

China Law on the Safety of Hazardous Chemicals (Second Draft, September 2025)

English Working Summary and Compliance Checklist

English Working Translation of Operative Articles (Condensed Summary)

General Provisions

Purpose: Protect life, property, and the environment; strengthen safety governance throughout production, storage, use, operation, and transport. Establishes national catalogue and unified data platform under MEM leadership.

Planning and Siting

Production and storage must align with national land-use and industrial-park planning. Chemical parks must meet national standards. EIA and safety evaluations are required before project approval.

Production and Storage Safety

Production units require a Production Safety Permit. Facilities must implement automation, monitoring, and dual-prevention systems. Major hazards are registered and monitored.

Use Safety

Users require Safety Use Permits. Institutions must maintain chemical logs, SDS files, and staff training records. Highly toxic chemicals need double-person handling and police reporting.

Operation (Sales) Safety

Sales enterprises need Operation Permits. Must maintain digital sales records, verify purchasers, and prohibit e-commerce sales.

Transport Safety

Transport enterprises need Transport Safety Qualifications. Drivers and loaders are licensed and trained. GPS, fatigue monitors, and a 2-hour night driving limit.

Registration and Digital Management

All hazardous chemicals are registered in the national system with an electronic ID. Data retention 10 years. Integration with park/government digital systems.

Emergency Response

On-site plans and drills are conducted annually. MEM leads rescue; MEE leads environmental monitoring. Prompt public information disclosure is required.

Legal Liability

Fines, suspension, and criminal referral for violations. Rewards and protection for whistleblowers.

Supplementary Provisions

Defines key terms and authorizes implementing rules by State Council agencies.

Side-by-Side Compliance Checklist

Compliance Area	Mandatory Requirements (Second Draft)	Regulatory Authority	Corporate Action Items
Licensing & Permits	Production, Use, Operation, Transport Safety Permits; Special Purchase Approvals for highly toxic chemicals.	MEM, MPS, MOT, MEE	Audit permit gaps, align categories, track expiry dates.
Data & Digital Tracking	National registration, electronic ID, full lifecycle traceability, 10-year data retention.	MEM, MEE, SAMR	Map SDS and ERP systems, develop APIs, pilot e-ID tagging.
Training & Personnel	Mandatory training for all; driver/loader certification; annual retraining records.	MEM, MOT, HRSS	Update training matrices, certification management, refresher testing.
Siting & Planning	Projects limited to approved parks; buffer zones and EIA required.	MIIT, MEE, Natural Resources	Verify facility siting, commission EIA, prepare relocation contingencies.
Operations & Storage	Major hazards registered; segregation and firefighting standards.	MEM, SAMR, Fire & Rescue	Audit storage, hazard inventory, contractor safety programs.
Emergency Response	Written and drilled plans, monitoring, rapid reporting.	MEM, MEE, Local Gov.	Integrate with local authorities, digitize drill documentation.

Whistleblower & Reporting	Allow and protect reports, reward mechanisms required.	MEM, MPS	Create anonymous channels, implement reward framework.
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The second draft transforms hazardous-chemical oversight from a regulatory-license system to a **digitally enforced, full-lifecycle statutory regime**, paralleling EU REACH and U.S. OSHA/EPA models but with Chinese characteristics—centralized catalog control, electronic identifiers, and multi-agency integration. Once enacted, it will likely **replace Decree 591** and become the primary legal foundation for all chemical-safety compliance in China.

Regulatory Authorities Involved in the Law on the Safety of Hazardous Chemicals (Second Draft, 2025)

Acronym	Full English Name	Official Chinese Name (中华人民共和国)	Core Responsibility under the Draft Law
MEM	Ministry of Emergency Management	应急管理部	Leads overall hazardous-chemical safety supervision; establishes and manages the National Catalogue; issues production, use, and operation permits; directs accident and emergency response.
MPS	Ministry of Public Security	公安部	Oversees security management of highly toxic chemicals; issues special purchase and road-transport permits; supervises facility security and anti-theft measures.
MOT	Ministry of Transport	交通运输部	Regulates road and waterway transport of hazardous chemicals; manages vehicle licensing, driver qualifications, and modal safety standards.

Acronym	Full English Name	Official Chinese Name (中华人民共和国)	Core Responsibility under the Draft Law
MEE	Ministry of Ecology and Environment	生态环境部	Oversees environmental impact assessments, environmental hazard registration, and emergency environmental monitoring during accidents.
SAMR	State Administration for Market Regulation	国家市场监督管理总局	Supervises quality and conformity of chemical packaging, containers, and labeling; enforces national standards for hazardous substances.
HRSS	Ministry of Human Resources and Social Security	人力资源和社会保障部	Defines occupational qualifications and training for hazardous-chemical workers; administers safety training certification.
MIIT	Ministry of Industry and Information Technology	工业和信息化部	Regulates industrial production planning; sets construction and operational standards for chemical industrial parks.
MOA	Ministry of Agriculture and Rural Affairs	农业农村部	Oversees agricultural chemicals and pesticides included in the hazardous-chemical catalogue; coordinates with MEM for dual-use substances.
NHC	National Health Commission	国家卫生健康委员会	Regulates public health impacts, occupational disease prevention, and health surveillance of workers exposed to hazardous chemicals.
GAC (Customs)	General Administration of Customs	海关总署	Enforces import/export controls on hazardous chemicals; ensures conformity with international transport and labeling requirements.

Acronym	Full English Name	Official Chinese Name (中华人民共和国)	Core Responsibility under the Draft Law
MNR	Ministry of Natural Resources	自然资源部	Approves land-use and siting of hazardous-chemical facilities; enforces buffer zones and land-safety planning.
CAAC	Civil Aviation Administration of China	中国民用航空局	Regulates the air transport of hazardous chemicals; sets safety rules for DG cargo and packaging by air.
NRA	National Railway Administration	国家铁路局	Regulates rail transport of hazardous chemicals; sets loading/unloading and tank-car standards.
MOT (Maritime Safety Admin.)	China Maritime Safety Administration	中国海事局	Under MOT; regulates maritime transport of hazardous chemicals and port safety management.
Fire & Rescue	National Fire and Rescue Administration	国家消防救援局	Under MEM; manages firefighting standards, emergency rescue operations, and inspection of major hazard installations.
SAWS (historical predecessor)	State Administration of Work Safety	国家安全生产监督管理总局 (merged into MEM 2018)	Historical reference—responsibilities fully absorbed by MEM in the current draft law.

The Second Draft's **Article 5** formally codifies a **multi-agency collaborative framework**, replacing the older system governed by State Council **Decree 591 (Regulation on the Safety Management of Hazardous Chemicals)**. Under the new model:

- **MEM** serves as the *lead coordinating body*,
- Other ministries serve as *co-regulators* according to industrial, environmental, transport, or security contexts,

- A unified **National Information Platform** will link all agencies for real-time supervision and data sharing.