

Decree of the State Council of the People's Republic of China

No. 647

The Regulations on Administration of Supply and Use of Water from the South-to-North Water Diversion Project, adopted at the 37th Executive Meeting of the State Council on January 22, 2014, are hereby promulgated and shall be effective as of the date of promulgation.

Premier, Li Keqiang

February 16, 2014

Regulations on Administration of Supply and Use of Water from the South-to-North Water Diversion Project

Chapter I General Provisions

Article 1 These Regulations are formulated for the purpose of strengthening administration of supply and use of water from the South-to-North Water Diversion Project and optimizing the economic, social and ecological benefits of the Project.

Article 2 These Regulations apply to the administration of the supply and use of water along the eastern and middle routes of the South-to-North Water Diversion Project.

Article 3 The supply and use of water from the South-to-North Water Diversion Project shall be administered in adherence to the principles of water conservation before diversion, pollution control before water transfer and environmental protection before water use, and administration of the entire project, overall planning and all round consideration, well-defined powers and responsibilities and rigorous protection shall be upheld, in order that rational water regulation, up-to-standard water quality, water conservation, and security of the works shall be ensured.

Article 4 The competent water administration department of the State Council shall be responsible for water regulation as well as operation of the South-to-North Water Diversion Project, the competent environmental protection department of the State Council shall be responsible for prevention and control of water pollution in respect of the Project, and other relevant departments of the State Council shall, within their respective functions and duties, be responsible for the work concerning supply and use of water from the Project.

Article 5 Local people's governments at or above the county level, located in water source areas of the South-to-North Water Diversion Project, in the areas along the routes of water diversion or in water receiving areas, shall be responsible for the work related to supply and use of water from the Project within their respective administrative areas, and shall incorporate into their national economic and social development plans ensured quality and administration of use of water from the Project .

The State provides support for adjustment of the industrial structure and eco-environmental protection in the water source areas and along the routes of the South-to-North Water Diversion Project, so as to ensure security for the supply and use of water from the Project.

Article 6 The units designated by the State Council for management of the South-to-North Water Diversion Project shall specifically be responsible for operation and protection of the Project.

The units designated by the people's governments of the provinces or municipalities directly under the Central Government, located in the water receiving areas of the South-to-North Water Diversion Project shall specifically be responsible for operation and protection of the local supplementary works of the Project within their respective administrative areas.

Chapter II Water Regulation

Article 7 Water from the South-to-North Water Diversion Project shall be

regulated in adherence to the principle of giving priority to water conservation along with moderately stringent policies, overall planning shall be made to coordinate water use in water source areas, in receiving areas, and downstream of the water diversion project, and more attention shall be paid to eco-environmental protection.

Regulation of water from the South-to-North Water Diversion Project shall be based on the multi-annual average of the volume of water diverted, approved by the State Council, and the quota allotted to each province or municipality directly under the Central Government located in the water receiving areas.

Article 8 The year of water regulation begins on October 1 each year and ends on September 30 the next year for the eastern route of the South-to-North Water Diversion Project, and begins on November 1 each year and ends on October 31 the next year for the middle route of the Project.

Article 9 The Huai River Water Resources Commission shall, after consultation with the Changjiang Water Resources Commission, propose the annual volume of water available for diversion from the eastern route of the South-to-North Water Diversion Project, submit it to the competent water administration department of the State Council before September 15 each year, and send copies to the people's governments of the relevant provinces and the management units of the South-to-North Water Diversion Project.

The Changjiang Water Resources Commission shall propose the annual volume of water available for diversion from the middle route of the South-to-North Water Diversion Project, submit it to the competent water administration department of the State Council before October 15 each year, and send copies to the people's governments of the relevant provinces, and municipalities directly under the Central Government and the management units of the South-to-North Water Diversion Project.

Article 10 The competent water administration departments of the people's governments of the provinces and the municipalities directly under the Central Government in the water receiving areas of the South-to-North Water Diversion Project shall, based on the annual volume of water available for diversion, propose

their annual plans for water use. In the case of the ones located in the water receiving areas along the eastern route of the South-to-North Water Diversion Project, they shall submit their plans to the competent water administration department of the State Council before September 20 each year, or before October 20 each year in the case of the ones located in the water receiving areas along the middle route of the Project, and all of them shall send copies to the relevant river basin authorities as well as the management units of the South-to-North Water Diversion Project.

A proposed annual plan for water use shall include both of the total annual volume and the monthly volume of water to be diverted thereto.

Article 11 The competent water administration department of the State Council shall arrange overall balancing between the annual volume of water available for diversion and the annual plans for water use proposed by the provinces and the municipalities directly under the Central Government located in the water receiving areas of the South-to-North Water Diversion Project and, on the basis of the quotas for water allocation quotas approved by the State Council for the said provinces and municipalities, formulate an annual plan for regulation of water from the South-to-North Water Diversion Project, and shall, after consultation with the relevant departments of the State Council, issue the plan to the people's governments of the relevant provinces and municipalities and to the management units of the South-to-North Water Diversion Project before the year of water regulation begins.

Article 12 The management units of the South-to-North Water Diversion Project shall, according to the annual plan for regulation of water, work out a monthly water regulation scheme and, where navigation is involved, the units shall consult with the competent transport department; where no agreement is reached through consultation, the people's government at or above the county level shall make a decision thereon; where an important change occurs in rainfall or hydrological conditions, which makes it impossible to implement a monthly water regulation scheme, timely adjustment shall be made and the matter shall be reported to the competent water administration department of the State Council.

Article 13 A dual tariff shall be adopted for water supply from the

South-to-North Water Diversion Project, which is composed of a basic rate and a rate based on metered consumption of water, and the specific rates for water supply shall be determined by the competent pricing department of the State Council in consultation with the relevant departments of the State Council.

Water charges shall be duly paid in full and shall be used exclusively for operation, maintenance and loan repayment in respect of the South-to-North Water Diversion Project.

Article 14 The department or unit authorized by the people's government of a province or a municipality directly under the Central Government located in a water receiving area of the South-to-North Water Diversion Project shall sign a contract for water supply with the management unit of the Project. The contract shall include the annual volume of water to be supplied, water quality, cross-section of water delivery, ways of delivery, water charges, time and means of payment, and liability for breach of contract.

Article 15 Where during the year of water regulation a major change occurs in water demand from a province or municipality located in a water receiving area of the South-to-North Water Diversion Project and thus the volume of water allocated under the annual water regulation plan needs to be assigned to another place, the department or unit authorized by the people's government of the said province or municipality shall negotiate an assignment agreement and fix the price of assignment, and shall submit the agreement to the competent water administration department of the State Council, and send copies of the agreement to the management units of the South-to-North Water Diversion Project; the competent water administration department of the State Council and the management units of the Project shall adjust the annual and monthly water regulation plans accordingly.

Article 16 The competent water administration department of the State Council shall, in consultation with the relevant departments of the State Council, the people's governments of the relevant provinces, and municipalities directly under the Central Government, and the management units of the South-to-North Water Diversion Project, prepare an emergency plan for water regulation of the

South-to-North Water Diversion Project, and submit it to the State Council for approval.

The relevant departments of the people's governments of the provinces or the municipalities directly under Central Government located in the water source areas or the water receiving areas of the South-to-North Water Diversion Project, the relevant river basin authorities, and the management units of the Project shall, based on the emergency plan for water regulation of the South-to-North Water Diversion Project, work out their emergency plans accordingly.

Article 17 The emergency plan for water regulation of the South-to-North Water Diversion Project shall be aimed for coping with emergencies, including major flood and waterlogging, droughts, ecological damage, water pollution and accidents undermining security of engineering works, and the plan shall specify the organization and commanding system and responsibilities for emergency management, the prevention and early warning mechanisms, the procedures for coping with emergencies, safeguards against emergencies, measures for rehabilitation and reconstruction in the aftermath of emergencies, etc.

After announcing the launch of the emergency plan for water regulation of the South-to-North Water Diversion Project, the State Council or the department it authorizes may, in accordance with law, take the following measures for coping with emergencies:

- (1) temporary restriction on water abstraction, use or drainage;
- (2) integrated regulation of water works along the related riverways;
- (3) requisition of facilities needed for pollution treatment and water supply; and
- (4) stemming of navigable riverways.

Article 18 The competent water administration and environmental protection departments of the State Council shall, in compliance with their functions and duties, organize monitoring of water quantity and quality at the water delivery cross-sections of provincial borders, water intakes of the eastern route and the Danjiangkou Reservoir along the South-to-North Water Diversion Project.

The competent water administration and environmental protection departments

of the State Council shall, in compliance with their functions and duties, regularly publish information about the quantity and quality of water supplied and used from the South-to-North Water Diversion Project, and establish a mechanism for sharing such information.

Chapter III Safeguards for Water Quality

Article 19 For safeguarding of the quality of water from the South-to-North Water Diversion Project, a target-oriented responsibility system and a performance evaluation system shall be implemented for the local people's governments at or above the county level.

The local people's governments at or above the county level located in the water source areas or in areas along the water diversion routes of the South-to-North Water Diversion Project shall redouble their efforts to prevent and control water pollution caused by industrial production, cities and towns, agriculture and rural areas, and vessels, and shall plant shelter forests and other ecological isolation or protection belts, in order to guarantee security of water supply.

In accordance with the provisions of relevant laws and administrative regulations, compensation for water eco-environmental protection shall be made for water source areas of the South-to-North Water Diversion Project.

Article 20 A system for control of the total quantity of the major water pollutants discharged shall be applied in areas along the eastern route and in water source areas of the middle route of the South-to-North Water Diversion Project.

The people's governments of provinces in areas along the eastern route and in water source areas of the middle route of the South-to-North Water Diversion Project shall divide up and allocate level by level the quotas, set by the State Council for control of the total quantity of the major water pollutants discharged, to the people's governments of the relevant cities and counties, which shall further divide up the quotas and allocate them to the units discharging water pollutants.

Article 21 Construction of projects in areas along the eastern route of the

South-to-North Water Diversion Project that are in contravention of the industrial policies of the State or are incapable of keeping to stable and up-to-standard discharge of water pollutants is prohibited. Existing outdated production technologies, techniques and equipment shall be eliminated under the arrangement to be made by the local people's governments of provinces.

Construction of projects in the water source areas of the middle route of the South-to-North Water Diversion Project that will increase the total quantity of pollutants discharged is prohibited.

Article 22 Units discharging water pollutants located in areas along the eastern route or in the water source areas of the middle route of the South-to-North Water Diversion Project shall install supporting treatment facilities commensurate with the amount of pollutants discharged; units discharging major water pollutants shall install automatic monitoring equipment according to the relevant provisions.

Furnishing of sewage outlets along the canal of the eastern route or the main channel of the middle route of the South-to-North Water Diversion Project is prohibited.

Article 23 Sewage to be discharged by cities and towns, which are the seats of the local people's governments at or above the county level located in areas along the eastern route or in water source areas of the middle route of the South-to-North Water Diversion Project, shall undergo centralized treatment so as to achieve the standards for discharge.

The local people's governments at or above the county level located in areas along the eastern route or in water source areas of the middle route of the South-to-North Water Diversion Project shall make rational plans for installing centralized sewage treatment facilities and supporting pipeline networks and shall arrange for collecting, and carrying out innocuous treatment of, domestic waste from urban and rural areas, so as to prevent pollution of the water environment.

Livestock and poultry farms and breeding grounds located in areas along the eastern route or in the water source areas of the middle route of the South-to-North Water Diversion Project shall make innocuous treatment of and recycle livestock and

poultry feces and wastewater according to the relevant provisions of the State.

Article 24 To meet the need for protection of water sources, the people's governments at the county level located in areas along the eastern route or in the water source areas of the middle route of the South-to-North Water Diversion Project shall delineate regions where lumbering and reclaiming of land are prohibited or restricted.

Plans shall be made for planting ecological protection forests, in areas along the eastern route, and in the water source areas and along the main channel of the middle route, of the South-to-North Water Diversion Project; such measures as the ones for building artificial wetlands shall be taken in water of ecological significance in order to enhance the self-purification capability of water bodies.

Article 25 Where it is necessary to delineate zones for protection of drinking water sources around the intakes along the eastern route, around the Danjiangkou Reservoir and along the main channel of the middle route of the South-to-North Water Diversion Project, it shall be done in accordance with the provisions of the Law of the People's Republic of China on Prevention and Control of Water Pollution, and strict measures for protection shall be taken.

Article 26 Within the areas of the Danjiangkou Reservoir and of the Hongze Lake, Luoma Lake, Nansi Lake and Dongping Lake, the local people's governments of provinces shall, according to the requirement for ensured quality of water from the water function zones and the South-to-North Water Diversion Project, see that the existing cages and purse nets for fish breeding are gradually removed and shall strictly control the scale, variety and density of artificial breeding. With regard to the farmers who have to switch to other lines of production or business due to removal of their aquaculture facilities, the local people's governments at or above the county level shall provide them with subsidies and support, and guarantee their basic livelihood by means of providing them with skill training, having them covered by the social security system, etc.

Catering and other businesses are prohibited within the areas of the Danjiangkou Reservoir and of the Hongze, Luoma, Nansi and Dongping lakes.

Article 27 Construction of ports, wharfs and other shipping facilities along the planned navigable riverways of the canal of the eastern route of the South-to-North Water Diversion Project or around the Danjiangkou Reservoir and upstream therefrom shall be planned in a scientific manner, and the ports and wharfs shall, in keeping with their handling capacity, be installed with receiving and treatment equipment for the pollutants discharged by vessels. The existing ports and wharfs that fail to meet the requirements for water environment protection shall be transformed or closed under the arrangement of the local people's governments of provinces.

Vessels navigating in the riverways specified in the preceding paragraph shall undergo technical transformation as required, to ensure that pollutants are sealed and collected before debarkation and are not discharged to the water bodies; vessels which fail to meet the requirements or which carry hazardous wastes or chemicals shall not be allowed to enter the riverways mentioned above, and the relevant locks authority shall not allow them into the riverways.

Article 28 In construction of a bridge or highway, laying of a petroleum or gas pipeline, rainwater or sewage pipeline, or building of any other engineering works that cross, pass over or adjoin the water conveyance channels of the South-to-North Water Diversion Project, the construction project owner and the management unit shall install warning signs and take effective measures to protect against risks entailed by construction, traffic accidents or pipeline leakage.

Chapter IV Management of Water Use

Article 29 The local people's governments at or above the county level in the water receiving areas of the South-to-North Water Diversion Project shall make overall plans for allocation of water diverted from the Project and of the local water sources to gradually replace the over-exploited groundwater, strictly control the exploitation and use of groundwater, and improve the aquatic eco-environment.

Article 30 The local people's governments at or above the county level in the water receiving areas of the South-to-North Water Diversion Project shall use water

diverted from the Project as a substitute for the local water sources that are not suitable for drinking, and gradually turn the water illegitimately used due to water shortage to its use for agriculture and the eco-environment.

Article 31 The local people's governments at or above the county level in the water receiving areas of the South-to-North Water Diversion Project shall exercise control over the total annual quantity of water to be used within their respective administrative areas, keep water use strictly within the quotas set, widely extend the employment of water-conserving technologies, equipment and facilities, and increase the efficiency and benefits of water use.

The local people's governments at or above the county level in the water receiving areas of the South-to-North Water Diversion Project shall encourage and guide farmers as well as agricultural production and operation organizations to adjust their pattern of cultivation, thus to reduce the proportion of highly-water-consuming crops according to local conditions, practice water-conserving irrigation, and promote the development of water-conserving agriculture.

Article 32 The people's governments of the provinces and the municipalities directly under the Central Government in the water receiving areas of the South-to-North Water Diversion Project shall compile and publish directories for construction projects to be prohibited or restricted within their respective administrative areas, in order to eliminate or restrict highly-water-consuming or highly polluting construction projects.

Article 33 The people's governments of the provinces and the municipalities directly under the Central Government in the water receiving areas of the South-to-North Water Diversion Project shall divide up and allocate level by level to the people's governments of relevant cities and counties the quotas for controlling the total quantity of groundwater to be exploited and the amount to be reduced, which have been set in the integrated plan for reduced groundwater exploitation approved by the State Council, and shall organize the efforts to prepare plans for restricted groundwater exploitation and annual plans for their respective administrative areas, and submit the same to the competent water administration department and the

competent land and resources department of the State Council for the record.

Article 34 Additional groundwater exploitation is prohibited in regions of the water receiving areas of the South-to-North Water Diversion Project where groundwater is over-exploited. In the said regions where conditions exist for replacement of water sources, zones shall be delineated where groundwater excavation is prohibited.

In the water receiving areas of the South-to-North Water Diversion Project, additional exploitation of deep confined water is prohibited.

Article 35 The people's governments of the provinces or the municipalities directly under the Central Government located in the water receiving areas of the South-to-North Water Diversion Project shall give all-round consideration to the pricing of water supplied by the Project, as well as water resource fees and water tariffs levied on local water sources such as surface water and groundwater, in order to encourage full use of water supplied by the Project and promote rational allocation of water resources.

Chapter V Management and Protection of Engineering Works

Article 36 The local people's governments at or above the county level in the water source areas, in areas along the water diversion route or in the water receiving areas of the South-to-North Water Diversion Project shall fully ensure security of the engineering works to prevent and stop all activities that may endanger security of the works.

Article 37 The management units of the South-to-North Water Diversion Project shall establish and maintain a responsibility system for work safety, under which to conduct rigorous monitoring, inspecting, patrolling, repairs and maintenance of the engineering works, and they shall be manned with the necessary staff and provided with the necessary equipment, shall conduct emergency drills regularly to ensure safe operation of the Project, and shall organize timely cleaning up of the refuse in the waters and flood land within their management scope.

Article 38 The scope of management and protection of the South-to-North Water Diversion Project shall be defined in accordance with law.

The scope of management and protection for the eastern route of the South-to-North Water Diversion Project shall be defined by the people's governments of the provinces where the Project is located; however, the scope of management and protection for interprovincial projects shall be defined by the competent water administration department of the State Council, or by the river basin authority it authorizes in consultation with the people's governments of the relevant provinces.

The scope of management and protection for the Danjiangkou Reservoir and for the main channel of the middle route of the South-to-North Water Diversion Project shall be defined by the competent water administration department of the State Council, or by the river basin authority it authorizes in consultation with the people's governments of the relevant provinces or municipalities directly under the Central Government.

Article 39 The scope of management of the South-to-North Water Diversion Project shall be defined according to design documents approved by the State Council.

The management units of the South-to-North Water Diversion Project shall erect boundary markers or tablets or other protection signs at the places bordering on the scope of management of the Project or on the ground above the underground works, and install necessary isolation facilities for protection of the Project. Without the consent of the management units of the Project, no person shall enter the areas protected with isolation facilities.

No land within the scope of management for the South-to-North Water Diversion Project shall be used for any other purposes, and no unit or individual shall encroach on it; all activities undertaken within the said scope without authorization which are irrelevant to the management of the Project are prohibited.

Article 40 The scope of protection for the South-to-North Water Diversion Project shall be defined according to the following principles and be announced to the public:

(1) the open channels for water conveyance along the eastern route cover the area extending 50 meters from the border of the embankment on the backwater side; the open channels for water conveyance along the middle route cover the area extending 200 meters from the border of the scope of management;

(2) the underground channels for water conveyance, including the culverts, tunnels and pipelines, cover the area on the ground and the area extending 50 meters from the border of the ground;

(3) the area for the cross-structures, including the inverted siphons, aqueducts and covered conduits, extends not less than 500 meters but not more than 1,000 meters upstream of the intersections of the riverways and not less than 1,000 meters but not more than 3,000 meters downstream of the intersections from the border of the scope of management;

(4) the area for the other works, including the pumping stations, sluices, control stations and water intakes, extends not less than 50 meters but not more than 200 meters from the border of the scope of management.

Article 41 The management units of the South-to-North Water Diversion Project shall set up warning signs for safety purposes at road junctions, villages or other sections along the route of the Project; the competent departments of the relevant local people's governments shall, in accordance with the relevant provisions, set up signs at the entrances of bridges that adjoin the Project, to indicate the restrictions for the weight, axle load, speed, height and width, and shall take necessary engineering measures for protection.

Article 42 The following activities that may harm the works of the South-to-North Water Diversion Project are prohibited:

(1) encroaching on or damaging the riverway (channel or pipeline) of water conveyance, reservoir, embankment or bank revetment;

(2) cultivating deep-root plants, or building a fish pond or any other water storage facility, or stacking an overload of objects, on the ground above an underground pipeline of water conveyance or an embankment;

(3) moving, covering, scribbling or damaging signs or markers;

(4) encroaching on or damaging or, without authorization, using or operating special power transmission lines, communications lines, sluices or other facilities; or

(5) encroaching on or damaging other facilities for monitoring transport, communications, hydrology or water quality.

Abstracting or using water resources from the South-to-North Water Diversion Project without authorization is prohibited.

Article 43 Activities that may hamper the operation of the Project or threaten security of the works or water supply, conducted within the scope of protection of the South-to-North Water Diversion Project, are prohibited, including blasting, well digging, mining, earth taking, stone or sand quarrying, drilling, building of houses, grave digging, pond building and ditch digging.

Article 44 When, according to the procedures for capital construction as prescribed by the State, a report is submitted for examination and approval of construction of a bridge, wharf, highway, railway, subway or lock, or laying of a pipeline or cable, or abstracting or drainage of water, or building of other works within the scope of management and protection of the South-to-North Water Diversion Project, the unit that is to examine and approve the report shall consult with the management units of the South-to-North Water Diversion Project about the plan for such project.

Before construction, maintenance or repairs of a project specified in the preceding paragraph, the management units of the South-to-North Water Diversion Project shall be notified, and such construction, maintenance or repairs shall not undermine security or hamper normal operation of the engineering works of the South-to-North Water Diversion Project.

Article 45 During the flood season, the management units of the South-to-North Water Diversion Project shall maintain assiduous patrols and shall, upon discovery of a dangerous situation, immediately make repairs or take other measures, and report the situation to the relevant flood control and drought relief headquarters in a timely manner.

Article 46 The management units of the South-to-North Water Diversion

Project shall take strong safety measures to protect the engineering works of the Project, formulate plans for the purpose, and establish a sound responsibility system to ensure safety, thus to focus on construction and maintenance of protection facilities, implement precautionary security measures and eliminate hidden dangers in a timely manner.

Where it is necessary to dispatch troops of the Chinese People's Armed Police Force to guard important waters or works of the South-to-North Water Diversion Project or undertake disaster relief and rescue there, the relevant provisions of the Law of the People's Republic of China on the People's Armed Police and of the State Council and the Central Military Commission shall be implemented.

Article 47 Where, in the event of an emergency, the management units of the South-to-North Water Diversion Project need to use earth, land or certain facilities for rush repairs of the works, the units and individuals concerned shall give cooperation. The said management units shall restore the land or facilities to the original state afterwards; if losses are caused, they shall make compensation in accordance with law.

Chapter VI Legal Liability

Article 48 Where, in violation of the provisions of these Regulations, an administrative department or its staff member commits one of the following acts, the competent or supervisory authority shall order it or him to make corrections; if the circumstances are serious, it shall, in accordance with law, impose a sanction on the person in charge with competent accountability and other persons with competent accountability; if the said person commits a crime, he shall be investigated for criminal liability in accordance with law:

- (1) failing to formulate an annual water regulation plan or issue it to lower levels as scheduled, or failing to implement the plan;
- (2) failing to work out or implement an emergency plan for water regulation;
- (3) failing to work out or implement a plan for restricting groundwater

exploitation in a water receiving area of the South-to-North Water Diversion Project;

(4) failing to perform the duty to monitor water quantity and quality; or

(5) failing to perform other duties prescribed in these Regulations.

Article 49 Where, in violation of the provisions of these Regulations, a management unit of the South-to-North Water Diversion Project or its staff member commits one of the following acts, the competent or supervisory authority shall order it or him to make corrections; if the circumstances are serious, it shall, in accordance with law, impose a sanction on the person in charge with competent accountability and other persons with competent accountability; if the said person commits a crime, he shall be investigated for criminal liability in accordance with law:

(1) making a false statement or tampering with information about the operation of the works or other related data;

(2) failing to implement an annual plan or emergency plan for water regulation;

(3) failing to formulate, in a timely manner, or implement a monthly plan for water regulation;

(4) being negligent in monitoring, inspecting, carrying out patrols over, repairing or maintaining engineering works, or failing to implement the responsibility system for work safety, thereby undermining the security of the works and water supply; or

(5) failing to perform other duties prescribed in these Regulations.

Article 50 A unit or individual that, in violation of the provisions of these Regulations, discharges water pollutants or conducts other activities that harm the safety of the quality of water from the South-to-North Water Diversion Project shall be dealt with in accordance with the provisions of the Law of the People's Republic of China on Prevention and Control of Water Pollution; if the violation constitutes a crime, it or he shall be investigated for criminal liability in accordance with law.

A unit or individual that, in violation of the provisions of these Regulations, excavates groundwater in a zone of a water receiving area of the South-to-North Water Diversion Project where such excavation is prohibited, or increases the amount of groundwater for use in an over-exploited region of a water receiving area, or increases the exploitation of deep confined water in a water receiving area, or exploits

water resources of the South-to-North Water Diversion Project without authorization shall be dealt with in accordance with the provisions of the Water Law of the People's Republic of China.

Article 51 Where, in violation of the provisions of these Regulations, a vessel carrying hazardous waste or chemicals enters a planned navigable riverway along the canal of the eastern route of the South-to-North Water Diversion Project, or the Danjiangkou Reservoir or the navigable riverway upstream, the administrative departments in charge of maritime affairs and fisheries of the local people's government at or above the county level shall, within the limits of their duties and powers, detain the vessel and have the hazardous waste or chemicals unloaded or take other measures, and the expenses thus incurred shall be borne by the offender; if a crime is constituted, criminal liability shall be investigated for in accordance with law.

Article 52 Where, in construction of a bridge or highway, laying of a petroleum or gas pipeline, rainwater or sewage pipeline, or building of any other engineering works that cross, overpass or adjoin the water conveyance riverways of the South-to-North Water Diversion Project, no effective measures are taken, which violates the provisions of these Regulations and which undermines security and water supply of the Project, the unit in charge of examination and approval of the construction project shall order the offender to take remedial measures; such construction shall be suspended until remedial measures are implemented.

Article 53 A unit or individual that, in violation of the provision of these Regulations, encroaches on, damages or harms the engineering works of the South-to-North Water Diversion Project, or conducts activities within the scope of protection of the Project, which hamper the operation of the Project or threaten security of the Project or water supply, shall be dealt with in accordance with the provisions of the Water Law of the People's Republic of China; if provisions for certain violations are lacking in the Law, the competent water administration department of the people's government at or above the county level or the river basin authority shall, within the limits of its duties and powers, order the offender to stop the illegal activities and to take remedial measures within a specified time limit; if

losses are caused, the offender shall bear civil liability in accordance with law; if the activity constitutes a violation of administration for public security, an administrative penalty for public security shall be imposed in accordance with law; if the activity constitutes a crime, criminal liability shall be investigated for in accordance with law.

Article 54 Where one of the following circumstances occurs in the water source areas or in areas along the water diversion routes of the South-to-North Water Diversion Project, examination and approval of the assessment documents on environmental impact shall be suspended for all construction projects within the administrative areas concerned, with the exception of projects for pollution reduction or ecological restoration:

(1) furnishing of sewage outlets along the canal of the eastern route or the main channel of the middle route of the South-to-North Water Diversion Project;

(2) discharging of pollutants in excess of the quota set for the total quantity control of major water pollutants to be discharged; or

(3) illegal granting of approval for a construction project that pollutes the water environment, which causes a major water pollution accident or other serious consequences, and for which no remedial measures are implemented.

Chapter VII Supplementary Provisions

Article 55 The eastern route of the South-to-North Water Diversion Project refers to the main works for water diversion from the mainstream of the Yangtze River adjacent to Yangzhou City of Jiangsu Province to the northern part of Jiangsu Province and places in Shandong Province.

The middle route of the South-to-North Water Diversion Project refers to the main works of water diversion from the Danjiangkou Reservoir to Henan Province, Hebei Province, Beijing Municipality and Tianjin Municipality.

The local supplementary works of the South-to-North Water Diversion Project refer to water regulation and distribution works for water supply located down the diversion intakes of the eastern and middle routes for use in the local administrative

areas.

Article 56 These Regulations shall be effective as the date of promulgation.