

**【Title】 Law of the People's Republic of China on Prevention and Control of Radioactive Pollution**[现行有效]

**【法规标题】 中华人民共和国放射性污染防治法** [Effective]

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中华人民共和国主席令  
(第 6 号)

Order of the Chairman of the People's Republic of China  
(No. 6)

The Law of the People's Republic of China on Prevention and Control of Radioactive Pollution, which was adopted at the Third Session of the Standing Committee of the Tenth National People's Congress of the People's Republic of China on June 28, 2003, is hereby promulgated, and shall come into force on October 1, 2003.

Hu Jintao

Chairman of the People's Republic of China  
June 28, 2003

Law of the People's Republic of China on Prevention and Control of Radioactive Pollution

(Adopted at the Third Session of the Standing Committee of the Tenth National People's Congress of the People's Republic of China on June 28, 2003)

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Chapter I General Provisions

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《中华人民共和国放射性污染防治法》已由中华人民共和国第十届全国人民代表大会常务委员会第三次会议于 2003 年 6 月 28 日通过, 现予公布, 自 2003 年 10 月 1 日起施行。

中华人民共和国主席 胡锦涛

2003 年 6 月 28 日

中华人民共和国放射性污染防治法

(2003 年 6 月 28 日第十届全国人民代表大会常务委员会第三次会议通过)

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第一章 总则

Article 1 The present Law is enacted in order to prevent and control radioactive pollution, protect the environment, guarantee the health of human bodies, promote the development and peaceful utilization of nuclear energy and nuclear technology.

Article 2 The present Law shall apply to the activities of prevention and control of radioactive pollution that occurs in the process of the site selection, construction, operation and retirement of nuclear facilities as well as the development and utilization of nuclear technologies, uranium (thorium) mines and associated radioactive mines within the territory of the People's Republic of China and other sea areas under the jurisdiction of the People's Republic of China.

Article 3 The State practices the guideline of mainly stressing prevention, combining prevention and control, administering strictly and putting safety first towards the prevention and control of radioactive pollution.

Article 4 The State encourages and supports the scientific research and the technical development and utilization for the prevention and control of radioactive pollution, and extends advanced technologies for the prevention and control of radioactive pollution.

The State supports the carrying-out of international exchanges and cooperation for the prevention and control of radioactive pollution.

Article 5 The people's government at the county level or above shall include the prevention and control of radioactive pollution into the planning on environmental protection.  
The people's government at the county level or above shall arrange for and carry out the pertinent publicity and education on the prevention and control of radioactive pollution, and make the public know about the relevant information and scientific knowledge on the prevention and control of radioactive pollution.

Article 6 Any entity or individual may have the right to disclose and prosecute the acts causing radioactive pollution.

Article 7 The people's government at the county level or above shall reward the entities and individuals that have made prominent achievements in the prevention and control of radioactive pollution.

Article 8 The administrative department of environmental protection under the State Council shall implement unified supervision over the work of prevention and control of radioactive pollution throughout the country in accordance with the law.

第一条 为了防治放射性污染, 保护环境, 保障人体健康, 促进核能、核技术的开发与和平利用, 制定本法。

(相关资料: [条文释义](#))

第二条 本法适用于中华人民共和国领域和管辖的其他海域在核设施选址、建造、运行、退役和核技术、铀(钍)矿、伴生放射性矿开发利用过程中发生的放射性污染的防治活动。

(相关资料: [条文释义](#))

第三条 国家对放射性污染的防治, 实行预防为主、防治结合、严格管理、安全第一的方针。

(相关资料: [条文释义](#))

第四条 国家鼓励、支持放射性污染防治的科学研究和技术开发利用, 推广先进的放射性污染防治技术。

国家支持开展放射性污染防治的国际交流与合作。

(相关资料: [条文释义](#))

第五条 县级以上人民政府应当将放射性污染防治工作纳入环境保护规划。

县级以上人民政府应当组织开展有针对性的放射性污染防治宣传教育, 使公众了解放射性污染防治的有关情况和科学知识。

(相关资料: [条文释义](#))

第六条 任何单位和个人有权对造成放射性污染的行为提出检举和控告。

(相关资料: [条文释义](#))

第七条 在放射性污染防治工作中作出显著成绩的单位和个人, 由县级以上人民政府给予奖励。

(相关资料: [条文释义](#))

第八条 国务院环境保护行政主管部门对全国放射性污染防治工作依法实施统一监督管理。

国务院卫生行政部门和其他有关部门依

The administrative department of health under the State Council and other relevant departments shall, upon their duties prescribed by the State Council, make supervision over the relevant work of prevention and control of radioactive pollution in accordance with the law.

## Chapter II Supervision over Prevention and Control of Radioactive Pollution

Article 9 The national standards on the prevention and control of radioactive pollution shall be formulated by the administrative department of environmental protection under the State Council in light of the requirements on environmental safety and the economic and technological conditions of the State. The national standards on the prevention and control of radioactive pollution shall be jointly promulgated by the administrative department of environmental protection under the State Council and the administrative department of standardization under the State Council.

Article 10 The State establishes a system on monitoring radioactive pollution. The administrative department of environmental protection under the State Council shall, jointly with other relevant departments under the State Council, arrange for the environmental monitoring network, and implement monitoring administration over radioactive pollution.

Article 11 The administrative department of environmental protection under the State Council and other relevant departments under the State Council shall, upon the division of their duties, be responsible for their respective duties, transmit information to each other, cooperate closely, as well as supervise and inspect the prevention and control of radioactive pollution in the development and utilization of nuclear facilities and uranium (thorium) mines.

The administrative department of environmental protection under the local people's government at the county level or above and other relevant departments at the same level shall, upon the division of their duties, be responsible for their respective duties, transmit information to each other, cooperate closely, as well as supervise and inspect the prevention and control of radioactive pollution in the utilization of nuclear technology and the development and utilization of associated radioactive mines within their own respective jurisdictions.

The supervision and inspection officers shall show their certificates when making the on-the-spot inspection. The inspected entity must truthfully present the information, and provide the necessary documents. The supervision and inspection officers shall keep confidential the technical secrets and business secrets for the inspected entity, and shall, when inspecting an entity or department involving State secrets, abide by the

据国务院规定的职责，对有关的放射性污染防治工作依法实施监督管理。

（相关资料: [条文释义](#)）

## 第二章 放射性污染防治的监督管理

第九条 国家放射性污染防治标准由国务院环境保护行政主管部门根据环境安全要求、国家经济技术条件制定。国家放射性污染防治标准由国务院环境保护行政主管部门和国务院标准化行政主管部门联合发布。

（相关资料: [条文释义](#)）

第十条 国家建立放射性污染监测制度。国务院环境保护行政主管部门会同国务院其他有关部门组织环境监测网络，对放射性污染实施监测管理。

（相关资料: [条文释义](#)）

第十一条 国务院环境保护行政主管部门和国务院其他有关部门，按照职责分工，各负其责，互通信息，密切配合，对核设施、铀（钍）矿开发利用中的放射性污染防治进行监督检查。

县级以上地方人民政府环境保护行政主管部门和同级其他有关部门，按照职责分工，各负其责，互通信息，密切配合，对本行政区域内核技术利用、伴生放射性矿开发利用中的放射性污染防治进行监督检查。

监督检查人员进行现场检查时，应当出示证件。被检查的单位必须如实反映情况，提供必要的资料。监督检查人员应当为被检查单位保守技术秘密和业务秘密。对涉及国家秘密的单位和部位进行检查时，应当遵守国家有关保守国家秘密的规定，依法办理有关审批手续。

（相关资料: [地方法规 5 篇 条文释义](#)）

relevant provisions of the State on keeping confidential the State secrets, as well as handle the relevant formalities for approval in accordance with the law.

Article 12 An entity running transportation of nuclear facilities, an entity utilizing nuclear technology or an entity developing and utilizing uranium (thorium) mines and associated radioactive mines shall be responsible for its own prevention and control of radioactive pollution, accept the supervision by the administrative department of environmental protection and other relevant departments, and bear the liabilities in accordance with the law for the radioactive pollution it has caused.

Article 13 An entity running transportation of nuclear facilities, an entity utilizing nuclear technology or an entity developing and utilizing uranium (thorium) mines and associated radioactive mines must take safety, prevention and protection measures to prevent various accidents that might cause radioactive pollution, and to avoid the harm from radioactive pollution.

An entity running transportation of nuclear facilities, an entity utilizing nuclear technology or an entity developing and utilizing uranium (thorium) mines and associated radioactive mines shall hold education and trainings on radioactive safety for its staff members, and take effective safety measures on prevention and protection.

Article 14 The State applies a qualification administration system to the professionals engaging in the prevention and control of radioactive pollution; and applies a credential administration system to the institutions engaging in monitoring of radioactive pollution.

Article 15 Whichever entity transports radioactive substance or ray devices including radioactive sources shall take effective measures to prevent radioactive pollution. The specific measures shall be prescribed by the State Council.

Article 16 An obvious radioactivity identification and the warning statements in Chinese shall be set for the radioactive substance and ray devices. At a place where radioactive substance and ray devices are produced, sold, used, stored or disposed, and on the means of transportation of radioactive substance and ray devices containing any radioactive source, an obvious radioactivity mark shall be set.

Article 17 A product containing radioactive substance shall meet the national standards on the prevention and control of radioactive pollution; if it does not meet the national standards on the prevention and control of

第十二条 核设施营运单位、核技术利用单位、铀（钍）矿和伴生放射性矿开发利用单位，负责本单位放射性污染的防治，接受环境保护行政主管部门和其他有关部门的监督管理，并依法对其造成的放射性污染承担责任。

（相关资料: [地方法规 1 篇](#) [条文释义](#)）

第十三条 核设施营运单位、核技术利用单位、铀（钍）矿和伴生放射性矿开发利用单位，必须采取安全与防护措施，预防发生可能导致放射性污染的各类事故，避免放射性污染危害。

核设施营运单位、核技术利用单位、铀（钍）矿和伴生放射性矿开发利用单位，应当对其工作人员进行放射性安全教育、培训，采取有效的防护安全措施。

（相关资料: [条文释义](#)）

第十四条 国家对从事放射性污染防治的专业人员实行资格管理制度；对从事放射性污染监测工作的机构实行资质管理制度。

（相关资料: [部门规章 1 篇](#) [条文释义](#)）

第十五条 运输放射性物质和含放射源的射线装置，应当采取有效措施，防止放射性污染。具体办法由国务院规定。

（相关资料: [条文释义](#)）

第十六条 放射性物质和射线装置应当设置明显的放射性标识和中文警示说明。生产、销售、使用、贮存、处置放射性物质和射线装置的场所，以及运输放射性物质和含放射源的射线装置的工具，应当设置明显的放射性标志。

（相关资料: [条文释义](#)）

第十七条 含有放射性物质的产品，应当符合国家放射性污染防治标准；不符合国家放射性污染防治标准的，不得出厂

radioactive pollution, it shall not leave the factory or be sold.

If any associated radioactive mineral residues or any stone materials containing natural radioactive substance are used as building and decoration materials, they shall meet the national standards on radioactive nuclide control of building materials.

### Chapter III Prevention and Control of Radioactive Pollution from Nuclear Facilities

**Article 18** For the site selection of nuclear facilities, a scientific demonstration shall be carried out, and the formalities for approval shall be gone through in accordance with the relevant provisions of the State. Before going through the formalities for approval of site selection of nuclear facilities, the party concerned shall work out a written report on the influence to the environment, and submit it to the administrative department of environmental protection under the State Council for examination and approval; without approval, the relevant department shall not issue the approval document for the site selection of nuclear facilities.

**Article 19** An entity running transportation of nuclear facilities must, before carrying out the activities of construction, loading, operation or retirement, etc. for nuclear facilities, apply to obtain the permit for construction and operation of nuclear facilities and go through the formalities for approval of loading and retirement, etc. in accordance with the relevant provisions of the State Council on supervision and administration of the safety of nuclear facilities.

An entity running transportation of nuclear facilities may not carry out the corresponding activities of construction, loading, operation or retirement, etc. until it has obtained the relevant permit or approval document.

**Article 20** An entity running transportation of nuclear facilities shall, before applying for obtaining the permit for construction and operation of nuclear facilities and going through the formalities for approval of retirement, work out a written report on the influence to the environment, and submit it to the administrative department of environmental protection under the State Council for examination and approval; without approval, the relevant department shall not issue the permit and the approval document.

**Article 21** The facilities for the prevention and control of radioactive pollution which are auxiliary to nuclear facilities shall be designed, constructed and put into use simultaneously with the major engineering project.

The facilities for the prevention and control of radioactive pollution shall be inspected and accepted simultaneously with the major engineering project; the major engineering project may not be put into production or use until it has been inspected and accepted as qualified.

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使用伴生放射性矿渣和含有天然放射性物质的石材做建筑和装修材料，应当符合国家建筑材料放射性核素控制标准。

（相关资料: [条文释义](#)）

### 第三章 核设施的放射性污染防治

**第十八条** 核设施选址，应当进行科学论证，并按照国家有关规定办理审批手续。在办理核设施选址审批手续前，应当编制环境影响报告书，报国务院环境保护行政主管部门审查批准；未经批准，有关部门不得办理核设施选址批准文件。

（相关资料: [地方法规 1 篇 条文释义](#)）

**第十九条** 核设施营运单位在进行核设施建造、装料、运行、退役等活动前，必须按照国务院有关核设施安全监督管理的规定，申请领取核设施建造、运行许可证和办理装料、退役等审批手续。核设施营运单位领取有关许可证或者批准文件后，方可进行相应的建造、装料、运行、退役等活动。

（相关资料: [部门规章 1 篇 条文释义](#)）

**第二十条** 核设施营运单位应当在申请领取核设施建造、运行许可证和办理退役审批手续前编制环境影响报告书，报国务院环境保护行政主管部门审查批准；未经批准，有关部门不得颁发许可证和办理批准文件。

（相关资料: [地方法规 1 篇 条文释义](#)）

**第二十一条** 与核设施相配套的放射性污染防治设施，应当与主体工程同时设计、同时施工、同时投入使用。放射性污染防治设施应当与主体工程同时验收；验收合格的，主体工程方可投入生产或者使用。

（相关资料: [地方法规 1 篇 条文释义](#)）



Article 22 The imported nuclear facilities shall meet the national standards for the prevention and control of radioactive pollution; if there are no corresponding national standards for the prevention and control of radioactive pollution, the relevant foreign standards designated by the administrative department of environmental protection under the State Council shall be adopted.

Article 23 In the outside region surrounding such important nuclear facilities as nuclear power plant, etc., a limited planning area shall be designated. The measures for designating and administering the limited planning area shall be prescribed by the State Council.

Article 24 An entity running transportation of nuclear facilities shall monitor the category and density of the radioactive nuclide contained in the environment surrounding the nuclear facilities as well as the total amount of radioactive nuclide from the effusion of the nuclear facilities, and regularly report the monitoring result to the administrative department of environmental protection under the State Council and the administrative department of environmental protection under the people's government of the province, autonomous region or municipality directly under the Central Government at its locality.

The administrative department of environmental protection under the State Council shall be responsible for conducting supervisory monitoring over such important nuclear facilities as nuclear power plant, etc., and monitor other effusion of the nuclear facilities in light of needs. The expenses for constructing, operating and maintaining the supervisory monitoring system shall be included in the financial budget.

Article 25 An entity running transportation of nuclear facilities shall set up and improve the security system, strengthen the security work, and accept the supervision and guidance of the public security department. An entity running transportation of nuclear facilities shall, in light of the scale and nature of the nuclear facilities, make the plan on meeting emergency from nuclear accidents within the site, and do well in the preparation for meeting the emergency.

In the case of meeting the emergency from a nuclear accident, the entity running transportation of nuclear facilities must immediately take effective emergency measures to control the accident, and make a report to the administrative department of nuclear facilities, the administrative department of environmental protection, the administrative department of health, the public security department and other relevant departments.

Article 26 The State sets up and improves the system for meeting emergency from nuclear accidents.

The administrative department of nuclear facilities, the administrative department of environmental protection, the administrative department of

第二十二条 进口核设施，应当符合国家放射性污染防治标准；没有相应的国家放射性污染防治标准的，采用国务院环境保护行政主管部门指定的国外有关标准。

（相关资料: [条文释义](#)）

第二十三条 核动力厂等重要核设施外地区应当划定规划限制区。规划限制区的划定和管理办法，由国务院规定。

（相关资料: [条文释义](#)）

第二十四条 核设施营运单位应当对核设施周围环境中所含的放射性核素的种类、浓度以及核设施流出物中的放射性核素总量实施监测，并定期向国务院环境保护行政主管部门和所在地省、自治区、直辖市人民政府环境保护行政主管部门报告监测结果。

国务院环境保护行政主管部门负责对核动力厂等重要核设施实施监督性监测，并根据需要对其他核设施的流出物实施监测。监督性监测系统的建设、运行和维护费用由财政预算安排。

（相关资料: [条文释义](#)）

第二十五条 核设施营运单位应当建立健全安全保卫制度，加强安全保卫工作，并接受公安部门的监督指导。

核设施营运单位应当按照核设施的规模和性质制定核事故场内应急计划，做好应急准备。

出现核事故应急状态时，核设施营运单位必须立即采取有效的应急措施控制事故，并向核设施主管部门和环境保护行政主管部门、卫生行政部门、公安部门以及其他有关部门报告。

（相关资料: [条文释义](#)）

第二十六条 国家建立健全核事故应急制度。

核设施主管部门、环境保护行政主管部门、卫生行政部门、公安部门以及其他

health, the public security department and other relevant departments shall, under the arrangement and leadership of the people's government at the same level, do well in meeting emergency from nuclear accidents upon their respective duties in accordance with the law.

The Chinese People's Liberation Army and the Chinese People's Armed Police Force shall, in accordance with the relevant provisions of the State Council and the Central Military Commission, provide effective aids in meeting emergency from nuclear accidents.

Article 27 An entity running transportation of nuclear facilities shall formulate the plans on retirement of nuclear facilities.

The expenses for retirement of nuclear facilities and those for disposition of radioactive wastes shall be withheld in advance, and be listed in the investment budget and production costs. The measures for withholding and managing expenses for retirement of nuclear facilities and those for disposition of radioactive wastes shall be prescribed by the financial department and price administrative department under the State Council jointly with the administrative department of environmental protection and the administrative department of nuclear facilities under the State Council.

#### Chapter IV Prevention and Control of Radioactive Pollution from Utilization of Nuclear Technology

Article 28 An entity producing, selling or using radioisotope and ray devices shall, in accordance with the relevant provisions of the State Council on prevention of radioactivity from the radioisotope and ray devices, apply to obtain a permit, and make registration accordingly. An entity transferring or importing radioisotope and ray devices or an entity equipped with radioisotope instruments shall go through the relevant formalities in accordance with the relevant provisions of the State Council on prevention of radioactivity from the radioisotope and ray devices.

Article 29 An entity producing, selling or using radioisotope, accelerators, neutron producers or ray devices containing radioactive sources shall, before applying to obtain the permit, work out the documents on appraisal of the influence to the environment, and submit them to the administrative department of environmental protection under the people's government of the province, autonomous region or municipality directly under the Central Government for examination and approval; without approval, the relevant department shall not issue the permit.

The State sets up a system of recording radioisotope. The specific measures shall be prescribed by the State Council.

有关部门，在本级人民政府的组织领导下，按照各自的职责依法做好核事故应急工作。

中国人民解放军和中国人民武装警察部队按照国务院、中央军事委员会的有关规定在核事故应急中实施有效的支援。

（相关资料: [条文释义](#)）

第二十七条 核设施营运单位应当制定核设施退役计划。

核设施的退役费用和放射性废物处置费用应当预提，列入投资概算或者生产成本。核设施的退役费用和放射性废物处置费用的提取和管理办法，由国务院财政部门、价格主管部门会同国务院环境保护行政主管部门、核设施主管部门规定。

（相关资料: [条文释义](#)）

#### 第四章 核技术利用的放射性污染防治

第二十八条 生产、销售、使用放射性同位素和射线装置的单位，应当按照国务院有关放射性同位素与射线装置放射防护的规定申请领取许可证，办理登记手续。

转让、进口放射性同位素和射线装置的单位以及装备有放射性同位素的仪表的单位，应当按照国务院有关放射性同位素与射线装置放射防护的规定办理有关手续。

（相关资料: [地方法规 4 篇 条文释义](#)）

第二十九条 生产、销售、使用放射性同位素和加速器、中子发生器以及含放射源的射线装置的单位，应当在申请领取许可证前编制环境影响评价文件，报省、自治区、直辖市人民政府环境保护行政主管部门审查批准；未经批准，有关部门不得颁发许可证。

国家建立放射性同位素备案制度。具体办法由国务院规定。

（相关资料: [地方法规 8 篇 条文释义](#)）

Article 30 The facilities for prevention of radioactivity at a newly built, rebuilt or extended work site shall be designed, constructed and put into use simultaneously with the major engineering project.

The facilities for prevention of radioactivity shall be inspected and accepted simultaneously with the major engineering project; the major engineering project may not be put into production or use until the said facilities have been inspected and accepted as qualified.

Article 31 The radioisotope shall be kept separately, and shall not be put together with inflammable, explosive or corrosive articles, etc. The effective security and protection measures of fire prevention, precautions against theft, prevention of leakage of rays shall be taken for the storing place, and special persons shall be designated to be responsible for the storing. When radioisotope is stored, obtained, used or returned, it shall be registered and inspected, so that the accounts and the articles are in conformity with each other.

Article 32 An entity producing or using radioisotope or ray devices shall, in accordance with the provisions of the administrative department of environmental protection under the State Council, collect, pack and store the radioactive wastes it generates.

An entity producing radioactive sources shall, in accordance with the provisions of the administrative department of environmental protection under the State Council, recycle and utilize waste radioactive sources; an entity using radioactive sources shall, in accordance with the provisions of the administrative department of environmental protection under the State Council, return the waste radioactive sources to the entity producing radioactive sources or deliver them to an entity specially engaging in the storage and disposition of radioactive solid wastes.

Article 33 An entity producing, selling, using or storing radioactive sources shall set up and improve the security system, designate special persons to be responsible for the system, ensure the implementation of the system of liability for safety, and formulate the necessary measures for meeting emergency from accidents. In case of an accident that the radioactive sources are lost or stolen or a radioactive pollution accident, the relevant entity and individual must immediately take emergency measures, and make a report to the public security department, the administrative department of health and the administrative department of environmental protection.

The public security department, the administrative department of health and the administrative department of environmental protection shall, after the receipt of the report on the accident that the radioactive sources are lost or stolen or the radioactive pollution accident, make a report to the people's government at the same level, and immediately take effective measures according to their respective duties to prevent the radioactive

第三十条 新建、改建、扩建放射工作场所的放射防护设施，应当与主体工程同时设计、同时施工、同时投入使用。

放射防护设施应当与主体工程同时验收；验收合格的，主体工程方可投入生产或者使用。

（相关资料: [地方法规 5 篇 条文释义](#)）

第三十一条 放射性同位素应当单独存放，不得与易燃、易爆、腐蚀性物品等一起存放，其贮存场所应当采取有效的防火、防盗、防射线泄漏的安全防护措施，并指定专人负责保管。贮存、领取、使用、归还放射性同位素时，应当进行登记、检查，做到账物相符。

（相关资料: [条文释义](#)）

第三十二条 生产、使用放射性同位素和射线装置的单位，应当按照国务院环境保护行政主管部门的规定对其产生的放射性废物进行收集、包装、贮存。

生产放射源的单位，应当按照国务院环境保护行政主管部门的规定回收和利用废旧放射源；使用放射源的单位，应当按照国务院环境保护行政主管部门的规定将废旧放射源交回生产放射源的单位或者送交专门从事放射性固体废物贮存、处置的单位。

（相关资料: [条文释义](#)）

第三十三条 生产、销售、使用、贮存放射源的单位，应当建立健全安全保卫制度，指定专人负责，落实安全责任制，制定必要的事故应急措施。发生放射源丢失、被盗和放射性污染事故时，有关单位和个人必须立即采取应急措施，并向公安部门、卫生行政部门和环境保护行政主管部门报告。

公安部门、卫生行政部门和环境保护行政主管部门接到放射源丢失、被盗和放射性污染事故报告后，应当报告本级人民政府，并按照各自的职责立即组织采取有效措施，防止放射性污染蔓延，减少事故损失。当地人民政府应当及时将有关情况告知公众，并做好事故的调查、处理工作。



pollution from spreading, and to reduce the losses from the accident. The local people's government shall timely inform the public of the relevant information, and do well in investigating and dealing with the accident.

## Chapter V Prevention and Control of Radioactive Pollution from Development and Utilization of Uranium (Thorium) mine and Associated Radioactive Mines

Article 34 An entity developing and utilizing or closing up uranium (thorium) mines shall, before applying to obtain the mining permit or going through the retirement formalities for approval, work out a written report on the influence to the environment, and submit it to the administrative department of environmental protection under the State Council for examination and approval.

An entity developing and utilizing associated radioactive mines shall, before applying to obtain the mining permit, work out a written report on the influence to the environment, and submit it to the administrative department of environmental protection under the people's government at the provincial level or above for examination and approval.

Article 35 The facilities for the prevention and control of radioactive pollution, which are auxiliary to the construction project of development and utilization of uranium (thorium) mines and associated radioactive mines, shall be designed, constructed and put into use simultaneously with the major engineering project.

The facilities for the prevention and control of radioactive pollution shall be inspected and accepted simultaneously with the major engineering project; the major engineering project may not be put into production or use until the said facilities have been inspected and accepted as qualified.

Article 36 An entity developing and utilizing uranium (thorium) mines shall monitor the effusion of the uranium (thorium) mines and the surrounding environment, and shall regularly report the monitoring result to the administrative department of environmental protection under the State Council and the administrative department of environmental protection under the people's government of the province, autonomous region or municipality directly under the Central Government at its locality.

Article 37 A tailing warehouse shall be built to store and dispose of the tailings generated in the process of development and utilization of the uranium (thorium) mines and the associated radioactive mines; the built tailing warehouse shall meet the requirements for prevention and control of radioactive pollution.

Article 38 An entity developing and utilizing uranium (thorium) mines shall make a plan on retirement of uranium (thorium) mines. The expenses for

(相关资料: [条文释义](#) [实务指南](#))

## 第五章 铀(钍)矿和伴生放射性矿开发利用的放射性污染防治

第三十四条 开发利用或者关闭铀(钍)矿的单位, 应当在申请领取采矿许可证或者办理退役审批手续前编制环境影响报告书, 报国务院环境保护行政主管部门审查批准。

开发利用伴生放射性矿的单位, 应当在申请领取采矿许可证前编制环境影响报告书, 报省级以上人民政府环境保护行政主管部门审查批准。

(相关资料: [地方法规 4 篇](#) [条文释义](#))

第三十五条 与铀(钍)矿和伴生放射性矿开发利用建设项目相配套的放射性污染防治设施, 应当与主体工程同时设计、同时施工、同时投入使用。放射性污染防治设施应当与主体工程同时验收; 验收合格的, 主体工程方可投入生产或者使用。

(相关资料: [地方法规 2 篇](#) [条文释义](#))

第三十六条 铀(钍)矿开发利用单位应当对铀(钍)矿的流出物和周围的环境实施监测, 并定期向国务院环境保护行政主管部门和所在地省、自治区、直辖市人民政府环境保护行政主管部门报告监测结果。

(相关资料: [条文释义](#))

第三十七条 对铀(钍)矿和伴生放射性矿开发利用过程中产生的尾矿, 应当建造尾矿库进行贮存、处置; 建造的尾矿库应当符合放射性污染防治的要求。

(相关资料: [条文释义](#))

第三十八条 铀(钍)矿开发利用单位应当制定铀(钍)矿退役计划。铀矿退役

retirement of uranium mines shall be included in the financial budget of the State.

## Chapter VI Administration of Radioactive Wastes

Article 39 An entity running transportation of nuclear facilities, an entity utilizing nuclear technology or an entity developing and utilizing uranium (thorium) mines and associated radioactive mines shall reasonably choose and utilize raw materials, use advanced producing process and equipment, and try to reduce the amount of generated radioactive wastes.

Article 40 Whichever entity discharges radioactive waste gas or waste liquid to the environment must meet the national standards on the prevention and control of radioactive pollution.

Article 41 An entity generating radioactive waste gas or waste liquid shall, if discharging to the environment radioactive waste gas or waste liquid which meets the national standards on the prevention and control of radioactive pollution, apply to the administrative department of environmental protection that examines and approves the documents on appraisal of the influence to the environment for the discharge amount of radioactive nuclide, and regularly report the result on measurement of discharge.

Article 42 An entity generating radioactive waste liquid must, upon the requirements of the national standards on the prevention and control of radioactive pollution, dispose or store the radioactive waste liquid which shall not be discharged to the environment.

An entity generating radioactive waste liquid must, if discharging to the environment the radioactive waste liquid that meets the national standards on the prevention and control of radioactive pollution, use the discharging method conforming to the provisions of the administrative department of environmental protection under the State Council. It is prohibited to discharge radioactive waste liquid by using soakaway, seepage pit, natural crevice, karst cave or by other means prohibited by the State.

Article 43 The low-level or middle-level radioactive solid wastes shall be subject to near-surface disposition in an area conforming to the provisions of the State.

The high-level radioactive solid wastes shall be subject to concentrative deep-geologic disposition.

The  $\alpha$  radioactive solid wastes shall be disposed in accordance with the

费用由国家财政预算安排。

(相关资料: [条文释义](#))

## 第六章 放射性废物管理

第三十九条 核设施营运单位、核技术利用单位、铀（钍）矿和伴生放射性矿开发利用单位，应当合理选择和利用原材料，采用先进的生产工艺和设备，尽量减少放射性废物的产生量。

(相关资料: [条文释义](#))

第四十条 向环境排放放射性废气、废液，必须符合国家放射性污染防治标准。

(相关资料: [条文释义](#) [实务指南](#))

第四十一条 产生放射性废气、废液的单位向环境排放符合国家放射性污染防治标准的放射性废气、废液，应当向审批环境影响评价文件的环境保护行政主管部门申请放射性核素排放量，并定期报告排放计量结果。

(相关资料: [地方法规 1 篇](#) [条文释义](#) [实务指南](#))

第四十二条 产生放射性废液的单位，必须按照国家放射性污染防治标准的要求，对不得向环境排放的放射性废液进行处理或者贮存。

产生放射性废液的单位，向环境排放符合国家放射性污染防治标准的放射性废液，必须采用符合国务院环境保护行政主管部门规定的排放方式。

禁止利用渗井、渗坑、天然裂隙、溶洞或者国家禁止的其他方式排放放射性废液。

(相关资料: [部门规章 1 篇](#) [条文释义](#) [实务指南](#))

第四十三条 低、中水平放射性固体废物在符合国家规定的区域实行近地表处置。

高水平放射性固体废物实行集中的深地质处置。

$\alpha$  放射性固体废物依照前款规定处置。

preceding paragraph.

It is prohibited to dispose radioactive solid wastes in the water area of an inland river or on the sea.

Article 44 The administrative department of nuclear facilities under the State Council shall, jointly with the administrative department of environmental protection under the State Council, work out the planning on selection of the site for disposition of radioactive solid wastes in light of the geological conditions and the needs in disposition of the radioactive solid wastes and on the basis of appraising the influence to the environment, and shall submit the planning to the State Council for approval before implementation.

The relevant local people's government shall, according to the planning on selection of the site for disposition of radioactive solid wastes, provide the land for construction of the site for disposition of the radioactive solid wastes, and take effective measures to support the disposition of the radioactive solid wastes.

Article 45 An entity generating radioactive solid wastes shall, in accordance with the provisions of the administrative department of environmental protection under the State Council, deliver the radioactive solid wastes it generates to the entity disposing the radioactive solid wastes for disposition after having them treated, and shall bear the disposition expenses.

The administrative measures for charging and using the fees for disposition of radioactive solid wastes shall be prescribed by the financial department and the price administrative department under the State Council jointly with the administrative department of environmental protection under the State Council.

Article 46 Whichever entity intends to establish an entity specially engaging in storage and disposition of radioactive solid wastes must be examined and approved by the administrative department of environmental protection under the State Council to obtain the permit. The specific measures shall be prescribed by the State Council.

It is prohibited to engage in the activities of storage and disposition of radioactive solid wastes without being permitted or not in accordance with the relevant provisions on permission.

It is prohibited to provide radioactive solid wastes to an entity without the permit for storage and disposition or entrust such an entity to store and dispose the said wastes.

Article 47 It is prohibited to import radioactive wastes or radioactively polluted articles into the territory of the People's Republic of China or to transfer them via the territory of the People's Republic of China.

禁止在内河水域和海洋上处置放射性固体废物。

（相关资料: [部门规章 1 篇 条文释义 实务指南](#)）

第四十四条 国务院核设施主管部门会同国务院环境保护行政主管部门根据地质条件和放射性固体废物处置的需要，在环境影响评价的基础上编制放射性固体废物处置场所选址规划，报国务院批准后实施。

有关地方人民政府应当根据放射性固体废物处置场所选址规划，提供放射性固体废物处置场所的建设用地，并采取有效措施支持放射性固体废物的处置。

（相关资料: [条文释义](#)）

第四十五条 产生放射性固体废物的单位，应当按照国务院环境保护行政主管部门的规定，对其产生的放射性固体废物进行处理后，送交放射性固体废物处置单位处置，并承担处置费用。

放射性固体废物处置费用收取和使用管理办法，由国务院财政部门、价格主管部门会同国务院环境保护行政主管部门规定。

（相关资料: [地方法规 1 篇 条文释义 实务指南](#)）

第四十六条 设立专门从事放射性固体废物贮存、处置的单位，必须经国务院环境保护行政主管部门审查批准，取得许可证。具体办法由国务院规定。

禁止未经许可或者不按照许可的有关规定从事贮存和处置放射性固体废物的活动。

禁止将放射性固体废物提供或者委托给无许可证的单位贮存和处置。

（相关资料: [部门规章 1 篇 地方法规 1 篇 条文释义 实务指南](#)）

第四十七条 禁止将放射性废物和被放射性污染的物品输入中华人民共和国境内或者经中华人民共和国境内转移。

(相关资料: [部门规章 1 篇 条文释义](#))

## Chapter VII Legal Liabilities

Article 48 Any member of the supervision and administration of the prevention and control of radioactive pollution who, in violation of the legal provisions, takes advantage of his office to accept money or property from others or seek other benefits, or neglects his duties, and commits any of the following acts, shall be imposed upon administrative sanctions in accordance with the law; if a crime is constituted, he shall be investigated for criminal liabilities:

- (1) issuing a permit or an approval document to an entity not qualified for the statutory conditions;
- (2) not implementing his supervisory and administrative duties in accordance with the law;
- (3) not investigating the illegal acts he has found.

Article 49 Whichever entity violates the present Law to commit any of the following acts shall be ordered by the administrative department of environmental protection or other relevant department under the people's government at the county level or above, upon their respective powers, to make a correction within a time limit, and may be imposed upon a fine of not more than 20,000 Yuan:

- (1) not reporting the monitoring result on the relevant environment in accordance with the provisions;
- (2) refusing to accept the on-the-spot inspection by the administrative department of environmental protection and other relevant department, or not truthfully presenting the information or not providing the necessary documents when inspected.

Article 50 Whichever entity violates the present Law by failing to work out the documents on appraisal of the influence to the environment, or, without authorization, by carrying out the activities of construction, operation, production and use, etc. before the documents on appraisal of the influence to the environment are approved by the administrative department of environmental protection, shall be ordered by the administrative department of environmental protection that examines and approves the documents on appraisal of the influence to the environment to cease the illegal acts, and to go through the formalities or recover the original state within a time limit, and shall be imposed upon a fine of not less than 10,000 Yuan but not more than 200,000 Yuan in addition.

Article 51 Whichever entity violates the present Law by failing to construct the facilities for the prevention and control of radioactive pollution or the facilities for the prevention of radioactivity, or by putting the major engineering project into production or use before the prevention, control

## 第七章 法律责任

第四十八条 放射性污染防治监督管理人员违反法律规定,利用职务上的便利收受他人财物、谋取其他利益,或者玩忽职守,有下列行为之一的,依法给予行政处分;构成犯罪的,依法追究刑事责任:

- (一) 对不符合法定条件的单位颁发许可证和办理批准文件的;
- (二) 不依法履行监督管理职责的;
- (三) 发现违法行为不予查处的。

(相关资料: [地方法规 1 篇 条文释义](#))

第四十九条 违反本法规定,有下列行为之一的,由县级以上人民政府环境保护行政主管部门或者其他有关部门依据职权责令限期改正,可以处二万元以下罚款:

- (一) 不按照规定报告有关环境监测结果的;
- (二) 拒绝环境保护行政主管部门和其他有关部门进行现场检查,或者被检查时不如实反映情况和提供必要资料的。

(相关资料: [地方法规 3 篇 条文释义](#))

第五十条 违反本法规定,未编制环境影响评价文件,或者环境影响评价文件未经环境保护行政主管部门批准,擅自进行建造、运行、生产和使用等活动的,由审批环境影响评价文件的环境保护行政主管部门责令停止违法行为,限期补办手续或者恢复原状,并处一万元以上二十万元以下罚款。

(相关资料: [地方法规 1 篇 条文释义](#))

第五十一条 违反本法规定,未建造放射性污染防治设施、放射防护设施,或者防治防护设施未经验收合格,主体工程即投入生产或者使用的,由审批环境影

or protection facilities are inspected and accepted as qualified, shall be ordered by the administrative department of environmental protection that examines and approves the documents on appraisal of the influence to the environment to cease the illegal acts, and to make a correction within a time limit, and shall be imposed upon a fine of not less than 50,000 Yuan but not more than 200,000 Yuan in addition.

Article 52 If, without being permitted or approved, an entity running transportation of nuclear facilities violates the present Law by unauthorizedly carrying out the activities of construction, loading, operation or retirement, etc. of nuclear facilities, it shall be ordered by the administrative department of environmental protection under the State Council to cease the illegal acts, and to make a correction within a time limit, and shall be imposed upon a fine of not less than 200,000 Yuan but not more than 500,000 Yuan in addition; if a crime is constituted, it shall be investigated for criminal liabilities.

Article 53 Whichever entity violates the present Law by producing, selling, using, transferring, importing or storing radioisotope or ray devices or meters equipped with radioisotope, shall be ordered by the administrative department of environmental protection or other relevant department under the people's government at the county level or above upon its powers to cease the illegal acts, and to make a correction within a time limit; if the entity fails to make a correction within the time limit, it shall be ordered to cease its production or business, or its permit shall be suspended; if there are any illegal proceeds, such illegal proceeds shall be confiscated; if the illegal proceeds amount to 100,000 Yuan or more, the entity shall be imposed upon a fine of not less than one time but not more than five times of the illegal proceeds in addition; if there are no illegal proceeds or the illegal proceeds are less than 100,000 Yuan, the entity shall be imposed upon a fine of not less than 10,000 Yuan but not more than 100,000 Yuan in addition; if a crime is constituted, it shall be investigated for criminal liabilities.

Article 54 Whichever entity violates the present Law by committing any of the following acts shall be ordered by the administrative department of environmental protection under the people's government at the county level or above to cease the illegal acts, and to make a correction within a time limit, and shall be imposed upon a fine; if a crime is constituted, it shall be investigated for criminal liabilities:

- (1) failing to build a tailing warehouse or not complying with the requirements on the prevention and control of radioactive pollution to build a tailing warehouse, or to store or dispose of tailings of uranium (thorium) mines and associated radioactive mines;
- (2) discharging to the environment the radioactive waste gas or waste liquid which shall not be discharged;

响评价文件的环境保护行政主管部门责令停止违法行为，限期改正，并处五万元以上二十万元以下罚款。

（相关资料: [地方法规 1 篇 条文释义](#)）

第五十二条 违反本法规定，未经许可或者批准，核设施营运单位擅自进行核设施的建造、装料、运行、退役等活动的，由国务院环境保护行政主管部门责令停止违法行为，限期改正，并处二十万元以上五十万元以下罚款；构成犯罪的，依法追究刑事责任。

（相关资料: [条文释义](#)）

第五十三条 违反本法规定，生产、销售、使用、转让、进口、贮存放射性同位素和射线装置以及装备有放射性同位素的仪表的，由县级以上人民政府环境保护行政主管部门或者其他有关部门依据职权责令停止违法行为，限期改正；逾期不改正的，责令停产停业或者吊销许可证；有违法所得的，没收违法所得；违法所得十万元以上的，并处违法所得一倍以上五倍以下罚款；没有违法所得或者违法所得不足十万元的，并处一万元以上十万元以下罚款；构成犯罪的，依法追究刑事责任。

（相关资料: [地方法规 5 篇 条文释义 实务指南](#)）

第五十四条 违反本法规定，有下列行为之一的，由县级以上人民政府环境保护行政主管部门责令停止违法行为，限期改正，处以罚款；构成犯罪的，依法追究刑事责任：

（一）未建造尾矿库或者不按照放射性污染防治的要求建造尾矿库，贮存、处置铀（钍）矿和伴生放射性矿的尾矿的；

（二）向环境排放不得排放的放射性废气、废液的；

（三）不按照规定的方式排放放射性废



- (3) discharging radioactive waste liquid not by the prescribed means, or discharging radioactive waste liquid by using soakaway, seepage pit, natural crevice, karst cave or by other means prohibited by the State;
- (4) not complying with the provisions to dispose of or store the radioactive waste liquid which shall not be discharged to the environment;
- (5) providing radioactive solid wastes to an entity without the permit for storage and disposition or entrust such an entity to store and dispose the said wastes.

Whichever entity commits any of the acts in Items (1), (2), (3) and (5) of the preceding paragraph shall be imposed upon a fine of not less than 100,000 Yuan but not more than 200,000 Yuan; whichever entity commits the act in Item (4) of the preceding paragraph shall be imposed upon a fine of not less than 10,000 Yuan but not more than 100,000 Yuan.

Article 55 Whichever entity violates the present Law by committing any of the following acts shall be ordered by the administrative department of environmental protection or other relevant department under the people's government at the county level or above upon their powers to make a correction within a time limit; if the entity fails to make a correction within the time limit, it shall be ordered to cease its production or business, and shall be imposed upon a fine of not less than 20,000 Yuan but not more than 100,000 Yuan in addition; if a crime is constituted, it shall be investigated for criminal liabilities:

- (1) failing to set the radioactive identification, mark or warning statements in Chinese in accordance with the provisions;
- (2) failing to set up and improve the security system or to make the plan on meeting emergency from accidents or the emergency measures in accordance with the provisions;
- (3) failing to report the information that the radioactive sources are lost or stolen or to report radioactive pollution accidents in accordance with the provisions.

Article 56 If an entity generating radioactive solid wastes does not comply with Article 45 of the present Law to dispose the radioactive solid wastes it has generated, it shall be ordered by the administrative department of environmental protection that approves the documents on appraisal of the influence to the environment submitted by the entity for project initiation to cease the illegal acts, and to make a correction within a time limit; if the entity fails to make a correction within the time limit, an entity with the capacity of disposition shall be designated to dispose of the wastes on behalf of the former entity, and the needed expenses shall be borne by the former entity; in addition, a fine of not more than 200,000 Yuan may be imposed; if a crime is constituted, it shall be investigated for criminal liabilities.

液，利用渗井、渗坑、天然裂隙、溶洞或者国家禁止的其他方式排放放射性废液的；

（四）不按照规定处理或者贮存不得向环境排放的放射性废液的；

（五）将放射性固体废物提供或者委托给无许可证的单位贮存和处置的。

有前款第（一）项、第（二）项、第

（三）项、第（五）项行为之一的，处十万元以上二十万元以下罚款；有前款第（四）项行为的，处一万元以上十万元以下罚款。

（相关资料: [地方法规 3 篇 条文释义 实务指南](#)）

第五十五条 违反本法规定，有下列行为之一的，由县级以上人民政府环境保护行政主管部门或者其他有关部门依据职权责令限期改正；逾期不改正的，责令停产停业，并处二万元以上十万元以下罚款；构成犯罪的，依法追究刑事责任：

（一）不按照规定设置放射性标识、标志、中文警示说明的；

（二）不按照规定建立健全安全保卫制度和制定事故应急计划或者应急措施的；

（三）不按照规定报告放射源丢失、被盗情况或者放射性污染事故的。

（相关资料: [地方法规 3 篇 条文释义 实务指南](#)）

第五十六条 产生放射性固体废物的单位，不按照本法第四十五条的规定对其产生的放射性固体废物进行处置的，由审批该单位立项环境影响评价文件的环境保护行政主管部门责令停止违法行为，限期改正；逾期不改正的，指定有处置能力的单位代为处置，所需费用由产生放射性固体废物的单位承担，可以并处二十万元以下罚款；构成犯罪的，依法追究刑事责任。

（相关资料: [地方法规 2 篇 条文释义 实务指南](#)）

Article 57 Whichever entity violates the present Law by committing any of the following acts shall be ordered by the administrative department of environmental protection under the people's government at the provincial level or above to cease its production or business, or its permit shall be suspended; if there are any illegal proceeds, the illegal proceeds shall be confiscated; if the illegal proceeds are no less than 100,000 Yuan, it shall be imposed upon a fine of not less than one time but not more than five times of the illegal proceeds in addition; if there are no illegal proceeds or the illegal proceeds are less than 100,000 Yuan, it shall be imposed upon a fine of not less than 50,000 Yuan but not more than 100,000 Yuan in addition; if a crime is constituted, it shall be investigated for criminal liabilities:

- (1) engaging in the activities of storage and disposition of radioactive solid wastes without permission;
- (2) engaging in the activities of storage and disposition of radioactive solid wastes not in accordance with relevant provisions on permission.

Article 58 Whoever imports radioactive wastes or radioactively polluted articles into the territory of the People's Republic of China or transfers them via the territory of the People's Republic of China shall be ordered by the customs to return the said radioactive wastes or radioactively polluted articles, and shall be imposed upon a fine of not less than 500,000 Yuan but not more than 1,000,000 Yuan in addition; if a crime is constituted, he/it shall be investigated for criminal liabilities.

Article 59 Whoever causes any damage to others due to radioactive pollution shall bear the civil liabilities in accordance with the law.

## Chapter VIII Supplementary Provisions

Article 60 The supervision of the prevention and control of radioactive pollution from military facilities and equipment shall be conducted by the relevant competent departments under the State Council and of the army pursuant to the principles prescribed in the present Law and the duties prescribed by the State Council and the Central Military Commission.

Article 61 The prevention and treatment of occupational diseases of employees due to the radioactive substance in their occupational activities shall be governed by the "[Law of the People's Republic of China on Prevention and Treatment of Occupational Diseases](#)".

Article 62 The meanings of the following terms in the present Law:

第五十七条 违反本法规定，有下列行为之一的，由省级以上人民政府环境保护行政主管部门责令停产停业或者吊销许可证；有违法所得的，没收违法所得；违法所得十万元以上的，并处违法所得一倍以上五倍以下罚款；没有违法所得或者违法所得不足十万元的，并处五万元以上十万元以下罚款；构成犯罪的，依法追究刑事责任：

- （一）未经许可，擅自从事贮存和处置放射性固体废物活动的；
- （二）不按照许可的有关规定从事贮存和处置放射性固体废物活动的。

（相关资料: [地方法规 2 篇 条文释义 实务指南](#)）

第五十八条 向中华人民共和国境内输入放射性废物和被放射性污染的物品，或者经中华人民共和国境内转移放射性废物和被放射性污染的物品，由海关责令退运该放射性废物和被放射性污染的物品，并处五十万元以上一百万元以下罚款；构成犯罪的，依法追究刑事责任。

（相关资料: [条文释义 实务指南](#)）

第五十九条 因放射性污染造成他人损害的，应当依法承担民事责任。

（相关资料: [条文释义](#)）

## 第八章 附则

第六十条 军用设施、装备的放射性污染防治，由国务院和军队的有关主管部门依照本法规定的原则和国务院、中央军事委员会规定的职责实施监督管理。

（相关资料: [行政法规 2 篇 条文释义](#)）

第六十一条 劳动者在职业活动中接触放射性物质造成的职业病的防治，依照《[中华人民共和国职业病防治法](#)》的规定执行。

（相关资料: [条文释义](#)）

第六十二条 本法中下列用语的含义：

(1) Radioactive pollution means the radioactive substance or rays caused by human activities on the surface of or inside the materials, human bodies, sites or environmental media, which exceed the national standards.

(2) Nuclear facility means nuclear power plant (nuclear electric power plant, nuclear thermoelectric power plant, nuclear gas or heat supply plant, etc.) and other reactor (research reactor, experiment reactor, critical assembly, etc.), the facility for production, processing storage or reprocessing of nuclear fuel, or the facility for treatment or disposition of radioactive wastes, and so on.

(3) Utilization of nuclear technology means the use of sealed radioactive sources, non-sealed radioactive sources and ray devices in such areas as medical treatment, industry, agriculture, geological survey, scientific research and teaching, etc.

(4) Radioisotope means the nuclide in a certain element with radioactive decay, which has the same ordinal number of atoms but different mass.

(5) Radioactive source means the solid radioactive material permanently sealed in the container or tightly wrapped, except for the materials in the category of nuclear fuel circulation in research reactors and power reactors.

(6) Ray device means X ray device, accelerator, neutron producer or other device containing radioactive sources.

(7) Associated radioactive mine means the non-uranium mine containing high-density natural radioactive nuclide (such as rare earth mine and phosphate mine, etc.).

(8) Radioactive wastes mean the wastes containing radioactive nuclide or polluted by radioactive nuclide, with the density or specific activity higher than the cleansing capacity determined by the State, and expected to be no longer used.

(一) 放射性污染,是指由于人类活动造成物料、人体、场所、环境介质表面或者内部出现超过国家标准的放射性物质或者射线。

(二) 核设施,是指核动力厂(核电厂、核热电厂、核供汽供热厂等)和其他反应堆(研究堆、实验堆、临界装置等);核燃料生产、加工、贮存和后处理设施;放射性废物的处理和处置设施等。

(三) 核技术利用,是指密封放射源、非密封放射源和射线装置在医疗、工业、农业、地质调查、科学研究和教学等领域中的使用。

(四) 放射性同位素,是指某种发生放射性衰变的元素中具有相同原子序数但质量不同的核素。

(五) 放射源,是指除研究堆和动力堆核燃料循环范畴的材料以外,永久密封在容器中或者有严密包层并呈固态的放射性材料。

(六) 射线装置,是指X线机、加速器、中子发生器以及含放射源的装置。

(七) 伴生放射性矿,是指含有较高水平天然放射性核素浓度的非铀矿(如稀土矿和磷酸盐矿等)。

(八) 放射性废物,是指含有放射性核素或者被放射性核素污染,其浓度或者比活度大于国家确定的清洁解控水平,预期不再使用的废弃物。

(相关资料: [条文释义](#) [实务指南](#))

Article 63 The present Law shall come into force on October 1, 2003.

第六十三条 本法自2003年10月1日起施行。

(相关资料: [条文释义](#))