

Ecological and Environmental Code of the People's Republic of China

(Adopted at the Fourth Session of the Fourteenth National People's Congress on 12 March 2026)

Chapter V Ecological and Environmental Impact Assessment

Section I General Provisions

Article 82

For the purposes of this Code, “ecological and environmental impact assessment” refers to the methods and institutional arrangements for analyzing, forecasting, and evaluating the potential ecological and environmental impacts that may arise after the implementation of plans or construction projects, proposing countermeasures and measures to prevent or mitigate adverse ecological and environmental impacts, and conducting follow-up monitoring.

The State shall strengthen ecological and environmental impact assessments relating to greenhouse gas emissions. The specific measures and implementation procedures shall be formulated by the Ministry of Ecology and Environment (MEE).

Article 83

Where plans for development and utilization are formulated, or where projects that may affect the ecological environment are constructed, ecological and environmental impact assessments shall be conducted in accordance with the law.

Development and utilization plans for which ecological and environmental impact assessments have not been conducted in accordance with the law shall not be implemented. Construction projects for which ecological and environmental impact assessments have not been conducted in accordance with the law shall not commence construction.

Article 84

Ecological and environmental impact assessments shall be conducted in an objective, open, and impartial manner. Comprehensive consideration shall be given to the possible impacts on various ecological and environmental factors and the ecosystems constituted by them after the implementation of plans or construction projects, so as to provide a scientific basis for decision-making.

The State encourages relevant entities, experts, and the public to participate in ecological and environmental impact assessments in accordance with the law.

Article 85

The State shall strengthen the establishment of fundamental databases and indicator systems for ecological and environmental impact assessment, encourage and support scientific research on assessment methods and technical specifications, establish necessary systems for information sharing on ecological and environmental impact assessment, and improve the scientific basis of ecological and environmental impact assessment.

The MEE shall, together with relevant departments of the State Council, organize the establishment and improvement of the fundamental database and indicator system for ecological and environmental impact assessment.

Section II Ecological and Environmental Impact Assessment of Plans

Article 86

Relevant departments of the State Council, and local people's governments at or above the level of a city divided into districts and their relevant departments, shall, in the process of preparing territorial spatial plans and plans for construction, development, and utilization of regions, river basins, or sea areas organized by them, organize ecological and environmental impact assessments and prepare chapters or explanatory statements on ecological and environmental impacts for such plans.

The chapters or explanatory statements concerning ecological and environmental impacts shall analyze, forecast, and evaluate the potential ecological and environmental impacts after implementation of the plan, and shall propose countermeasures and measures to prevent or mitigate adverse ecological and environmental impacts. Such chapters or explanatory statements shall form part of the draft plan and be submitted together to the planning approval authority.

Draft plans lacking such chapters or explanatory statements shall not be approved by the approval authority.

Article 87

Relevant departments of the State Council, and local people's governments at or above the level of a city divided into districts and their relevant departments, shall organize ecological and environmental impact assessments during the preparation of special plans relating to industry, agriculture, forestry, energy, water conservancy, transportation, urban and industrial park construction, tourism, and natural resource development, and shall submit ecological and environmental impact assessment reports to the authorities responsible for approving such special plans.

Guiding plans among the special plans listed in the preceding paragraph shall undergo ecological and environmental impact assessments in accordance with the provisions of Article 86 of this Code.

Article 88

The specific scope of plans subject to ecological and environmental impact assessment pursuant to Articles 86 and 87 of this Code shall be prescribed by the MEE in conjunction with relevant departments and submitted to the State Council for approval.

The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government may, in light of local circumstances, require ecological and environmental impact assessments for plans prepared by the people's governments at the county level within their administrative regions. Specific measures shall be formulated by the provinces, autonomous regions, and municipalities with reference to the provisions of this Section.

Article 89

An ecological and environmental impact assessment report for a special plan shall include the following contents:

1. analysis, forecasting, and evaluation of the possible impacts on the ecological environment arising from implementation of the plan;
2. countermeasures and measures for preventing or mitigating adverse ecological and environmental impacts;
3. the conclusions of the ecological and environmental impact assessment.

Article 90

Where a special plan may cause adverse ecological and environmental impacts and directly involves public ecological and environmental rights and interests, the planning authority shall, before submitting the draft plan for approval, hold demonstration meetings, hearings, or adopt other forms to solicit opinions from relevant entities, experts, and the public on the draft ecological and environmental impact assessment report, except where disclosure is prohibited by the State.

The planning authority shall carefully consider the opinions of relevant entities, experts, and the public, and shall attach explanations in the submitted ecological and environmental impact assessment report stating whether such opinions have been adopted or not adopted.

Article 91

When submitting a draft special plan for approval, the planning authority shall submit the ecological and environmental impact assessment report together with the draft plan

for examination by the approval authority. Where the report is not submitted, the approval authority shall not approve the draft plan.

Article 92

Before approving a draft special plan or making a decision thereon, the people's governments at or above the level of a city divided into districts shall first organize the ecological environment authority to convene representatives of relevant departments and experts to form a review group to examine the ecological and environmental impact assessment report and issue written review opinions.

Experts participating in the review group shall be randomly selected from the list of experts in relevant specialties included in the expert database established in accordance with regulations of the MEE.

Where special plans are approved by relevant departments of people's governments at or above the provincial level, the methods for reviewing ecological and environmental impact assessment reports shall be formulated by the MEE in conjunction with relevant departments.

Article 93

Where the review group proposes modification opinions, the authority responsible for preparing the special plan shall revise and improve the draft plan in accordance with the conclusions of the ecological and environmental impact assessment report and the review opinions, and shall explain whether such conclusions and opinions have been adopted. Where they are not adopted, reasons shall be provided.

When approving a draft special plan, the people's governments at or above the level of a city divided into districts or relevant departments of people's governments at or above the provincial level shall regard the conclusions of the ecological and environmental impact assessment report and the review opinions as important bases for decision-making.

Where such conclusions or review opinions are not adopted in the approval process, explanations shall be provided and archived for reference.

Article 94

After the implementation of plans that have significant impacts on the ecological environment, the authority responsible for preparing the plan shall promptly organize follow-up assessments of ecological and environmental impacts, report the assessment results to the approval authority, and notify relevant departments such as ecological environment authorities. Where obvious adverse ecological and environmental impacts are identified, improvement measures shall be promptly proposed.

Section III Ecological and Environmental Impact Assessment of Construction Projects

Article 95

The State shall implement classified management of ecological and environmental impact assessments for construction projects according to the degree of their impacts on the ecological environment.

Project developers shall organize the preparation of ecological and environmental impact assessment reports, ecological and environmental impact assessment report forms, or ecological and environmental impact registration forms in accordance with the following provisions:

1. where major ecological and environmental impacts may occur, an ecological and environmental impact assessment report shall be prepared to conduct a comprehensive evaluation of the impacts;
2. where minor ecological and environmental impacts may occur, an ecological and environmental impact assessment report form shall be prepared to conduct analysis or specialized evaluation;
3. where the ecological and environmental impacts are minimal and preparation of a report or report form is unnecessary, an ecological and environmental impact registration form shall be completed.

The catalogue for classified management of ecological and environmental impact assessments for construction projects shall be formulated and promulgated by the MEE.

Article 96

An ecological and environmental impact assessment report for a construction project shall include the following contents:

1. an overview of the construction project;
2. the current status of the ecological environment surrounding the project;
3. analysis, forecasting, and evaluation of the possible ecological and environmental impacts of the project;
4. ecological and environmental protection measures for the project and their technical and economic feasibility;
5. economic cost-benefit analysis of the ecological and environmental impacts of the project;
6. recommendations on ecological and environmental monitoring and emission management for project implementation;
7. conclusions of the ecological and environmental impact assessment;

8. other contents as prescribed by law.

The contents and formats of ecological and environmental impact assessment report forms and registration forms shall be formulated by the MEE

Article 97

Ecological and environmental impact assessments for construction projects shall avoid duplication with ecological and environmental impact assessments for plans.

Where a plan constitutes an integrated construction project, ecological and environmental impact assessment shall be conducted for the project as a construction project, and no separate plan-level assessment shall be conducted.

Where a plan that has already undergone ecological and environmental impact assessment includes specific construction projects, the conclusions of the plan-level assessment shall serve as an important basis for the project-level assessment, and the contents of the project-level assessment shall be simplified in accordance with the review opinions on the plan-level assessment.

Article 98

Project developers may entrust technical institutions to conduct ecological and environmental impact assessments for their construction projects and prepare ecological and environmental impact assessment reports or report forms. Where project developers possess the technical capacity for ecological and environmental impact assessment, they may conduct such assessments independently and prepare the reports or report forms themselves.

The preparation of ecological and environmental impact assessment reports and report forms shall comply with relevant national standards and technical specifications for ecological and environmental impact assessment.

Administrative measures for the preparation of ecological and environmental impact assessment reports and report forms shall be formulated by the MEE.

Article 99

Technical institutions entrusted with the preparation of ecological and environmental impact assessment reports or report forms shall independently, objectively, and impartially conduct their work in accordance with the law, establish sound quality control systems, and ensure that the reports and report forms they produce are objective, truthful, and accurate.

Technical institutions and personnel undertaking such work shall maintain good credit records and shall not have any interest relationships with ecological environment authorities responsible for approving the reports or with other relevant approval authorities. Personnel occupying key positions such as preparation and review shall possess relevant professional technical qualifications and work experience.

Technical institutions entrusted with preparing ecological and environmental impact assessment reports or report forms shall file with the ecological environment authority, which shall strengthen supervision and administration of such institutions' activities. Specific measures shall be formulated by the MEE.

Article 100

Project developers shall bear responsibility for the contents and conclusions of ecological and environmental impact assessment reports and report forms. Technical institutions entrusted with their preparation shall bear corresponding responsibility for the reports and report forms they prepare.

The ecological environment authorities of people's governments at or above the level of a city divided into districts shall strengthen supervision, administration, and quality assessment of institutions and personnel preparing such reports.

Ecological environment authorities responsible for approving such reports shall conduct credit supervision over the institutions, chief preparers, and main preparers in accordance with the law with respect to illegal acts.

No entity or individual may designate technical institutions to prepare ecological and environmental impact assessment reports or report forms for project developers.

Article 101

Except where disclosure is prohibited by the State, construction projects that may cause significant ecological and environmental impacts and require the preparation of ecological and environmental impact assessment reports shall, before submission of the report for approval, hold demonstration meetings, hearings, or adopt other forms to explain the project to the potentially affected public and fully solicit opinions from relevant entities, experts, and the public.

The ecological and environmental impact assessment report submitted for approval shall include explanations regarding whether such opinions have been adopted or not adopted.

Article 102

Ecological and environmental impact assessment reports and report forms for construction projects shall be submitted by project developers to the authorized ecological environment authority in accordance with relevant provisions.

The authority shall make approval decisions within sixty days from the date of receipt of an ecological and environmental impact assessment report, and within thirty days from the date of receipt of an ecological and environmental impact assessment report form, and shall notify the project developer in writing.

Ecological and environmental impact registration forms shall be subject to filing management.

No fees shall be charged for the approval, examination, or filing of ecological and environmental impact assessment reports, report forms, or registration forms.

Article 103

Upon receipt of an ecological and environmental impact assessment report for a construction project, the ecological environment authority shall disclose the report in full, except where disclosure is prohibited by the State. Where it is discovered that public opinions have not been adequately solicited, the authority shall order the project developer to solicit public opinions.

Article 104

The MEE shall be responsible for approving ecological and environmental impact assessment reports and report forms for the following construction projects:

1. construction projects of special nature such as nuclear facilities;
2. construction projects spanning administrative regions of provinces, autonomous regions, or municipalities directly under the Central Government;
3. construction projects approved by the State Council or by departments authorized by the State Council;
4. other construction projects as prescribed by laws and administrative regulations.

For construction projects other than those specified above, approval authority shall be determined by the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government and filed with the MEE

Where construction projects may cause adverse ecological and environmental impacts across administrative regions and the relevant ecological environment authorities dispute the conclusions of the assessment, the report shall be approved by the higher-level ecological environment authority common to the parties concerned.

Article 105

The ecological environment authority shall refuse approval of ecological and environmental impact assessment reports or report forms for construction projects under any of the following circumstances:

1. the project type, site selection, layout, scale, or other aspects do not conform to ecological and environmental laws, regulations, or relevant statutory plans;
2. ecological and environmental quality in the relevant region, river basin, or sea area fails to meet environmental quality standards and the measures proposed by the project cannot satisfy management requirements for environmental quality improvement targets;

3. pollution prevention and control measures adopted by the project cannot ensure compliance with pollutant discharge standards, or necessary measures for preventing and controlling ecological damage have not been adopted;
4. reconstruction, expansion, or technological upgrading projects fail to propose effective measures to address existing environmental pollution and ecological damage;
5. the ecological and environmental impact assessment report or report form contains clearly inaccurate basic data, major defects, omissions, or falsifications, or the assessment conclusions are incorrect or unreasonable.

Article 106

Where, after approval of an ecological and environmental impact assessment report or report form, major changes occur to the nature, scale, location, production processes, or pollution prevention and ecological protection measures of the construction project, the project developer shall resubmit the report or report form for approval.

Where more than five years have elapsed since approval of the ecological and environmental impact assessment report or report form and construction has not commenced, the report or report form shall be resubmitted to the original approval authority for re-examination. The approval authority shall notify the project developer in writing of its review opinion within ten days of receipt.

Article 107

Where the ecological and environmental impact assessment report or report form of a construction project has not been examined and approved by ecological environment authority in accordance with the law, or where approval has been refused, or where re-examination by the original approval authority has not been obtained where required, the project developer shall not commence construction.

Article 108

During the construction and operation of a project, the project developer shall implement the ecological and environmental protection measures specified in the ecological and environmental impact assessment report or report form and in the approval opinions of the approving authority.

Article 109

Where circumstances arise during the construction or operation of a project that are inconsistent with the approved ecological and environmental impact assessment report or report form, the project developer shall organize a post-assessment of ecological and environmental impacts, adopt improvement measures, and file the results with the original approving authority and the project approval authority.

The original approving authority may also require the project developer to conduct such post-assessments and adopt improvement measures.

Article 110

The ecological environment authority shall conduct follow-up inspections of ecological and environmental impacts after construction projects have commenced production or operation. Where serious environmental pollution or ecological damage occurs, the causes shall be investigated and responsibility determined.