

SURVEYING AND MAPPING LAW OF THE PEOPLE'S REPUBLIC OF CHINA

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Chapter I General Provisions

Article 1 This Law is enacted to strengthen the administration of the surveying and mapping undertaking, promote its development, ensure that it renders service to the development of national economy, building up of national defence, progress of the society as well as ecological protection, and safeguard the security of national geospatial information.

Article 2 All surveying and mapping activities in the territorial air, land and waters of the People's Republic of China, as well as other sea areas under its jurisdiction shall be conducted in compliance with this Law.

For the purpose of this Law, surveying and mapping include the activities conducted to measure, collect and represent the shapes, sizes, spatial positions, and attributes of physical geography elements or man-made objects on the Earth surface, as well as to process and provide the data, information and results gained therefrom.

Article 3 Surveying and mapping is a basic undertaking for the development of national economy, building up of national defence, and progress of the society. The people's governments at all levels shall strengthen their leadership in this respect.

Article 4 The competent department in charge of surveying, mapping and geo-information under the State Council shall be r the overall supervision over the surveying and mapping work throughout the country. The relevant departments under the State Council shall, in line with the division of functions and duties specified by the State Council, be responsible for the surveying and mapping work that they are concerned with.

The competent departments in charge of surveying, mapping and geo-information under the local people's governments at or above the county level shall be responsible for the overall supervision over the surveying and mapping work within their own administrative areas. The relevant departments of the local people's governments at or above the county level shall, in line with the division of functions and duties specified by the people's governments at the same level, be responsible for the surveying and mapping work that they are concerned with.

The surveying and mapping department of the military shall be responsible for the administration of the surveying and mapping work carried out by the military and shall, in line with the division of functions and duties specified by the State Council and the Central Military Commission, be responsible for the administration of basic marine surveying and charting.

Article 5 In surveying and mapping, the datums and systems prescribed by the State for surveying and mapping shall be employed, and the technical specifications and standards prescribed by the State for surveying and mapping shall be applied.

Article 6 The State encourages scientific and technological innovation and progress in surveying and mapping as well as the adoption of advanced technology and equipment to improve the surveying and mapping level, promotes civilian and military integration, and facilitates the application of surveying and mapping results. The State strengthens international exchange and cooperation in surveying and mapping science and technology.

Units and individuals that make important contributions to scientific and technological progress in surveying and mapping shall be rewarded in accordance with the relevant regulations of the State.

Article 7 The people's governments at all levels and their relevant departments shall strengthen the publicity and education in national territory and raise the citizens' awareness of national territory. The news media shall carry out the publicity to increase public awareness of national territory. The

administrative departments for education and schools shall include the education in the awareness of national territory in the syllabus of primary and secondary schools so as to strengthen patriotic education.

Article 8 Foreign organizations or individuals that wish to conduct surveying and mapping in the territorial air, land or waters of the People's Republic of China, as well as other sea areas under its jurisdiction shall be subject to approval by the competent department in charge of surveying, mapping and geo-information under the State Council and the surveying and mapping department of the military, and they shall observe the provisions of relevant laws and administrative regulations of the People's Republic of China.

Foreign organizations or individuals that wish to conduct surveying and mapping in the territorial air, land or waters of the People's Republic of China shall do so jointly with the relevant departments or units of the People's Republic of China, and such surveying and mapping shall not involve State secrets or endanger State security.

Chapter II Surveying and Mapping Datums and Systems

Article 9 The State establishes and adopts the unified national geodetic datum, height datum, depth datum and gravity datum, and the data in this respect shall be examined and verified by the competent department in charge of surveying, mapping and geo-information under the State Council which, after consulting with the relevant departments under the State Council and the surveying and mapping department of the military, shall submit the data to the State Council for approval.

Article 10 The State establishes the unified national geodetic coordinate system, plane coordinate system, height system, geocentric coordinate system and gravimetric system, and defines the orders and accuracy of the national geodetic survey, as well as the national basic scale map series and their basic accuracy. Specific norms and requirements shall be formulated by the competent department in charge of surveying, mapping and geo-information under the State Council, in conjunction with the relevant departments under the State Council and the surveying and mapping department of the military.

Article 11 Where it is necessary to establish relatively independent plane coordinate systems for major construction projects and large cities as determined by the State Council to meet the needs of construction, urban planning and scientific research, the matter shall be subject to approval by the competent department in charge of surveying, mapping and geo-information under the State Council; and where it is necessary to establish relatively independent plane coordinate systems for other purposes, the matter shall be subject to approval by the competent department in charge of surveying, mapping and geo-information under the people's government of the province, autonomous region, or municipality directly under the Central Government.

The relatively independent plane coordinate systems to be established shall be connected with the national coordinate system.

Article 12 The competent department in charge of surveying, mapping and geo-information under the State Council and that under the people's government of a province, autonomous region, or municipality directly under the Central Government shall work together with other relevant departments of the people's government at the same level to establish a unified satellite navigation and positioning reference service system and provide the public with access to navigation and positioning reference information in accordance with the principles of coordinated development and resource sharing.

Article 13 Where a satellite navigation and positioning reference station is to be built, the construction unit shall report it for the record to the competent department in charge of surveying, mapping and geo-information under the State Council or under the people's government of a province, autonomous region, or municipality under the Central Government in accordance with the relevant regulations of the State. The competent department in charge of surveying, mapping and geo-information under the State Council shall collect the records of the construction of satellite navigation and positioning reference stations throughout the nation, and regularly provide the information to the surveying and mapping department of the military.

For the purpose of this law, the satellite navigation and positioning reference station refers to the permanent ground observation station that operates continuously to observe satellite navigation signals and transmit the observed data in real time or fixed time to the data center through facility of communications.

Article 14 The construction, operation and maintenance of satellite navigation and positioning reference stations shall conform to the standards and requirements of the State and shall not jeopardize the security of the State.

The units that undertake the construction, operation and maintenance of satellite navigation and positioning reference stations shall establish data security safeguard system and comply with the provisions of laws and administrative regulations governing State secrets.

The competent departments in charge of surveying, mapping and geo-information under the people's government at or above the county level shall, in conjunction with other relevant departments under the people's government at the same level, strengthen regulation and guidance in the construction, operation and maintenance of satellite navigation and positioning reference stations.

Chapter III Basic Surveying and Mapping

Article 15 Basic surveying and mapping is a public welfare undertaking. The State exercises a graded administrative system over basic surveying and mapping.

For the purpose of this Law, basic surveying and mapping includes establishing the unified national surveying and mapping datums and systems, conducting the basic aerial photography, obtaining the remote sensing data for basic geospatial information, producing and updating the national basic scale

map series, image maps and digital products, and establishing and updating the basic geospatial information systems.

Article 16 The competent department in charge of surveying, mapping and geo-information under the State Council shall, in conjunction with the relevant departments under the State Council and the surveying and mapping department of the military, organize the formulation of the national plans for basic surveying and mapping, and shall submit the plans to the State Council for approval before making arrangements for their implementation.

The competent departments in charge of surveying, mapping and geo-information under the local people's governments at or above the county level shall, in conjunction with the relevant departments of the people's governments at the same level, organize the formulation of the plans for basic surveying and mapping of their own administrative areas according to the basic surveying and mapping plans of the State and of the people's government at the next higher level and the actual conditions of their own administrative areas and shall submit the plans to the people's governments at the same level for approval before organizing their implementation.

Article 17 The surveying and mapping department of the military shall be responsible for formulation of the military surveying and mapping plans and shall, in line with the division of functions and duties specified by the State Council and the Central Military Commission, be responsible for the formulation of the plans for basic marine surveying and charting as well as the organization of their implementation.

Article 18 The people's governments at or above the county level shall incorporate basic surveying and mapping into their annual plans for national economic and social development and the required funds for basic surveying and mapping into the budget of the government at the same level.

The department for development and reform under the State Council shall, jointly with the competent department in charge of surveying, mapping and geo-information under the State Council and according the national basic surveying and mapping plan, make the annual plans for national basic surveying and mapping.

The departments for development and reform under the local people's governments at or above the county level shall, jointly with the competent departments in charge of surveying, mapping and geo-information at the same level, make annual plans for basic surveying and mapping of their own administrative areas according to the basic surveying and mapping plans for their own administrative areas, and submit their annual plans respectively to the competent departments at the next higher level for the record.

Article 19 The results of basic surveying and mapping shall be updated regularly. The results of basic surveying and mapping urgently needed for development of the national economy, building up of the national defense, progress of the society and ecological protection shall be updated in time.

The update cycle for the results of basic surveying and mapping shall be determined on the basis of the needs for national economic and social development in different areas.

Chapter IV Boundary Surveying and Mapping and Other Surveying and Mapping

Article 20 The national boundaries of the People's Republic of China shall be surveyed and mapped in accordance with the boundary treaties or agreements concluded between the People's Republic of China and its neighboring countries, and the Ministry of Foreign Affairs shall take charge of making arrangements for its implementation. The standard sample maps defining the national boundaries of the People's Republic of China shall be drafted by the Ministry of Foreign Affairs and the competent department in charge of surveying, mapping and geo-information under the State Council, and be submitted to the State Council for approval and publication.

Article 21 The boundaries between the administrative areas shall be surveyed and mapped in accordance with the relevant regulations of the State Council. The standard maps defining the administrative boundaries between provinces, autonomous regions, and municipalities directly under the Central Government, and between autonomous prefectures, counties, autonomous counties and cities shall be drafted by the department for civil affairs under the State Council and the competent department in charge of surveying, mapping and geo-information under the State Council and be submitted to the State Council for approval and publication.

Article 22 The competent departments in charge of surveying, mapping and geo-information under the people's governments at or above the county level shall, in conjunction with the competent departments for real estate registration under the people's governments at the same level, strengthen the administration over real estate surveying and mapping.

The estate boundary lines of lands, buildings, structures and other aboveground objects attached to the land shall be surveyed in accordance with the estate boundary points and estate boundary lines determined by the local people's governments at or above the county level, or the relevant registration data and attached maps provided by the said governments. When the estate boundary lines take place, the persons concerned shall, without delay, conduct surveying and mapping accordingly.

Article 23 The engineering surveys in the field of housing and urban-rural development related to housing property rights and housing cadastre shall be conducted in accordance with the technical specifications formulated under the charge of the competent department for housing and urban-rural development under the State Council and the competent department in charge of surveying, mapping and geo-information under the State Council.

The engineering surveys in water conservancy, energy, transportation, telecommunications, resource development and other fields shall be conducted in accordance with the relevant technical specifications of the State for engineering surveys.

Article 24 To establish a geospatial information system, the basic geospatial data that meet the standards of the State shall be used.

Article 25 The competent departments in charge of surveying, mapping and geo-information under the people's governments at or above the county level shall, as required by emergency response, provide the surveying and mapping results such as maps and basic geospatial data in a timely manner, and do their utmost to provide emergency surveying and mapping support including remote sensing monitoring and navigation and positioning.

Article 26 The competent departments in charge of surveying, mapping and geo-information under the people's governments at or above the county level shall, jointly with other relevant departments of the people's governments at the same level, conduct geographic conditions monitoring according to law, and strictly manage and properly use the results of geographic conditions monitoring in accordance with the relevant regulations of the State.

The people's governments at all level shall take effective measures so that the geographic conditions monitoring results can play an appropriate role in government decision-making, economic and social development and public service.

Chapter V Qualifications for Surveying and Mapping

Article 27 The State applies a system of surveying and mapping qualification administration as regard the units engaged in surveying and mapping activities.

Units engaged in surveying and mapping activities shall meet the following requirements and obtain the qualification certificates for surveying and mapping of the corresponding grade.

- (1) Have the status of a legal person;
- (2) Have the technicians required for the surveying and mapping work they are engaged in;
- (3) Have the technology, equipment and facilities needed for the surveying and mapping work they are engaged in; and
- (4) Have sound technical support and quality control systems, safety precautions, information security and confidentiality management system, and surveying and mapping results and archives management system.

Article 28 The competent department in charge of surveying, mapping and geo-information under the State Council and competent departments in charge of surveying, mapping and geo-information under the people's governments of the provinces, autonomous regions, and municipalities directly under the Central Government shall, in compliance with their own functions and duties, be responsible for examining the qualifications for surveying and mapping as well as issuing qualification certificates for surveying and mapping. The specific measures in this respect shall be

formulated by the competent department in charge of surveying, mapping and geo-information under the State Council after consultation with other relevant departments under the State Council.

The surveying and mapping department of the military shall be responsible for examination of the surveying and mapping qualifications of military surveying and mapping units.

Article 29 No surveying and mapping unit may engage in surveying and mapping activities by exceeding the scope allowed for the grade of qualifications, or engage in such activities in the name of another surveying and mapping unit, or permit another unit to engage in such activities in its name.

Where public bidding is invited for surveying and mapping projects, the bid inviting unit of the surveying and mapping project shall specify the required grade of qualifications of the tendering surveying and mapping units in the bidding announcement or in the invitation for bids according to law. No surveying and mapping unit shall be allowed to win the bidding lacking the required grade of qualifications for surveying and mapping, or at a price lower than the surveying and mapping costs.

The surveying and mapping unit that wins the bidding shall not subcontract the surveying and mapping project thereof to other units.

Article 30 Technicians engaged in surveying and mapping activities shall possess the necessary practice qualifications. The specific measures in this respect shall be formulated by the competent department in charge of surveying, mapping and geo-information under the State Council in conjunction with the competent department for human resources and social security under the State Council.

Article 31 Personnel conducting surveying and mapping activities shall have the certificates for surveying and mapping operations.

No unit or individual shall hinder the surveying and mapping activities conducted by surveying and mapping personnel according to law.

Article 32 The designs of the surveying and mapping qualification certificate for surveying and mapping units, the practice certificate for surveying and mapping technicians, and the operation certificate for surveying and mapping personnel shall all be prescribed by the competent department in charge of surveying, mapping and geo-information under the State Council.

Chapter VI Surveying and Mapping Results

Article 33 The State implements a surveying and mapping results submission system. The State protects the intellectual property rights of the surveying and mapping results according to law.

After a surveying and mapping project is completed, the investor of the project or the surveying and mapping unit undertaking the project which is financed by the State shall submit the data of the

surveying and mapping results to the competent department in charge of surveying, mapping and geo-information under the State Council or to the competent department in charge of surveying, mapping and geo-information under the people's government of the province, autonomous region or municipality directly under the Central Government. The data shall be submitted in the form of a duplicate copy if the results are of a basic surveying and mapping project, otherwise the data shall be submitted in the form of a catalogue. The competent department in charge of surveying, mapping and geo-information responsible for collecting the duplicate copies and catalogues of surveying and mapping results shall produce a voucher for receipt of such copies and catalogues and shall, without delay, hand over such copies and catalogues to the custodian unit. Specific measures for surveying and mapping results submission shall be formulated by the State Council.

The competent department in charge of surveying, mapping and geo-information under the State Council and the competent departments in charge of surveying, mapping and geo-information under the people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall compile the catalogues of surveying and mapping results and release them in time.

Article 34 The competent departments in charge of surveying, mapping and geo-information under the people's governments at or above the county level shall actively promote the processing and compilation of the public version of surveying and mapping results, and enhance the application of surveying and mapping results by providing the public version of surveying and mapping results, processing with security techniques, and other means.

The custodian units of surveying and mapping results shall take measures to ensure the completeness and safety of the surveying and mapping results and, in accordance with relevant regulations of the State, open them to the public and make them available for use.

If the surveying and mapping results are classified as State secrets, the provisions of laws and administrative regulations governing State secrets shall be applicable; and in the event they need be provided to foreign-related organizations or individuals or to those outside the territory of the People's Republic of China, the procedures of examination and approval set by the State Council and the Central Military Commission shall be followed.

The scope and rating of confidential surveying and mapping results shall be determined, and adjusted and released in a timely manner, in compliance with the provisions of laws and administrative regulations governing State secrets, and according to the principles of ensuring security of the State secrets and promoting sharing and application of geospatial information.

Article 35 With respect to surveying and mapping projects funded by the government and other projects funded likewise which involve surveying and mapping, the relevant departments shall, prior to giving approval for such projects, consult with the competent department in charge of surveying, mapping and geo-information under the people's government at the same level. Prior surveying and

mapping results which are still suitable as to the aforementioned projects shall be fully used to avoid repeated surveying and mapping.

Article 36 Where basic surveying and mapping results and government-funded results of surveying and mapping completed with State investment are to be used for government decision-making, national defense and public service, they shall be provided free of charge.

In addition to the provisions of the preceding paragraph, the system of paid use shall be applied according to law. However, the people's governments at all level, the relevant departments and the military may use them free of charge in their efforts to meet the needs of public interests such as disaster prevention and relief, emergency response, and maintenance of State security.

Specific measures for the use of surveying and mapping results shall be formulated by the State Council.

Article 37 Significant geographic information and data such as the positions, elevations, depths, areas and lengths of the territorial air, land and waters of the People's Republic of China, as well as other sea areas under its jurisdiction shall be examined and verified by the competent department in charge of surveying, mapping and geo-information under the State Council which shall, after consultation with the relevant departments under the State Council and the surveying and mapping department of the military, submit them to the State Council for approval; and the approved information and data shall be published by the State Council or by the department authorized thereby.

Article 38 The compilation, publication, display, carrying and updating of maps shall be in compliance with the relevant provisions of the State on map compilation standards, map content representation and map review.

Internet map service providers shall use the maps reviewed and approved according to law, establish the map data security management system, take security guarantee measures, strengthen check and verification over new contents of internet maps, and improve service quality.

People's governments at or above the county level and relevant departments such as the competent department in charge of surveying, mapping and geo-information, and the department for network and information security shall strengthen the supervision and administration over map compilation, publication, display and carrying as well as internet map services to guarantee the quality of maps and safeguard the sovereignty, security and interests of the State.

Specific measures for map management shall be formulated by the State Council.

Article 39 Surveying and mapping units shall be responsible for the quality of the surveying and mapping results they have achieved. The competent departments in charge of surveying, mapping and geo-information under the people's governments at or above the county level shall exercise strict supervision over the quality of the surveying and mapping results.

Article 40 The state encourages the development of the geospatial information industry, promotes the restructuring, optimization and upgrading of the geospatial information industry, supports the development of various types of geospatial information products and the improvement of the product quality, and facilitates the use of safe and reliable geospatial information technology and equipment.

People's governments at or above the county level shall establish and improve a mechanism for jointly developing and sharing geospatial information resources among governmental departments, guide and support enterprises to provide the society with geospatial information services, and promote the wide use of geospatial information.

The competent departments in charge of surveying, mapping and geo-information under the people's governments at or above the county level shall collect, process and update the basic geospatial information and data in a timely manner, and provide geospatial information service to the public through the public service platform to realize the openness and sharing of geospatial information and data.

Chapter VII Protection of Survey Markers

Article 41 No unit or individual shall damage, destroy or, without authorization, remove permanent survey markers or temporary survey markers in use, or seize or occupy the land used for permanent survey markers; nor may they, within the safety control area of a permanent survey marker, conduct activities which endanger the safety or impair the effective use of the survey markers.

For the purpose of this Law, permanent survey markers include beacons and mark stones established at triangulation points, baseline points, traverse points, military control points, gravimetric points, astronomic points, leveling points and satellite positioning points of various orders and classes, as well as fixed markers used for topographic mapping, engineering survey and deformation measurement, and installations at sea-bed geodetic points.

Article 42 The construction unit of permanent survey markers shall set up distinct signs for such markers, and entrust the relevant local unit to appoint persons specially responsible for the custody of them.

Article 43 In carrying out engineering construction, the construction unit shall seek to get around permanent survey markers; where it is absolutely impossible to get around such markers and necessary to have them removed or rendered ineffective, the matter shall be subject to approval by the competent department in charge of surveying, mapping and geo-information under the people's government of the relevant province, autonomous region or municipality directly under the Central Government. Where a military control point is involved, the matter shall be subject to consent by the surveying and mapping department of the military. The construction unit shall bear all the expenses incurred as a result of the removal and reestablishment of such markers.

Article 44 When employing permanent survey markers, the surveying and mapping personnel shall hold their certificates for surveying and mapping operations, and ensure that the markers remain in good condition.

Persons responsible for taking care of survey markers shall inspect and examine whether they are intact after employment.

Article 45 People's governments at or above the county level shall take effective measures to improve the protection of the survey markers.

The competent departments in charge of surveying, mapping and geo-information under the people's governments at or above the county level shall, in accordance with relevant regulations, inspect and maintain the permanent survey markers.

People's governments at the township level shall well protect the survey markers within their own administrative areas.

Chapter VIII Supervision and Administration

Article 46 The competent departments in charge of surveying, mapping and geo-information under the people's governments at or above the county level shall, in conjunction with other relevant departments under the people's governments at the same level, establish the geospatial information security management system and the technical prevention and control system, and strengthen the supervision and administration of geospatial information security.

Article 47 The units that produce, keep or utilize geospatial information shall apply a traceability management system as regard the geospatial information that is classified as State secrets by registering the acquisition, possession, provision and utilization of such information and retain a long-term record of such registration.

The surveying and mapping activities that involve acquisition, possession, provision or utilization of the geospatial information classified as State secrets shall be in compliance with the provisions of laws, administrative relevant regulations governing State secrets.

Where the units producing or utilizing the geospatial information and the internet map service providers collect or use the personal information of users, they shall comply with the provisions of laws and administrative regulations on the protection of personal information.

Article 48 The competent departments in charge of surveying, mapping and geo-information under the people's governments at or above the county level shall apply a credit management system to the surveying and mapping units, and shall publish their credit information according to law.

Article 49 The competent departments in charge of surveying, mapping and geo-information under the people's governments at or above the county level shall establish and improve the random inspection mechanism, and shall perform the duties of supervision and inspection according to law.

Where any suspected violation of this Law is found, the following measures may be taken according to law:

- (1) Look up or copy the relevant contracts, bills, account books, registration records and other relevant documents and materials; and
- (2) Seal up or seize the equipment, tools, raw materials, surveying and mapping results etc. directly related to the suspected illegal surveying and mapping act.

The units and individuals subjected to inspection shall be cooperative and truthfully provide the relevant documents and materials without any concealment, refusal or obstruction.

Any unit or individual shall have the right to report any act violating the provisions of this Law to the competent departments in charge of surveying, mapping and geo-information under the people's governments at or above the county level. The aforesaid department shall, according to law, deal with the matter without delay upon receiving such a report.

Chapter IX Legal Liabilities

Article 50 Where a staff member of the competent department in charge of surveying, mapping and geo-information or of any other relevant department under the people's government at or above the county level, in violation of the provisions of this Law, and by taking advantage of his or her position, accepts money, things of valuable or any other benefits from another person, or neglects his or her duty, verifies and issues a qualification certificate for surveying and mapping to a unit that does not meet the statutory requirements, fails to perform his or her duty of supervision according to law, or fails to investigate and punish any act that is found in violation of law, the person in charge who is directly responsible and the persons directly responsible shall be given sanctions according to law. If a crime is constituted, criminal liability shall be investigated according to law.

Article 51 Any foreign organization or individual that, in violation of the provisions of this Law, engages in surveying and mapping activities without obtaining approval or without cooperating with the relevant department or unit of the People's Republic of China, shall be ordered to desist from the illegal activities, the illegal gains thereof, as well as the relevant surveying and mapping results and tools shall be confiscated, and the said foreign organization or individual shall be fined not less than RMB 100,000 yuan but not more than RMB 500,000 yuan. If the circumstances are serious, the said foreign organization or individual shall be fined not less than RMB 500,000 yuan but not more than RMB 1,000,000 yuan, and be ordered to leave the country within a specified time limit or be expelled from the country. If a crime is constituted, the said foreign organization or individual shall be investigated for criminal liability according to law.

Article 52 Any unit that, in violation of the provisions of this Law, establishes a relatively independent plane coordinate system without approval, or establishes a geospatial information system by adopting the basic geospatial information and data that do not conform to the norms of the

State, shall be given a disciplinary warning and be ordered to make rectification, and may, in addition, be imposed with a fine of not more than RMB 500,000 yuan; and the person in charge who is directly responsible and the other persons directly responsible shall be given sanctions according to law.

Article 53 Any unit establishing a satellite navigation and positioning reference station, in violation of the provisions of this Law, fails to report as such for the record, shall be given a disciplinary warning and be ordered to make rectification within a specified time limit; in the event of failure to make rectification within the prescribed time limit, a fine of not less than RMB 100,000 yuan but not more than RMB 300,000 yuan shall be imposed; and the person in charge who is directly responsible and the other persons directly responsible shall be given sanctions according to law.

Article 54 Any unit that, in violation of the provisions of this Law, fails to construct, operate and maintain a satellite navigation and positioning reference station in compliance with the norms and requirements of the State, shall be given a disciplinary warning and be ordered to make rectification within a specified time limit, the illegal gains and surveying and mapping results shall be confiscated, and a fine of not less than RMB 300,000 yuan but not more than RMB 500,000 yuan shall be imposed; in the event of failure to make rectification within the prescribed time limit, the relevant equipment shall be confiscated; the person in charge who is directly responsible and the other persons directly responsible shall be given sanctions according to law. If a crime is constituted, criminal liability shall be investigated according to law.

Article 55 Anyone who, in violation of the provisions of this Law, engages in surveying and mapping activities without obtaining a qualification certificate for surveying and mapping, shall be ordered to desist from the violation, the illegal gains and surveying and mapping results shall be confiscated, and, in addition, the violator shall be fined not less than the amount of, but not more than two times the amount of, the remuneration for surveying and mapping agreed upon; and if the circumstances are serious, the surveying and mapping tools shall be confiscated.

Where anyone engages in surveying and mapping activities with a qualification certificate for surveying and mapping obtained by fraudulent means, the certificate shall be revoked, the illegal gains and surveying and mapping results shall be confiscated, and, in addition, the violator shall be fined not less than the amount of, but not more than two times the amount of, the remuneration for surveying and mapping agreed upon; and if the circumstances are serious, the surveying and mapping tools shall be confiscated.

Article 56 Where a surveying and mapping unit, in violation of the provisions of this Law, commits one of the following acts, it shall be ordered to desist from the violation, the illegal gains and surveying and mapping results shall be confiscated, it shall be fined not less than the amount of, but not more than two times the amount of, the remuneration for surveying and mapping agreed upon, and it may, in addition, be ordered to suspend operations for rectification or its qualification for

surveying and mapping may be downgraded; and if the circumstances are serious, its qualification certificate for surveying and mapping shall be revoked:

- (1) Engage in surveying and mapping activities by exceeding the scope allowed for its grade of qualification;
- (2) Engage in surveying and mapping activities in the name of another surveying and mapping unit;
or
- (3) Permit another unit to engage in surveying and mapping activities in its name.

Article 57 Where a unit inviting bids for a surveying and mapping project, in violation of the provisions of this Law, permits a surveying and mapping unit without the requested qualification grade to win the bidding, or permits a surveying and mapping unit to win the bidding at a price lower than the surveying and mapping costs, the unit shall be ordered to make rectification, and may also be fined not more than two times the amount of the remuneration for surveying and mapping agreed upon. Where a staff member of the unit inviting bids, by taking advantage of his or her position, extorts or illegally accepts money or things of value from another person in exchange for seeking benefits for that person, the said staff member shall be given sanctions according to law. If a crime is constituted, the said staff member shall be investigated for criminal responsibility according to law.

Article 58 Where a surveying and mapping unit that wins in bidding a surveying and mapping project transfers the project to another unit in violation of the provisions of this Law, the said unit shall be ordered to make rectification, its illegal gains shall be confiscated, it shall be fined not less than the amount of, but not more than two times the amount of, the remuneration for surveying and mapping agreed upon, and it may, in addition, be ordered to suspend operations for rectification or its qualification for surveying and mapping may be downgraded; and if the circumstances are serious, its qualification certificate for surveying and mapping shall be revoked.

Article 59 Anyone who, in violation of the provisions of this Law, engages in surveying and mapping activities without obtaining the practicing certificate for surveying and mapping, shall be ordered to desist from the illegal activity, the illegal gains and surveying and mapping results shall be confiscated, and his or her employer may be fined not more than two times the amount of the illegal gains; if the circumstances are serious, the surveying and mapping tools shall be confiscated; and if losses are caused, compensatory liability shall be assumed according to law.

Article 60 Any unit which, in violation of the provisions of this Law, fails to submit the materials of surveying and mapping results, it shall be ordered to submit the materials within a specified time limit; if it fails to do so at the expiration of the time limit, the investor for the surveying and mapping project shall be fined not less than the amount of, but not more than two times the amount of, the expenses entailed to redo the project; and if a unit undertaking a surveying and mapping project invested by the State fails to do so at the expiration of the time limit, it shall be fined not less than RMB 50,000 yuan but not more than RMB 200,000 yuan and its qualification certificate for

surveying and mapping shall be temporarily confiscated; if the unit still fails to submit the materials of the surveying and mapping results within six months from the date its qualification certificate for surveying and mapping is temporarily confiscated, its qualification certificate for surveying and mapping shall be revoked; and the person in charge who is directly responsible and the other persons directly responsible shall be given sanctions according to law.

Article 61 Any unit which, in violation of the provisions of this Law, publishes, without authorization, major geographic information and data concerning the territorial air, land or waters of the People's Republic of China, or other sea areas under its jurisdiction, shall be given a disciplinary warning as well as an order to make rectification, and it may, in addition, be fined not more than RMB 500,000 yuan; the person in charge who is directly responsible and the other persons directly responsible shall be given sanctions according to law; and if the violation constitutes a crime, criminal responsibility shall be investigated according to law.

Article 62 Where, in violation of the provisions of this Law, a map is compiled, published, displayed, carried, or updated, or an internet map service is rendered, without compliance with the regulations of the State on map administration, administrative penalties or sanctions shall be given according to law. If a crime is constituted, criminal responsibility shall be investigated according to law.

Article 63 Where a surveying and mapping unit, in violation of the provisions of this Law, achieves unqualified surveying and mapping results, it shall be ordered to conduct correctional surveying and mapping or to redo the project; if the circumstances are serious, it shall be ordered to suspend operations for rectification, and, in addition, its qualification for surveying and mapping may be downgraded, or its qualification certificate for surveying and mapping be revoked; and if losses are caused, it shall be liable for compensation according to law.

Article 64 Any unit or individual that, in violation of the provisions of this Law, commits any of the following acts shall be given a disciplinary warning and be ordered to make rectification, and may, in addition, be fined not more than RMB 200,000 yuan; the person in charge who is directly responsible and the other persons directly responsible shall be given sanctions according to law; if losses are caused, compensatory liability shall be assumed according to law. If a crime is constituted, criminal responsibility shall be investigated according to law:

- (1) Damage, destroy or, without authorization, remove a permanent survey marker or a temporary survey marker in use;
- (2) Seize or occupy the land used for a permanent survey marker;
- (3) Conduct activities which endanger the safety and impair the effective use of a survey marker within the security control area of a permanent survey marker;
- (4) Dismantle and remove a permanent survey marker without authorization or render it ineffective, or refuse to pay the expenses entailed by the removal and reestablishment of the marker; or

(5) Damage or destroy a permanent survey marker by using it in violation of the operating rules.

Article 65 Where any unit responsible for producing, keeping and utilizing the geospatial information, in violation of the provisions of this Law, fails to register the acquisition, possession, provision or utilization of the geospatial information that belongs to State secrets or fails to retain a long-term record of such registration, it shall be given a disciplinary warning, be ordered to make rectification, and may, in addition, be fined not more than RMB 200,000 yuan; where any State secret is illegally disclosed, the unit shall be ordered to suspend operations for rectification, and its qualification for surveying and mapping shall be downgraded or the qualification certificate for surveying and mapping be revoked; and if a crime is constituted, criminal responsibility shall be investigated according to law.

Any unit which, in violation of the provisions of this Law, acquires, possesses, provides or utilizes the geospatial information that belongs to State secrets, shall be given a disciplinary warning and be ordered to desist from the violation, the illegal gains shall be confiscated, and the unit may, in addition, be fined not more than two times the amount of the illegal gains; the person in charge who is directly responsible and the other persons directly responsible shall be given sanctions according to law; if losses are caused, compensatory liability shall be assumed according to law. If a crime is constituted, criminal responsibility shall be investigated according to law.

Article 66 The administrative penalties involving the downgrading of qualifications for surveying and mapping, temporary taking away of the qualification certificates for surveying and mapping and revoking of such certificates, as provided for by this Law, shall be decided on by the departments that issue such certificates for surveying and mapping; and the other administrative penalties shall be decided on by the competent departments in charge of surveying, mapping and geo-information under the people's governments at or above the county level.

The order for leaving the country within a specified time limit and deportation, as provided for in Article 51 of this Law, shall be decided on and executed by the public security organ according to law.

Chapter X Supplementary Provisions

Article 67 Administrative measures for military surveying and mapping shall be formulated by the Central Military Commission in accordance with the provisions of this Law.

Article 68 This Law shall go into effect as of July 1, 2017.