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**Notice of State Development and Reform Commission , Ministry of Finance ,
Ministry of Commerce , Ministry of Land and Resources , General
Administration of Customs , State Administration of Taxation , Ministry of
Environmental Protection on Taking Supporting Measures in Respect of
Restraint of the Export of High energy, Pollution-inducing, and Natural
Resource Consumption**

FaGaiJingMao [2005] No.1482

The development and reform commissions, the department(bureau) of finance , the competent authority of commerce, the department of land and resources (The department of land environment and resources, bureau of land and resources, the bureau of land resources and housing, the bureau of housing and land, the bureau of planning and national land and resources) , of control of all provinces, autonomous regions, municipalities directly under the Central Government, cities under separate state planning and Sinkiang Production and Construction Cors ,Guangdong Branch of the General Administration of Customs, Shanghai Specially Dispatched Office, Tianjin Specially Dispatched Office, and all customs offices directly under the General Administration of Custom, the bureau of taxation and the bureau (department)of environmental protection.

The state has taken measures to restrain the export of part of the high energy, pollution-inducing, and natural Resource Consumption from May of this year in accordance with the direction of the state council. For the purpose thereof, the relevant matters are noticed as follows :

I. The Necessity of Restraining the Export of High energy, Pollution-inducing, and Natural Resource Consumption

Recently, the rapid investment in steel, cement, electrolytic aluminum and coke leads to the production capacity of the above aimless extension; the rapid increase in export of high energy, pollution-inducing, and natural Resource Consumption such as billet, steel ingot, electrolytic aluminum, ferroalloy and part of nonferrous metal, etc, which worsens the stress of national recourses, raw materials, transportation and recourses environment. The export of billet, rolled steel, 未锻轧铝, ferroalloy, and coke is 6,058,000.00 tons, 14,230,000.00 tons, 2,190,000.00 tons and 15,010,000.00 tons and the growth rate is 312.1%、104%、34.8%、20.5% and 2% respectively and the growth in export of the above products early this year is 262.4%、154.1%、21.9%、17% and 16.2% compared with the time of last year. Additionally, the export of zinc, tungsten, tin, stibium, other nonferrous metal and high energy, pollution-inducing, and natural Resource Consumption such as yellow phosphorus, calcium carbide increases extensively too.

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The extensive export of high energy, pollution-inducing, and natural Resource Consumption worsens the shortage of coal, power, petrol and shipping and the stress of resources environment. The power consumption of 未锻轧铝, billet, rolled steel, ferroalloy, and yellow phosphorus exported in 2004 in the producing stage is up to 49 billion kilowatt, which rakes 82% of the total electricity shortfall and if taking the shipping stage into account, the power consumed will be much more. Most of the high energy products are high pollution-inducing. The discharge of exhaust gas and liquid waste from the production of coke, the fluoride from the production of electrolytic aluminum and the dust from the production of ferroalloy are all high pollution-inducing. Some of the electrolytic aluminum enterprises and billet enterprises are located inland. The shipping of the raw material from the east-south coastal areas to the middle-west areas and shipping back of the products worsen the shortage of shipping capacity. The extensive export of high energy, pollution-inducing, and natural Resource Consumption goes beyond the ability of our power source, resources, environment, and shipping, which affects the sound and balanced development of the national economy. Therefore, restraint of the export of high energy, pollution-inducing, and natural Resource Consumption is necessary for implementing the scientific concept of development, reducing the environmental pollution, solving the resources problem of development and relieving the shortage of coal, power, petrol, and shipping.

2. Measures of Restraining the Export of High energy, Pollution-inducing, and Natural Resource Consumption

The State Council has approved the relevant departments to take a serial of measures to control the export of high energy, pollution-inducing, and natural Resource Consumption.

2.1 Reduce Export

The export quotas of coal, crude oil, and coke has educed from 0.1 billion tons in 2003 to 80 million tons in 2005, from 5 million tons in 2003 to 1 million in 2005 and from 14.72 million tons in 2004 to 14 million tons

2.2 Withdrawal or Reduction of Export VAT Refund Entitlement

The export of VAT refund of electrolytic aluminum, ferroalloy, yellow phosphorus, and calcium carbide and other high energy products was withdrawn on Jan. 1st, 2005, f steel of primary products was withdrawn in April, of the rolled steel has been reduced from 13% to 11%. The export of VAT refund of rare earth metal, rare earth oxide, rare earth salts, metallic silicon, molybdenum minerals sand, and ore concentrate, light dead burnt magnesite, fluor, pencil stone, carborundum and part of the primary lumber products was withdrawn on May 1st, and the export of VAT refund rate of the coal, zinc, tungsten, tin, stibium and their products was reduced to 8%. The export of VAT refund of electrolytic manganese was withdrawn on Aug. 1st.

2.3 Levying Export Tariff

Export customs tax was imposed on urea from Jan. 1ST this year, and the export customs tax rate of 未锻轧铝 is 5%. The customs tax rate of yellow phosphorus increased from 10% to 20% temporarily and the export customs rate of silicon and iron increased from 0% to 5% temporarily.

2.4 Cease Processing Trade

The state has listed coal, coke, yellow phosphorus, steel products and rare earth products into the prohibited catalogue of processing trade successively, and listed alumina, ferroalloy mine into the prohibited catalogue of processing trade, in addition to ceasing examining and approving the new processing trade contract.

3 The Implement of the Supporting Measures on Ceasing the Processing Trade of Alumina, and Ferroalloy Mine

In recent years, the investment in alumina and ferroalloy is increasing extensively and the increase in products is too fast. Ceasing the processing trade of alumina will do good to the import of alumina and the export of electrolytic aluminum and in the same time will lead to the price reduction of alumina in international market and the price rise of electrolytic aluminum in the international market and at last lead to the price rise in domestic market. Ceasing the processing trade can also build a fair competition environment for electrolytic aluminum and ferroalloy and in general is good for the above industry. However, due to the outcome of the above is far beyond the need of the market, this industry falls into hardship in general currently, and some of the enterprises suffer losses. The local governments should do what they can to relieve the hardship of electrolytic aluminum and ferroalloy industry.

3.1 The Approved Processing Trade Contracts before Ceasing the Processing Trade Allowed to be executed

The state will not examine and approve the new processing trade contracts after listing the import of electrolytic aluminum and ferroalloy into the prohibited catalogue. And as for the processing trade contracts approved by the departments of commerce and filed in the customs are allowed to be executed in accordance with the current processing trade policies.

3.2 Study of the Relevant Tariff Policy

In order to protect the domestic resources, encourage the import of resources goods and enhance the sound development of the electrolytic aluminum and ferroalloy, compounded with the stipulation of the tariff scheme of the next year, we study the relevant tariff policy.

3.3 Perfect the Power Pricing Scheme for the High Energy Enterprises

Stick to the policy of different power price, raise the power price of low voltage and reduce the power price of high voltage taking into account of the power price reform to enlarge the gap of different voltages. In the power rich areas, we cal pool the electrolytic aluminum enterprises with power stations to reduce the costs of

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electrolytic aluminum. And we should perfect the peak and low consumption and high and low water flow period power pricing policy to enlarge the price discrepancy between peak and low, high and low water time to reduce the costs of ferroalloy.

3.4 Perfect the Credit Policy

To carry an overall evaluation of the key national control industry, such as steel, electrolytic aluminum, cement, coke, and ferroalloy, etc on carrying out the national control policies in order to provide industry investment risk warning and policy information directing and at last to serve the monetary institutions to better grasp the loan direction and to provide credit support to those enterprises and projects who is in accord with the national industry policy and credit principle.

3.5 To Secure the Social Order

The local governments and departments shall implement the supporting measures earnestly to help the enterprises out of the hardship and difficulty, get known of the operating situation of the enterprises, and study and report of the problem arousing after ceasing the processing trade.

Jul. 28TH, 2005

国家发展和改革委员会、财政部、商务部、国土资源部、海关总署、国家税务总局、国家环境保护总局关于做好控制高耗能、高污染、资源性产品出口有关配套措施的通知

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各省、自治区、直辖市和计划单列市、新疆生产建设兵团发展改革委、财政厅(局)、商务主管部门、国土资源厅(国土环境资源厅、国土资源厅、国土资源和房屋管理局、房屋土地资源管理局、规划和国土资源管理局)、海关总署广东分署、海关天津、上海特派办、各直属海关、国家税务总局、环境保护局(厅)：

根据国务院常务会议精神，今年5月以来国家陆续采取措施，控制部分高耗能、高污染和资源性产品出口。为进一步做好此项工作，现就有关事项通知如下：

一、控制高耗能、高污染、资源性产品出口的必要性

近年来，钢铁、水泥、电解铝、焦炭等行业投资过快增长，产能盲目扩大，铜坯及铜材、电解铝、铁合金、部分有色金属等高耗能、高污染、资源性产品出口大幅增加，加剧了国内能源、原材料、运输紧张的矛盾和资源环境压力。2004年我国铜坯、铜材、未锻轧铝、铁合金、焦炭分别出口605.8万吨、1423万吨、168万吨、219万吨和1501万吨，同比分别增长312.1%、104%、34.8%、20.5%和2%；今年上半年铜坯、铜材、未锻轧铝、铁合金、焦炭出口比上年同期又分别增长262.4%、154.1%、21.9%、17%和16.2%。另外锗、钨、铋等有色金属，黄磷、电石等多种高耗能、高污染、资源性商品出口也大量增加。

高耗能、高污染、资源性产品大量出口，加剧了煤电油运紧张矛盾和资源环境压力。2004年出口的未锻轧铝、铜坯和铜材、铁合金以及黄磷四种产品生产环节消耗电能490亿千瓦时，占全部电力缺口的82%。如果考虑运输各环节，消耗的电能还要更多。高耗能产品大多是严重污染环境的产品，焦炭生产过程中排放的废气、废水，电解铝生产过程中产生的氟化物，铁合金生产过程中产生的粉尘等都严重污染环境。一些电解铝和铜坯生产企业地处内陆，由东南沿海进口原料运到中西部地区，生产出来成品又要运回东南沿海出口，加剧了运力紧张的矛盾。高耗能、高污染、资源性商品大量出口超出了当前我国能源、资源、环境和运输等外部条件的支撑能力，影响国民经济的健康平稳运行。控制高耗能、高污染和资源性产品出口，对落实科学发展观的要求，减少环境污染，破解经济发展的资源约束，缓解煤电油运紧张的矛盾，都是完全必要的。

二、控制高耗能、高污染、资源性产品出口的措施

今年以来，经国务院批准各有关部门已采取一系列措施抑制高耗能、高污染和资源性产品出口。

(一)削减出口总量。煤炭出口配额从2003年的1亿吨削减到2005年的8000万吨。原油出口数量从2003年的500万吨削减到2005年的100万吨。焦炭出口配额从2004年的1472万吨削减到2005年的1400万吨。

(二)取消或降低部分产品出口退税。2005年1月1日取消了电解铝、铁合金、黄磷、电石等高耗能产品的出口退税，4月取消了铜铁初级产品出口退税，并将铜材的出口退税由13%下调到11%。5月1日取

消了稀土金属、稀土氧化物、稀土盐类、金属硅、钼矿砂及精矿、石墨烧炭、石墨、滑石、碳化硅以及部分木材初加工产品的出口退税，将煤炭和铀、钍、镭及其制品出口退税率先下调到8%。8月1日取消了电解锰的出口退税。

(三)加征出口关税。从今年1月1日起对尿素开始征收出口关税，对未锻轧铝征收5%的出口关税。6月1日起将钨矿出口暂定关税税率从10%提高到20%，将硅铁的出口暂定关税税率从0%提高到5%。

(四)停止加工贸易。国家已经先后将煤炭、焦炭、黄磷、钢铁类产品、稀土类产品列入加工贸易禁止类目录，8月22日还要将氧化铝、铁合金矿列入加工贸易禁止类目录，停止审批新的加工贸易合同。

三、做好停止氧化铝、铁合金矿加工贸易后有关配套措施的落实工作

近几年电解铝、铁合金行业投资增幅过高，产能增长过快。停止氧化铝加工贸易，有利于减少我国氧化铝进口和电解铝出口。同时也会促使国际氧化铝市场价格回落，有利于国际市场电解铝价格回升，从而拉动国内市场价格回升。停止加工贸易，还可以为电解铝和铁合金企业创造一个公平竞争的市场环境，总体上对电解铝和铁合金行业是有利的。但是由于电解铝和铁合金产量超过市场需求，目前行业总体上比较困难，部分企业已发生亏损。各地要切实做好工作，缓解电解铝和铁合金行业的困难。

(一)对停止加工贸易前已经批准的加工贸易合同允许执行完毕。在将进口氧化铝和铁合金矿列入加工贸易禁止类目录后，国家不再审批新的加工贸易合同，对此前已经商务部门批准并在海关备案的加工贸易合同，允许按现行加工贸易政策执行完毕。

(二)研究有关关税政策。从保护国内资源、鼓励资源性商品进口，促进电解铝和铁合金行业健康发展考虑，结合明年关税方案的制定，研究有关关税政策。

(三)完善高耗能企业的电价形成机制。继续坚持差别电价政策。结合电价改革拉大不同电压等级的差价，低电压等级的电价适当提高，高电压等级的电价适当下调。在电力资源较富裕的地区开展电解铝企业与发电企业开展直购电联营试点，降低电解铝生产成本。完善落实峰谷、丰枯电价政策，合理扩大峰谷、丰枯电价差，降低铁合金生产成本。

(四)完善信贷政策。对2004年以来国家重点调控的钢铁、电解铝、水泥、焦炭、铁合金等行业贯彻落实国家宏观调控措施总体执行情况进行综合评估，加强行业投资风险提示和政策信息引导，以利于金融结构更好地把信贷投向，对符合国家产业政策和信贷原则的企业和项目合理的信贷资金需求及时提供有效支持。

(五)做好社会稳定工作。各地要认真落实好相关配套措施，帮助企业解决当前面临的困难和问题。要及时了解企业生产经营状况，对停止加工贸易后出现的情况和问题要认真研究，及时报告。

2005年7月28日