

NATURAL RESOURCES

A. Tibet.

1. ***Regulations of the Tibet Autonomous Region on the Management of Mineral Resources*** (effective July 1, 1999; adopted on April 1, 1999 by the Sixth Session of the Standing Committee of the Seventh TAR People's Congress, and amended on January 20, 2002 by the 24th Session of the Standing Committee of the Seventh TAR People's Congress).

(a) The Regulations have been formulated pursuant to the Law of the People's Republic of China on Mineral Resources (the "PRC Mineral Resources Law"). The plans for the development and use of mineral resources formulated by the TAR people's government shall be included in the State's social and economic development plans. Any development of mineral resources in the administrative areas in the TAR shall consider the interests of the masses in the area and mining areas and promote the development of the economy and social progress in the area. The TAR people's government may, in accordance with laws and the unified plan of the State, give priority to the rational development and use of mineral resources developed by the locality. The people's governments at all levels shall actively encourage, support and guide the development of the mining industry in remote and impoverished areas.

(b) The Regulations provide a framework for the exploration and development of mineral resources, the transfer of exploration and exploitation rights and the protection and management of mineral resources.

2. ***Regulations of the Tibet Autonomous Region on the Protection of the Environment*** (effective September 1, 2003; adopted on July 24, 2003 by the Fifth Session of the Standing Committee of the Eighth TAR People's Congress).

The Regulations have been formulated pursuant to the Law of the People's Republic of China on the Protection of the Environment. The Regulations provide a framework for environmental protection in the TAR, including protection of scenic areas, lakes, rivers and drinking water sources, responsibilities of mining operations, measures to control air and noise pollution, and so forth.

B. Gansu Province.

1. ***Regulations of Tianzhu Tibetan Autonomous County of Gansu Province on the Management of Mineral Resources*** (effective March 1, 1995; adopted on March 20, 1994 by the Second Session of the 13th People's Congress of Tianzhu Tibetan Autonomous County, approved on January 21, 1995 by the 13th Session of the Standing Committee of the Eighth People's Congress of Gansu Province, and amended on March 26, 1999 by the Ninth Session of the Standing Committee of the Ninth People's Congress of Gansu Province).

(a) The Regulations have been formulated pursuant to the PRC Mineral Resources Law and the Autonomy Regulations of Tianzhu Tibetan Autonomous Prefecture. The county shall, in accordance with laws and regulations and the unified plan of the State, implement a policy of the rational development, scientific use and protection of mineral resources and with respect to mineral resources that can be developed in the county, give priority to their rational development and use.

(b) All units and individuals who carry out mining activities in the county must conscientiously implement policies on ethnic groups and laws and regulations relating to workers of ethnic groups, shall respect the religious beliefs and customs and traditions of minorities in the area and shall safeguard and develop the unity of ethnic groups.

2. ***Regulations of Gannan Tibetan Autonomous Prefecture of Gansu Province on the Management of Mineral Resources*** (adopted on March 30, 1999 by the Second Session of the 12th People's Congress of Gannan Tibetan Autonomous Prefecture, and approved on May 26, 2000 by the 16th Session of the Standing Committee of the Ninth People's Congress of Gansu Province).

(a) The Regulations have been formulated pursuant to the PRC Mineral Resources Law, and the Regulations of Gansu Province on the Management of Mineral Resources.

(b) When conditions are equal, enterprise legal persons and economic organizations of the prefecture and its counties shall have priority in mining and exploitation rights. The interests of the prefecture and the production and lives of the local masses shall be considered when developing mineral resources in the prefecture. Mining enterprises shall give priority to the recruitment of excess mining labor in the locality.

(c) The prefecture may, upon approval, use a portion of the gold and silver to manufacture decorative products specially needed by ethnic groups based upon the special characteristics of minorities of the prefecture.

C. Qinghai Province.

1. ***Regulations of Haibei Tibetan Autonomous Prefecture on the Management of Mineral Resources*** (effective July 1, 1995; adopted on April 20, 1990 by the Sixth Session of the Eighth People's Congress of Haibei Tibetan Autonomous Prefecture of Qinghai Province, and approved on May 31, 1995 by the 18th Session of the Standing Committee of the Eighth People's Congress of Qinghai Province).

(a) The Regulations have been formulated pursuant to the PRC Mineral Resources Law.

(b) The development of mineral resources or the construction of mines shall consider the prefecture's interests, and be beneficial to the ethnic areas' economic development, and help the local people to develop production and improve their lives.

(c) The prefecture shall have priority in the rational development and use of the prefecture's mineral resources in accordance with laws and the uniform plan [of the State].

2. ***Regulations of Haixi Mongolian and Tibetan Autonomous Prefecture on the Management of Mineral Resources*** (effective November 1, 1995; adopted on May 12, 1990 by the Sixth Session of the Eighth People's Congress of the Haixi Mongolian and Tibetan Autonomous Prefecture, and approved on September 22, 1995 by the 20th Session of the Standing Committee of the Eighth People's Congress of Qinghai Province).

(a) The Regulations have been formulated pursuant to the Law of the People's Republic of China on Autonomy in Ethnic Areas and the PRC Mineral Resources Law.

(b) The prefecture shall have priority in the rational development and use of mineral resources in accordance with laws and the uniform plan of the State. Mining enterprises in the prefecture shall take into consideration the prefecture's interest, make arrangements that will benefit the economic development of the prefecture and consider the local masses' production and lives.

3. ***Regulations of the Haixi Mongolian and Tibetan Autonomous Prefecture on the Management of Water Resources*** (effective October 1, 1998; adopted on May 15, 1998 by the Fourth Session of the 10th People's Congress of the Haixi Mongolian and Tibetan Autonomous Prefecture of Qinghai Province, and adopted on July 24, 1998 by the Third Session of the Standing Committee of the Ninth People's Congress of Qinghai Province).

The Regulations have been formulated pursuant to the Water Law of the People's Republic of China and the Law of People's Republic of China on the Prevention of Water Pollution. The Regulations provide a framework for the management and exploitation of water resources in the prefecture.

4. ***Regulations of Guoluo Tibetan Autonomous Prefecture on the Protection of the Ecological Environment*** (effective October 1, 2000; adopted on May 13, 2000 by the Sixth Session of the 10th People's Congress of Guoluo Tibetan Autonomous Prefecture, and approved on July 30, 2000 by the 19th Session of the Standing Committee of the Ninth People's Congress of Qinghai Province).

The Regulations have been formulated pursuant to the Law of the People's Republic of China on the Protection of the Environment. The Regulations provide for the protection of certain areas in the prefecture, contain preventative measures, and clarify the responsibilities of various governmental agencies.

D. Sichuan Province.

1. ***Regulations of A Ba Tibetan and Qiang Autonomous Prefecture on the Management of Mineral Resources*** (adopted on April 19, 1996 by the Fourth Session of the Seventh People's Congress of A Ba Tibetan and Qiang Autonomous Prefecture, and adopted on October 17, 1998 by the Fifth Session of the Standing Committee of the Ninth People's Congress of Sichuan Province).

(a) The Regulations have been formulated pursuant to the Law of People's Republic of China on Autonomy in Ethnic Areas, the PRC Mineral Resources Law and the Regulations of Sichuan Province on the Management of Mineral Resources.

(b) The prefecture shall have priority in the development and use of mineral resources that can be developed in the locality in accordance with the uniform plan of the State and shall implement rational development and comprehensive use of mineral resources on the basis of the effective protection of mineral resources. Those entities in the prefecture that explore mineral resources or process or are in the business of selling mineral products shall give consideration to the interests of the prefecture and the production and lives of the local masses and shall make arrangements that are beneficial to the economic development of the prefecture.

2. ***Regulations of Muli Tibetan Autonomous County on the Management of Mineral Resources*** (adopted on February 6, 1996 by the Fourth Session of the Eighth People's Congress of Muli Tibetan Autonomous County, and approved on October 17, 1998 by the Fifth Session of the Standing Committee of the Ninth People's Congress of Sichuan Province).

The Regulations have been formulated pursuant to the Law of the People's Republic of China on Autonomy in Ethnic Areas, the PRC Mineral Resources Law and the Regulations of Sichuan Province on the Management of Mineral Resources. The Regulations are substantially similar to those described in item 1 above.

3. ***Regulations of Ganzi Tibetan Autonomous Prefecture on the Management of Mineral Resources*** (adopted on April 9, 1995 by the Second Session of the Seventh People's Congress of Ganzi Tibetan Autonomous Prefecture and approved on October 19, 1995 by the 17th Session of the Standing Committee of the Eighth People's Congress of Sichuan Province; an amendment was adopted on March 17, 1999 by the First Session of the Eighth People's Congress of Ganzi Tibetan Autonomous Prefecture, and approved on June 1, 1999 by the Ninth Session of the Standing Committee of Ninth People's Congress of Sichuan Province).

The Regulations have been formulated pursuant to the Law of the People's Republic of China on Autonomy in Ethnic Areas, the PRC Mineral Resources Law and the Regulations of Sichuan Province on the Management of Mineral Resources. The Regulations are substantially similar to those described in item 1 above.