

MEMBER ALERT



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PEOPLE'S REPUBLIC OF CHINA (PRC): NEW REGULATIONS REGARDING THE IMPORTATION OF SOLID WASTE

In consequence of growing environmental concerns within the PRC, its government has issued stricter regulations to prevent and control pollution, including greater control on the importation of solid waste.



On August 10, 2017, the PRC's Ministry of Environmental Protection, the Ministry of Commerce and three other ministries jointly issued the announcement regarding updated Administrative Catalogue of Waste Importation (2017) which has become effective from December 31, 2017. This Catalogue added 24 types of solid waste listed under four categories to the import ban list, including 8 types of waste plastic from living sources, one type of unsorted waste paper, 11 types of waste raw materials of textile and 4 types of vanadium slag.

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Legal Consequences of Non-Compliance

According to the relevant regulations of the PRC, if dumping, storing and disposing of foreign solid waste, importing the banned solid or restricted solid waste without a license, customs authorities shall order its return to the location of origin and fine the shipowner between RMB 100,000 (US\$ 16,000) and RMB 1,000,000 (US\$ 160,000). If the act constitutes a crime, criminal charges may be brought against the shipowner. If the importer is unknown, the carrier will be liable for returning the solid waste or bear the cost of its disposal.

Recommendations

Members are recommended to take measures to check whether any solid waste shipments are on the PRC's banned or restricted solid waste list before accepting such cargoes. They should also request the booking party to provide accurate information, customs codes and relevant licenses that allow the shipment to the PRC.

Your Managers would like to thank our correspondent, Huatai Insurance Agency & Consultant Service, Ltd. for this information. A full text of the requirements and a catalogue of banned wastes can be found [here](#).