

MOFCOM 2008 No.76

Notice Regarding Declaration Conditions and Procedure of 2009 Trade Coke Export Quota

In accordance with the relevant regulations of *PRC Foreign Trade Law* and *Regulation of the People's Republic of China on the Administration of the Import and Export of Goods*, in order to strengthen export administration and trade order, Notice Regarding Declaration Conditions and Procedure of 2009 Trade Coke Export Quota is announced, excluding for foreign investment enterprises.

MOFCOM

Oct. 13, 2008

I. Declaration Consideration of Coke Export Quota

The Enterprises which meet following conditions shall apply for 2009 coke export quota:

1. Production Enterprise

- (1) In accordance with relevant regulation registered in industrial and commercial administration department, got import and export qualification or carried out record fore foreign trade dealer, and had qualification of independent legal entity;
- (2) Meet "Admittance condition of coking industry" (in accordance with enterprises list published by Ministry of Industry and Information Technology and NDRC), and 2007 coke export supply quantity was beyond 250 thousand tons.
- (3) Recent 3 years (2005-2007) average annual export quantity was beyond 200 thousand tons (include) (in accordance with Customs data), although below required standard of article (2).
- (4) Product quality.....
- (5)Social security fee
- (6)environmental protection treatment facilities.....
- (7) no violation of the relevant laws and regulations.

2. Distribution Enterprises

- (1) In accordance with relevant regulation registered in industrial and commercial administration department, got import and export qualification or carried out record fore foreign trade dealer, and had qualification of independent legal entity;
- (2) Registered capital is above RMB 50000 thousand (include), recent 3 years (2005-2007) average annual export quantity was beyond 200 thousand tons (include) (in accordance with Customs data), or had domestic trade of business scope and annual export quantity was beyond 400 thousand tons (include);
- (3)social security fee
- (4) Passed ISO9000 quality system certification
- (5) no violation of the relevant laws and regulations.

3. In order to enhance concentration of export operation and reduce enterprises quantity, if the enterprises s registered after Jan.1st, 2007, coke export shall not be affirmed between its

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affiliated enterprises.

4. omitted
5. omitted
6. The enterprises in west region met declaration conditions in article 1,2, and it shall not enjoy preferential policies in article 3.
7. omitted
8. In order to standardize coke export, nation shall supervise coke export enterprises strictly. The enterprise violated laws and regulations and national industry policies in the process of implementing export quota, if confirmed, the same year coke export quota shall be withdrawn and declaration qualification of annual quota shall be suspended or repealed.
9. Coke export of foreign investment enterprises is carried out in accordance with existing regulations.

II. Procedure of declaration and examination

All local coke export enterprises shall apply to provincial commercial department. Provincial commercial department shall preliminary examine qualification of local enterprises which apply for coke export qualification in accordance to above qualification standard of coke export.....

The enterprises under the central government submit application and relevant materials to MOFCOM.....

MOFCOM entrust China Chamber of Commerce of Metals and Chemicals and China Coking Industry Association to reexamination enterprise qualification which apply coke export qualification.

According to reexamination report of China Chamber of Commerce of Metals and Chemicals, MOFCOM examine and approve all enterprise which apply coke export qualification, and announce enterprises meeting qualification standard.

III. Relevant reporting materials

All local coke export enterprises and enterprises under the central government apply to provincial commercial department or MOFCOM, they shall submit following materials with signature of legal representative at the same time:

1. copy of business license of the enterprises.....
2. ISO9000 quality certification....
3. production enterprise shall submit relevant evidence and receipts...
4. export enterprises shall submit relevant evidence....
5. other distribution enterprises shall submit recent 3 years (2005-2007) relevant evidence and receipts....
6.relevant evidence of paying full social security fee
7. The enterprises applying coke quota first time shall submit relevant materials meeting article 1,2,3,4,5,6. The enterprises that got coke quota in 2008 only submit above material of 2007.