

## Measures for Public Participation in Environmental Protection[Effective]

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Order of the Ministry of Environmental Protection  
(No. 35)

The Measures for Public Participation in Environmental Protection, as adopted at the executive meeting of the Ministry of Environmental Protection on July 2, 2015, are hereby issued, and shall come into force on September 1, 2015.

Minister: Chen Jining

July 13, 2015

Measures for Public Participation in Environmental Protection

Article 1 For purposes of guaranteeing citizens, legal persons and other organizations' right to obtain environmental information and participate in and oversee environmental protection, making participation channels smooth, and promoting the orderly development of public participation in environmental protection in accordance with the law, these Measures are formulated in accordance with the Environmental Protection Law and other relevant laws and regulations,

Article 2 These Measures shall apply to the activities concerning citizens, legal persons and other organizations' participation in such environmental protection public affairs as formulation of policies and regulations, implementation of administrative licensing or imposition of administrative penalties, supervision over illegal acts, or implementation of publicity and education.

Article 3 Public participation in environmental protection shall follow the principles of legality, orderliness, voluntariness and bringing convenience to people.

Article 4 The administrative departments of environmental protection may solicit the opinions and suggestions of citizens, legal persons and other organizations on relevant environmental protection matters or activities through opinion solicitation, questionnaire survey, holding of symposiums, expert demonstration meetings, or hearings or by any other means.

Citizens, legal persons and other organizations may put forward opinions and suggestions to the administrative departments of environmental protection by telephone, letters, faxes, Internet or any other means.

Article 5 The administrative departments of environmental protection shall, when soliciting opinions from citizens, legal persons and other organizations, publish the following information:

(1) Background information on relevant matters or activities;

(2) The starting and ending time of opinion solicitation.

(3) The methods for the public to submit opinions and suggestions.

(4) Contact departments and contact information.

Citizens, legal persons and other organizations shall submit their written opinions and suggestions within the time limits for opinion solicitation.

Article 6 Where the administrative departments of environmental protection are to solicit opinions through questionnaire survey, they shall make explanations of the basic information on relevant matters. The questions set in questionnaires should be simple and clear, and easy to understand. As to the number and scope of people answering the questionnaires, the administrative departments of environmental protection shall take into comprehensive consideration the coverage and extent of environmental influence of relevant matters or activities, degree of social concern, human and material resources required for organizing public participation and other factors.

Article 7 Where the administrative departments of environmental protection are to organize the convening of symposiums or expert demonstration meetings to solicit opinions, they shall notify in advance the participants in the meetings of the time, places, topics for discussion and agendas of the meetings, or may announce such information through government websites, main media or other channels when necessary.

Persons participating in expert demonstration meetings shall be primarily experts in relevant professional fields and professionals in the environmental protection social organizations; and, at the same time, representatives of citizens, legal persons and other organizations which may be affected directly by relevant matters or activities shall be invited to participate in expert demonstration meetings.

Article 8 For matters that shall be subject to hearing as provided by laws or regulations, the administrative departments of environmental protection shall announce them to the public and hold hearings.

An administrative department of environmental protection shall organize a hearing under the principles of openness, fairness, impartiality and bringing convenience to people, and sufficiently listen to the opinions of citizens, legal persons and other organizations and ensure their right to make statements, cross-examination and arguments.

A hearing shall be held in public, unless it involves any state secret, trade secret, or personal privacy.

Article 9 The administrative departments of environmental protection shall classify and sort out, and analyze and research the opinions and suggestions put forward by citizens, legal persons and other organizations, and take into full consideration such opinions and suggestions when making environmental decisions, and give feedbacks to citizens, legal persons and other organizations in appropriate manners.

Article 10 The administrative departments of environmental protection shall encourage citizens, legal persons and other organizations to participate in the public opinion supervision and social supervision on environmental protection public affairs.

Article 11 Citizens, legal persons and other organizations that discover any environmental pollutions or ecological damages caused by any entities or individuals may make tips-off through letters, faxes, e-mail, 12369 tip-off hotline for environmental protection, government websites or any other means.

Article 12 Citizens, legal persons, and other organizations that discover any failures of the local people's governments at any level or the administrative departments of environmental protection at and above the county level to perform their

duties in accordance with the law shall have the right to make tips-off to their superior authorities or the supervisory authorities.

Article 13 The administrative departments of environmental protection that receive tips-off shall conduct investigation and verification of the matters reported in accordance with the relevant laws and regulations, and notify the informants of the investigation information and handling results.

Article 14 The administrative departments of environmental protection that receive tips-off shall keep confidential the relevant information on informants and protect their lawful rights and interests.

Article 15 The administrative departments of environmental protection shall reward entities and individuals who make outstanding achievements in protecting and improving environment.

The state shall encourage the administrative departments of environmental protection at or above the county level to urge the relevant departments to establish the special funds for rewarded tips-off for environmental protection.

Article 16 The administrative departments of environmental protection may support the social organizations that meet the statutory conditions in filing environmental public welfare lawsuits in accordance with the law by such means as providing legal consulting, submitting written opinions or assisting in investigation and gathering of evidence.

Article 17 The administrative departments of environmental protection shall strengthen publicity and education within the scope of their functions, popularize environmental science knowledge, and enhance the environmental consciousness of the public, and the consciousness of conservation; and shall encourage the public to conscientiously practice green living and green consumption, so as to form a low-carbon, conservation-minded and eco-friendly social atmosphere.

Article 18 The administrative departments of environmental protection may support and guide social organizations in participating in environmental protection activities by giving financial support for projects, providing purchase services or other means.

Article 19 Where any laws, regulations or other departmental rules formulated by the Ministry of Environmental Protection provide otherwise for public participation in environmental protection, such provisions shall apply.

Article 20 These Measures shall come into force on September 1, 2015.