

## 中华人民共和国循环经济法

(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)

### **Circular Economy Law of the People's Republic of China**

(Adopted at the 4th Meeting of the Standing Committee of the 11th National People's Congress on August 29, 2008.)

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### 第一章 总则

### **Chapter I General Principles**

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 the development of the circular economy, improving the resource utilization efficiency, protecting and improving the environment and realizing 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 term “circular economy” as mentioned in these Measures is a generic term for the reducing, reusing and recycling activities conducted in the process of 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。

The term “reducing” as mentioned in these Measures refers to reducing the consumption of resources and the production of wastes in the process of 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。

The term “reusing” as mentioned in these Measures refers to using wastes as products directly, using wastes after repair, renewal or reproduction or using part or all wastes as components of other products.

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。

The term “recycling” as mentioned in these Measures refers to using wastes as raw materials directly or after regeneration.

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 Developing a circular economy is an important strategy for the economic and social development of the state. It requires making overall plans, making reasonable layouts, adjusting measures to local conditions and focusing on actual effect. The development of a circular economy shall be propelled by the government, led by the market, effected by enterprises and participated in by the public.

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 a circular economy shall follow the principle of giving priority to reduction under the precondition of being technically feasible, economically rational and good for saving resources.

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 reutilizing and recycling wastes, production safety shall be guaranteed so as to ensure that product quality satisfies the state standards and prevents secondary 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；国务院环境保护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 administrative department of circular economy development under the State Council shall take charge of coordinating and supervising the development of the circular economy of the whole nation. The environmental protection department and other competent departments under the State Council shall take charge of the corresponding supervisory and administrative work of the circular economy according to their

respective duties and functions.

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环境保护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 administrative department of the development of the circular economy of a local people's government at or above the county level shall take charge of coordinating and supervising the development of the circular economy of the administrative region, while the environmental protection department and other competent departments under the local people's government shall take charge of the corresponding supervisory and administrative work of the circular economy according to their respective duties and functions.

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 The state shall work out industrial policies in accordance with the requirements for the development of a circular 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。

The people's governments at or above the county level shall cover the development of circular economy when working out their national economic and social development plans and annual plans, so shall the relevant departments thereunder when working out environmental protection plans and scientific and technological development plans.

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 encourages and supports the research, development and promotion of science and technology relating to circular economy, and encourages the publicity and education of circular economy, the popularization of scientific knowledge about and international cooperation in the development of circular 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 The people's governments at or above the county level shall set up an objective responsibility system for the development of circular economy and take such measures as planning, finance, investment and government procurement to promote the development of 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 set up management systems and take measures to reduce the consumption of resources, reduce the production and discharge of wastes and improve the reutilization and recycling level 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 enhance their awareness of resources conservation and protecting the environment, consume resources in a reasonable way 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 encourages and guides citizens to use products that save energy, water, and materials as well as environment-friendly products and recycled products so as to reduce the production and discharge of wastes.

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 have the right to report acts of wasting resources and damaging the environment, and have the right to access to government information about the development of circular economy and propose 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 encourages industrial associations to play the roles of technical guidance and service in the development of circular economy. The people's governments at or above the county level may entrust qualified industrial associations or other social organizations to provide public services which promote the development 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 encourages agencies, societies and other social organizations to engage in the publicity, technical promotion and consultancy service of circular economy so as to promote the development of circular economy.

## **第二章 基本管理制度**

### **Chapter II Basic Management Rules**

第十二条 国务院循环经济发展综合管理部门会同国务院环境保护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环境保护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 administrative department of circular economy development under the State Council shall work out a national circular economy development plan together with the environmental protection department and other competent departments under the State Council, and put the plan into effect upon the approval of the State Council. The administrative department of circular economy development at or above the level of a districted city shall work out a circular economy development plan for this administrative region together with the environmental protection department and other competent departments at the same level, and put the plan into effect upon the approval of the

people's government at the same level.

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。

A circular economy development plan shall cover the objective, scope of application, major contents, major tasks and safeguard measures of the plan, and shall set such indicators as resource output capacity, waste reutilizing rate and waste 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 A local people's government at or above the county level shall plan and adjust the industrial structure of this administrative region according to the indicators on the discharge of major pollutants, the land used for construction and the total volume of water consumption as assigned by the people's government at the next higher level so as to promote the development of circular 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。

Construction projects shall be built, rebuilt or enlarged in accordance with the requirements of the indicators on the discharge of major pollutants, the land used for construction and the total volume of water consumption of this administrative region.

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、环境保护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 administrative department of circular economy development under the State Council shall work out a circular economy evaluation indicator system and perfect it together with the statistics department, the environmental protection department and other competent departments under the State Council.

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 people's governments at a higher level shall, based on the major evaluation indicators prescribed in the preceding paragraph, make regular evaluations on the efforts made by the people's governments at lower levels for the development of circular economy, and take the accomplishment of the major indicators as a content for evaluating the performance of the local people's governments and the principals thereof.

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 producing products or packages listed in the catalogue of articles subject to compulsory recycle must be responsible for recycling discarded products or packages. For those usable, the producers thereof shall be responsible for using them,

while for those products which are inappropriate for reutilization due to the absence of technical or economic conditions, the producers shall make them harmless.

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。

For the discarded products or packages as prescribed in the preceding paragraph, if the producers thereof entrust the distributors or other organizations to recycle or entrust waste using or disposing enterprises to use or dispose of them, the entrusted parties shall recycle, use or dispose of them in accordance with the relevant laws, administrative regulations or contractual stipulations.

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。

For products or packages listed in the catalogue of articles subject to compulsory recycle, consumers shall deliver the discarded ones to the producers or the distributors or other organizations entrusted by the producers for recycle.

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 of products and packages subject to compulsory recycle and the administrative measures therefor shall be determined by the administrative department of circular economy development 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 adopts a key supervision and administration system to key enterprises in the high energy or water consuming industries such as steel, non-ferrous metal, coal, electric power, petroleum processing, chemical industry, building materials, building construction, paper-making, printing and dyeing.

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 supervision and administration over the energy conservation of key energy consuming enterprises shall be conducted in accordance with 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 measures for the supervision and administration of key water consuming entities shall be determined by the administrative department of circular economy development and other relevant departments under 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 set up a circular economy statistical system, strengthen the statistical management of resource consumption, comprehensive utilization and waste production, and publish the major 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环境保护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 standardization department under the State Council shall, together with the administrative department of circular economy development, the environmental protection department and other competent departments under the State Council, work out the standards for saving energy, saving water, saving materials and reutilizing and recycling wastes and constantly perfect them.

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 set up a system of labeling the resource consumption level (such as energy efficiency) of products and constantly improve it.

### **第三章 减量化**

#### **Chapter III 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环境保护等有关主管部门，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。

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。

Article 18 The administrative department of circular economy development under the State Council shall, together with the environmental protection department and other competent departments under the State Council, issue a catalogue of the encouraged, restricted and eliminated techniques, equipment, materials and products on a regular basis. It is prohibited to produce, import or sell any equipment, material or product listed in the eliminated category, and it is also prohibited to use any technique, equipment or material listed in the eliminated category.

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 Enterprises engaging in the design of products, equipment, products and packages shall, in accordance with the requirement of reducing the consumption of resources and the generation of wastes, give preference to the materials which are recyclable, dismountable, degradable, innocuous, harmless or least harmful or poisonous, and the compulsory requirements in the relevant state standards shall be satisfied.

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环境保护等有关主管部门制定。

For any electric apparatus or electronic product that may cause environmental pollution in the process of dismantling and disposal, it is prohibited to use any poisonous or harmful substance. The directory of poisonous and harmful substances prohibited from use in electric apparatus and electronic products shall be worked out by the administrative department of circular economy development under the State Council together with the environmental protection department and other competent departments under 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。

Enterprises shall abide by the product packaging standards in the design of product packages so as to avoid resource waste and environmental pollution resulting from excessive packaging.

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 use advanced or applicable water-saving technologies, techniques and equipment, work out and implement water-saving plans, strengthen water-saving management and exercise control over the use of water in the whole process of production.

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 quantitative management of water use, be equipped with and use acceptable water measurement instruments, and set up a water consumption statistics system and a water use status 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。

Any newly built, rebuilt or enlarged construction project shall have water-saving facilities, which shall be planned, built and put into use simultaneously with the main body of the 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 encourages and supports the desalination and direct use of sea water in coastal areas so as to save 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。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。

Article 21 The state encourages enterprises to use highly efficient and oil-saving products. Enterprises in such industries as electric power, oil processing, chemical industry, steel,



non-ferrous metal and building materials must replace fuel oil with clean energy, e.g., clean coal, petroleum coke, natural gas, etc. within the scope and time limit prescribed by the state, and must stop using fuel generator sets and oil boilers that fail to satisfy the relevant state provisions.

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 combustion engines and motor vehicles shall, in accordance with the fuel economy standards of the state for combustion engines and motor vehicles, use oil-saving technologies to reduce the 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 A mining enterprise shall make overall plans, work out reasonable mineral resource exploitation and utilization plans and take reasonable mining sequences, methods and milling techniques. The mining license issuing organ shall examine the mining recovery rate, dilution rate, milling recovery rate, water reutilization rate in mines, land re-reclamation rate and other indicators stated in the development and utilization plan submitted by an applicant, and, where any indicator fails to reach the prescribed standards, shall not issue a mining license to the applicant. The mining license issuing organ shall strengthen supervision and administration over the exploitation of mineral resources according to 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。

A mining enterprise shall, at the same time of mining the major mineral resources, make comprehensive exploitation and reasonable utilization of the conjoined and associated ores which have industrial values, and take protection measures against the minerals which must be mined simultaneously but may not be used temporarily as well as the tailings which have useful components so as to prevent the loss of resources and damage to the ecological environment.

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 Entities in architectural design and construction industry shall, according to the relevant state provisions and standards, use energy-saving, water-saving, land-saving and material-saving technologies and techniques as well as small, light and recyclable products for construction. Areas shall, where possible, make sufficient utilization of solar energy, geothermal energy, wind energy and other renewable energy resources.

The state encourages the use of innocuous and harmless solid wastes to produce building materials, the use of bulk cement and the use of ready-mixed concrete and ready-mixed mortar.

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。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 prohibited to damage or destroy arable land to bake bricks. It is prohibited to produce, sell or use clay bricks within the time limit or areas prescribed by the State Council or the people's government of a province, autonomous region or municipality directly under the Central Government.

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 at or above the county level and the agricultural departments and other competent departments thereunder shall promote the intensive use of land, encourage agricultural producers to take advanced water-saving, fertilizer-saving and pesticide-saving planting, cultivating and irrigating technologies, improve the energy efficiency of agricultural machinery and give priority to the development of 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。

Areas short of water shall adjust the planting structure, give priority to the development of water-saving agriculture, make more efforts in storing and using rainwater, build and maintain water saving irrigation facilities so as to improve the water use efficiency and reduce the evaporation and loss of water.

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 organs and other organizations using funds from the public finance shall be frugal, put an end to extravagance, take the lead in using energy-saving, water-saving, land-saving, material-saving and environment-friendly products, equipment and facilities, and use office supplies in an economic way. The offices administrations under the State Council and the local people's governments at or above the county level shall, together with other relevant departments at the same level, work out energy use quotas and water use quotas for the state organs at the same level, and the public finance departments shall work out disbursement standards according to such quotas.

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，除了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 governments and the owners or users of buildings in cities shall take measures to better maintain and manage buildings and prolong their life. For any building which meets the urban planning and the construction standards and is in the reasonable service life, a city people's government may not make a decision to dismantle it unless it does so 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 Enterprises in the catering, entertainment, hotel and other service industries shall use energy-saving, water-saving, material-saving and environment-friendly products and reduce or stop using energy-waste or contaminating products.

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。

Enterprises in the catering, entertainment, hotel and other service industries which are established after this Law comes into effect shall use energy-saving, water-saving, material-saving and environment-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 recycled water. Areas with the conditions for using recycled water shall restrict or forbid the use of tap water for urban road cleaning, planting and landscape purposes.

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、环境保护等有关主管部门制定。

Article 28 The state sets restrictions on the production and distribution of one-off consumption goods under the precondition of safeguarding product security and sanitation. The specific directory of the one-off consumption goods under restriction shall be formulated by the administrative department of circular economy development under the State Council together with the public finance department and the environmental protection department 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。

For the production and distribution of the one-off consumption goods listed in the directory as mentioned in the preceding paragraph, the public finance department, the tax department and the foreign trade department under the State Council shall work out corresponding restrictive tax and export policies.

#### **第四章 再利用和资源化**

#### **Chapter IV Reusing and Recycling**

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 at or above the county level shall make overall plans on the geographical distribution of the different sectors of the economy in their respective regions, reasonably readjust the industrial structure and compel enterprises to cooperate in such areas as the comprehensive utilization of resources so as to realize the efficient utilization and recycling of 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。  
An industrial park or zone shall organize the enterprises in the park or zone to make comprehensive utilization of resources so as to promote the development of circular 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 encourages enterprises in various industrial parks and zones to exchange wastes for purposes of utilization, cascade utilization of energy, intensive utilization of land, classified and recycled utilization of water, and joint 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。  
An environmental impact assessment shall be conducted before any industrial park or zone is built or rebuilt, and measures for ecological protection and pollution control shall be taken to ensure that the environmental quality of that region reaches the prescribed 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, in accordance with the relevant state provisions, make comprehensive utilization of the fly ash, coal slack, tailings, mullock, waste materials, waste gas and other industrial wastes generated in the production process.

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 an interconnected water use system and a circulatory water use system so as to improve the repeated use of water.

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, techniques and equipment for the circulatory use of the 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 use advanced or applicable recovery technologies, techniques and equipment to make comprehensive utilization of the waste heat and pressure generated in the production 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。

To build a grid-connected power generation project with waste heat, waste pressure, coalbed gas, coal slack, slime, refuse and other low-calorie fuels, the parties concerned shall get an administrative permit or file the project for archival purposes in accordance with laws and the provisions of the State Council. A grid enterprise shall, according to the relevant state provisions, conclude a grid connection agreement with an enterprise which generates power by comprehensive utilization of resources, provide grid access services and purchase the on-grid electricity of a grid-connected power generation project in full amount.

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 A construction entity shall make comprehensive utilization of the construction wastes generated in the construction process. Where any construction entity does not have the conditions for comprehensive utilization, it shall entrust a producer or operator with such conditions to make comprehensive utilization or harmless disposal of construction wastes.

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 agricultural producers and the relevant enterprises to take advantage of advanced or applicable technologies to make comprehensive utilization of crop straws, livestock and poultry excrements, byproducts of the agro-product processing industry and waste agricultural films, and develop and use biogas and other biomass energies.

第三十五条 县级以上人民政府及其林业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 the county level and the administrative departments of forestry thereunder shall make vigorous efforts to develop ecology-friendly forestry, encourage forestry producers and relevant enterprises to use timber-saving technologies and timber-replacing technologies, and make comprehensive utilization of forestry wastes, wood castoffs, small firewood and desert bush so as to improve the comprehensive utilization rate of wood.

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 supports producers and operators to set up an industrial waste information exchange system for enterprises to better exchange information about industrial wastes.

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 without the conditions for making comprehensive utilization of the wastes generated in the production process shall offer them to those that have the conditions to make comprehensive utilization.

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 advocates the construction of a waste recovery system.

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。

The local people's governments shall, according to the urban and rural planning, reasonably position the waste recycling outlets and trading markets, and support waste recycling enterprises and other organizations in the collection, storage, transport and information exchange of wastes.

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 trading markets shall conform to the state provisions on environmental protection, security and fire control.

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 The dismantle or reutilization of waste electric apparatuses and electronic products, motor vehicles and ships discarded as useless, waste tyres, waste lead-acid battery and other specific products shall be conducted in accordance with 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 Any recycled electric apparatus or electronic product to be sold after repair must meet the standards for reutilized products and be labeled it as a reutilized product at an eye-catching 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。

Any recycled electric apparatus or electronic product which needs to be dismantled or reutilized shall be delivered or sold to a dismantling enterprise with corresponding conditions.

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。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。

Article 40 The state supports enterprises to reproduce the parts and components of motor vehicles, engineering equipment, machine tools, etc. and to renew tyres.

Any reproduced or renewed product to be sold shall satisfy the prescribed quality standards of the state and be labeled as a reproduced or renewed product at an eye-catching place.

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 at or above the county level shall make overall plans on building facilities for the sorting collection and recycle of domestic wastes in urban and rural areas, and set up a sorting collection and recycling system and constantly improve it so as to improve the rate of recycling domestic wastes.

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。

The people's governments at or above the county level shall uphold enterprises to build facilities for the reutilization and disposal of sewage sludge so as to improve the comprehensive utilization efficiency of sewage sludge and prevent secondary pollution.

## 第五章 激励措施

### Chapter V Incentive 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 the provinces, autonomous regions and municipalities directly under the Central Government shall set up funds specially for the development of circular economy so as to support the research and development of the science and technology relating to circular economy, the demonstration and promotion of technologies and products of circular economy, the implementation of important circular economy projects and information services for the development of circular economy. The specific measures shall be formulated by the public finance department under the State Council together with the administrative department of circular economy development and other competent departments under 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 the provinces, autonomous

regions and municipalities directly under the Central Government and the relevant departments thereof shall bring the independent innovation research, application demonstration and industrialization of the key scientific and technological task force projects of circular economy into the state or provincial scientific and technological development plans or high-tech industry development plans, and allocate financial resources to support the implementation thereof.

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 any entity uses funds from the public finance to introduce important technologies or equipment of circular economy, it shall work out an adoption and innovation plan, submit it to the competent department for examination and approval and to oversee its implementation. The competent department shall set up a coordination mechanism in light of the actual needs, make overall plans and coordination on the introduction, adoption and innovation of important technologies and equipment, and offer certain financial 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 offer tax preferences to industrial activities promoting the development of circular economy, and use tax measures to encourage the import of advanced energy-saving, water-saving and material-saving technologies, equipment and products and limit the export of products with high energy-consumption or serious pollution. The specific measures shall be formulated by the public finance department and the tax department under 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 producing the technologies, techniques or products listed in the catalogue of clean production, the catalogue of comprehensive utilization of resources or any other encouraged catalogue shall enjoy tax preferences in accordance with the relevant state provisions.

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 administrative departments of circular economy development of the people's governments at or above the county level shall, when making and implementing investment plans, list the energy-saving, water-saving, land-saving and material-saving projects as well as projects of comprehensive utilization of resources as the key areas of investment.



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。

For energy-saving, water-saving, land-saving and material-saving projects as well as projects of comprehensive utilization of resources that meet the requirements of the state industrial policies, financial institutions shall give credit support such as priority in obtaining loans, and actively provide supporting 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。

No financial institution may provide any form of credit support to enterprises that produce, import, distribute or use any of the technologies, techniques, equipment, materials or products listed in the eliminated category.

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。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。

Article 46 The state adopts a price policy that contributes to the conservation and reasonable utilization of resources so as to guide entities and individuals to save and reasonably use water, electric power, gas and other resource products.

The competent department of price under the State Council and those under the people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall apply restrictive price policies to the restricted items in industries of high resource consumption.

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。

For the grid-connected power generation projects with waste heat, waste pressure, coalbed gas, coal slack, slime, refuse and other low-calorie fuels, the competent department of price shall determine its on-grid power price under the principle of being good for the comprehensive utilization of resources.

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 government of a province, autonomous region or municipality directly under the Central Government may, in light of the economic and social development situations of this administrative region, charge fees for the discharge of wastes. Such fees charged shall be exclusively used for sorting, collecting, transporting, storing, utilizing and disposing of refuse, and may not be used for any other purpose.

国家鼓励通过以旧换新、押金等方式回收废物。

The state encourages the recycling of wastes by way of exchanging the old for the new or paying cash deposits.

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 adopts a government procurement policy that is good for the development of circular economy. Entities and individuals purchasing goods with funds from the public finance shall give preference to energy-saving, water-saving, material-saving and environment-friendly products and recycled products.

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。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。

Article 48 The people's governments at or above the county level and the competent departments thereof shall honor and reward the entities and individuals that have made great achievements in the management, scientific and technological research, product development and the demonstration and promotion relating to circular economy. Enterprises and public institutions shall honor and reward the collectives and individuals that have made great contributions to the development of circular economy.

## **第六章 法律责任** **Chapter VI Legal Liabilities**

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 administrative department of circular economy development under a people's government at or above the county level or any other competent department fails to investigate any violation which is found by itself or reported by any other party, or has any other failure to perform its supervision and administration duties according to law, the people's government at the same level or a competent department of the people's government at the next higher level shall order it to correct and impose punishments upon the directly liable person-in-charge and other directly liable persons.

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 Any enterprise producing or selling any product or equipment listed in the eliminated category shall be punished in accordance with 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 enterprise uses any technology, technique, equipment or material listed in the eliminated category, the administrative department of circular economy development under the local people's government at or above the county level shall order it to stop such use, confiscate the illegally used equipment or material, and impose a fine of not more than 200,000 yuan but not less than 50,000 yuan. If the circumstances are serious, the administrative department of circular economy development may submit its opinions to the people's government at the same level and request the latter to order, within its authority prescribed by the State Council, the enterprise to wind up its business or close down.

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。

Where any enterprise, in violation of this Law, imports any equipment, material or product listed in the eliminated category, the customs shall order it to return such equipment, material or product, and may impose a fine of not more than one million yuan but not less than 100,000 yuan. If the importer is unidentified, the carrier shall be responsible for returning the goods or paying the relevant disposal costs.

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产品质量监督部门责令限期改正；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，由县级以上地方人民政府产品质量监督部门向本级工商行政管理部门通报有关情况，由工商行政管理部门依法吊销营业执照。

Article 51 Where any enterprise designs the use of any poisonous and harmful substance listed in the prohibited category of the state in any electric apparatus, electronic product or other product which may cause environmental pollution in the process of dismantlement or disposal, the product quality control department of the local people's government at or above the county level shall order it to correct within a certain time limit, impose a fine of not more than 200,000 yuan but not less than 20,000 yuan upon it if it refuses to correct within the time limit, and, if the circumstances are serious, notify the administrative department for industry and commerce of the situation and the latter shall revoke the business license of the enterprise according to 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 Where any enterprise in electric power, petroleum processing, chemical industry, steel, non-ferrous metal or building materials, in violation of this Law, fails to stop using a fuel generator set or oil boiler which fails to meet the prescribed standards of the state within a prescribed scope or time limit, the administrative department of circular economy development under the local people's government at or above the county level shall order it to correct within a certain time limit, and, if it fails to correct within the time

limit, order it to dismantle the fuel generator set or oil boiler, and impose a fine of not more than 500,000 yuan but not less than 50,000 yuan upon it.

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, as in violation of this Law, fails to reach such indicators predetermined upon examination as mining recovery rate, dilution rate, milling recovery rate, water reutilization rate in mines, and land re-reclamation rate, the administrative department of circular economy development under the local people's government at or above the county level shall order it to correct within a certain time limit and impose a fine of not more than 500,000 yuan but not less than 50,000 yuan upon it. If the enterprise fails to correct within the time limit, the organ issuing the mining license to the enterprise shall revoke its mining license according to 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，由地方人民政府工商行政管理部门依法吊销营业执照。

Article 54 Where any enterprise, as in violation of this Law, produces, sells or uses clay bricks in a period or area when or where the production, sale or use of clay bricks is prohibited by the State Council or the people's government of a province, autonomous region or municipality directly under the Central Government, the department appointed by the local people's government at or above the county level shall order it to correct within a certain time limit and confiscate the illegal gains, if any. If it continues to do so after the prescribed time limit expires, the administrative department for industry and commerce of the local people's government shall revoke its business license according to 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 Where any power grid enterprise, as in violation of this Law, refuses to purchase the electric power generated by an enterprise with waste heat, waste pressure, coalbed gas, coal slack, slime, refuse or other low-calorie fuels, the power regulatory organ of the state shall order it to correct within a certain time limit and, if any losses are incurred to the enterprise, to make compensation according to law.

第五十六条 违反本法规定，有下列行为之一的，由地方人民政府工商行政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 Where any enterprise, in violation of this Law, commits any of the following acts, the administrative department for industry and commerce of the local people's government shall order it to correct within a certain time limit, and may impose a fine of

not more than 50,000 yuan but not less than 5000 yuan upon it. If it fails to correct within the time limit, the administrative department for industry and commerce shall revoke its business license, and order it to make compensation if any loss has been incurred:

(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 any reutilized electric apparatus or electronic product which does not have the special label for reutilized products; or

(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。

2. selling any reproduced or renewed product which does not have the special label for reproduced or renewed products.

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 any enterprise violates this Law so that a crime is constituted, it shall be subject to corresponding criminal responsibility.

## 第七章 附则

### Chapter VII Supplementary Provisions

第五十八条 本法自 2009 年 1 月 1 日起施行。

Article 58 These Measures shall come into force on January 1, 2009.