

# ACCESS TO FACILITY-SPECIFIC ENVIRONMENTAL INFORMATION



## CHINA

This memo describes the Chinese rules on the public access to environmental information, which have been modernized as many other environmental laws in China.

As many environmental laws have been updated in China, the government expanded and revised the government information disclosure system. [Regulations of the People's Republic of China on Disclosure of Government Information](#) (Order No. 492 of the State Council of the People's Republic of China on April 5, 2007, as amended by Order No. 711 of the State Council of the People's Republic of China on April 3, 2019). This provides that:

*“Where an agency or an internal agency established by an administrative agency performs administrative functions in its own name in accordance with laws and regulations, the agency or internal agency may be responsible for the disclosure of government information related to the administrative functions performed.”*  
Article 10.

Article 20(6) seems to directly relate to environmental non-compliance information, violations and enforcement proceedings:

*“The administrative organ shall actively disclose the following government information: The basis, conditions and procedures for the implementation of administrative punishment and administrative coercion, as well as administrative punishment decisions that the administrative organ deems have a certain social impact;”(emphasis added).*

Article 20(13) directly applies to environmental information: *“Supervision and inspection of environmental protection, public health, safety in production, food and medicine, and product quality.”*

The law sets out procedures for formal written applications for such information. Programs to promote disclosure and train NGOs and the public on the process have been operated by China University of Political Science and Law, which also published an advocacy paper in 2011 that seems to have been influential in expanding disclosure under the 2019 decree. [“The Theory and Practice of Environmental Information Disclosure Legislation,”](#) China Press 2011. This contains a lot of good context and arguments on

encouraging disclosure. The full impact of these changes and the scope of release of environment compliance information is still developing.

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