-saving, water-saving, material-saving and environmental friendly products and recycled products shall be given priority for procurement using fiscal funds.

第四十八条   县级以上人民政府及其有关部门应当对在循环经济管理、科学技术研究、产品开发、示范和推广工作中做出显著成绩的单位和个人给予表彰和奖励。

Article 48 The people’s governments above county level and their relevant departments shall commend and reward entities and individuals that have made remarkable achievements in circular economy management, sci-tech research, and product development, demonstration and promotion.

企业事业单位应当对在循环经济发展中做出突出贡献的集体和个人给予表彰和奖励。

Enterprises and institutions shall commend and reward groups and individuals with outstanding contributions in development of sustainable economy.

第六章 法 律 责 任

Chapter 6 Legal Liability

第四十九条   县级以上人民政府循环经济发展综合管理部门或者其他有关主管部门发现违反本法的行为或者接到对违法行为的举报后不予查处，或者有其他不依法履行监督管理职责行为的，由本级人民政府或者上一级人民政府有关主管部门责令改正，对直接负责的主管人员和其他直接责任人员依法给予处分。

Article 49 Where the general administrative authorities for development of sustainable economy or other relevant administrative authorities of People's Governments at county level and above are found to be in violation of this Law or failed to investigate and punish an offender upon receipt of reports of illegal acts, or failed to perform supervision and administration duties pursuant to the law, the relevant administrative authorities of the People's Government at counterpart level or the higher-level People's Government shall order for correction to be made and shall punish the person-in-charge who is directly accountable and other directly accountable personnel pursuant to the law.

第五十条   生产、销售列入淘汰名录的产品、设备的，依照《中华人民共和国产品质量法》的规定处罚。

Article 50 Where any entity or individual produces and sells any product or equipment under the catalogue of abandonment, it/he shall be punished according to the provisions of the Product Quality Law of the People's Republic of China.

使用列入淘汰名录的技术、工艺、设备、材料的，由县级以上地方人民政府循环经济发展综合管理部门责令停止使用，没收违法使用的设备、材料，并处五万元以上二十万元以下的罚款；情节严重的，由县级以上人民政府循环经济发展综合管理部门提出意见，报请本级人民政府按照国务院规定的权限责令停业或者关闭。

Where any entity or individual use any technology, process, equipment or material under the catalogue of abandonment, the general administration for promoting circular economy under the people's government above county level shall order it/him to stop using, confiscate the illegally-used equipment and material and impose a fine of RMB50, 000 up to RMB200, 000; under any serious circumstance, the general administration for promoting circular economy under the people's government above county level shall submit an opinion to the people's government at the same level to order the entity or individual to stop or close its/his business in accordance with the government authorities provided by the State Council.

违反本法规定，进口列入淘汰名录的设备、材料或者产品的，由海关责令退运，可以处十万元以上一百万元以下的罚款。进口者不明的，由承运人承担退运责任，或者承担有关处置费用。

Persons who violate the provisions of this Law in importing equipment, materials or products listed in the catalogue of eliminated items shall be ordered by the Customs to return shipment and may be subject to a fine ranging from RMB100,000 to RMB1 million. Where the identity of the importer is unclear, the carrier shall bear the liability for return of cargo or bear the relevant disposal expenses.

第五十一条   违反本法规定，对在拆解或者处置过程中可能造成环境污染的电器电子等产品，设计使用列入国家禁止使用名录的有毒有害物质的，由县级以上地方人民政府市场监督管理部门责令限期改正；逾期不改正的，处二万元以上二十万元以下的罚款；情节严重的，依法吊销营业执照。

Article 51 Offenders who violate the provisions of this Law in designing and using toxic and hazardous substances listed in the State's catalogue of prohibited items in electrical appliances and electronic products, etc which may cause environmental pollution in the disassembly or disposal process shall be ordered by the market supervision and administration authorities of local People's Governments of county level and above to make correction within a stipulated period; where correction is not made within the stipulated period, a fine ranging from RMB20,000 to RMB200,000 shall be imposed; in serious cases, the business licence shall be revoked pursuant to the law.

第五十二条   违反本法规定，电力、石油加工、化工、钢铁、有色金属和建材等企业未在规定的范围或者期限内停止使用不符合国家规定的燃油发电机组或者燃油锅炉的，由县级以上地方人民政府循环经济发展综合管理部门责令限期改正；逾期不改正的，责令拆除该燃油发电机组或者燃油锅炉，并处五万元以上五十万元以下的罚款。

Article 52 Enterprises in industries such as power, petroleum processing, chemicals, steel and iron, non-ferrous metals and building materials, etc, which violate the provisions of this Law in failing to stop using fuel generators or fuel boilers which do not comply with the provisions of the State within the stipulated scope or duration shall be ordered by the general administrative authorities for development of sustainable economy of local People's Governments at county level and above to make correction within a stipulated period; where correction is not made within the stipulated period, the offender shall be ordered to remove the fuel generators or fuel boilers, and be subject to a fine ranging from RMB50,000 to RMB500,000.

第五十三条   违反本法规定，矿山企业未达到经依法审查确定的开采回采率、采矿贫化率、选矿回收率、矿山水循环利用率和土地复垦率等指标的，由县级以上人民政府地质矿产主管部门责令限期改正，处五万元以上五十万元以下的罚款；逾期不改正的，由采矿许可证颁发机关依法吊销采矿许可证。

Article 53 Where any mining enterprise violates the provisions herein by failing to reach such indexes as mining recovery rate, dilution rate, recovery of ore dressing, water cycle utilization rate of the mine and land reclamation rate etc., the department of geology and mineral resources of the people’s government above county level shall order it/him to make corrections within a time limit and impose a fine of RMB50,000 up to RMB500,000; if it/he does not make any correction within the time limit, the exploitation license issuing agency shall revoke its/his exploitation license by law.

第五十四条   违反本法规定，在国务院或者省、自治区、直辖市人民政府规定禁止生产、销售、使用粘土砖的期限或者区域内生产、销售或者使用粘土砖的，由县级以上地方人民政府指定的部门责令限期改正；有违法所得的，没收违法所得；逾期继续生产、销售的，由地方人民政府市场监督管理部门依法吊销营业执照。

Article 54 Offenders who violate the provisions of this Law in engaging in manufacturing, sale or use of clay bricks within the duration or region for which the manufacturing, sale or use of clay bricks is prohibited by the provisions of the State Council or the People's Governments of provinces, autonomous regions and centrally-administered municipalities shall be ordered by the designated authorities of local People's Governments of county level and above to make correction within a stipulated period; illegal income, if any, shall be confiscated. Where the manufacturing or sale continues after the stipulated period, the market supervision and administration authorities of the local People's Government shall revoke the business licence of the offender pursuant to the law.

第五十五条   违反本法规定，电网企业拒不收购企业利用余热、余压、煤层气以及煤矸石、煤泥、垃圾等低热值燃料生产的电力的，由国家电力监管机构责令限期改正；造成企业损失的，依法承担赔偿责任。

Article 55 Power grid enterprises which violate the provisions of this Law in refusing to acquire electricity generated by enterprises which utilise low-heat value fuels such as residual heat, residual pressure, coalbed gas and gangue, coal sludge, garbage, etc shall be ordered by the electricity regulatory authorities of the State to make correction within a stipulated period; where the violation causes the enterprises to suffer from losses, the offender shall bear compensation liability pursuant to the law.

第五十六条   违反本法规定，有下列行为之一的，由地方人民政府市场监督管理部门责令限期改正，可以处五千元以上五万元以下的罚款；逾期不改正的，依法吊销营业执照；造成损失的，依法承担赔偿责任：

Article 56 If any entity or individual commits any of the following acts in violation of the provisions hereof, the market regulatory authority of the local people's government shall order the entity or individual to make corrections within a time limit and may impose a fine of not less than CNY5,000 but not more than CNY50,000; if the entity or individual fails to make corrections within the time limit, the business license shall be revoked in accordance with the law; if losses are caused, the entity or individual shall be liable for compensation in accordance with the law:

（一）销售没有再利用产品标识的再利用电器电子产品的；

1. Selling recycle electrical and electronic products without label of "recycle product";

（二）销售没有再制造或者翻新产品标识的再制造或者翻新产品的。

(II) Selling reproduced or renovated products without label of "reproduced or renovated product".

第五十七条   违反本法规定，构成犯罪的，依法追究刑事责任。

Article 57 Where a violation of the provisions of this Law constitutes a criminal offence, criminal liability shall be imposed according to the law.

第七章 附 则

Chapter 7 Supplementary Provisions

第五十八条   本法自2009年1月1日起施行。

Article 58 This Law shall be effective 1 January 2009.