

Order of the National Development and Reform Commission

(No. 35)

The Development Policies for the Iron and Steel Industry, which were adopted at the executive meeting of the State Council, are hereby promulgated upon the consent of the State Council and shall come into force as of the date of promulgation.

Attachment: Development Policies of the Iron and Steel Industry

Director of the National Development and Reform Commission: Ma Kai

July 8, 2005

Attachment: **Development Policies for the Iron and Steel Industry**

The iron and steel industry is an important basic industry of the national economy, a supporting industry to realize the industrialization and an industry intensive in technologies, capital, resources and energy, whose development requires a comprehensive balancing of all kinds of external conditions. China is a big developing country with a comparatively big demand of iron and steel in the economic development for a long time to go. China's production capacity of iron and steel has ranked the first place in the world for many years. However, there is a large gap between us and the international advanced level in terms of the technological level and material consumption of the iron and steel industry, and thus the focus of development shall be put on technical upgrading and structural adjustment. In order to elevate the whole technical level of the iron and steel industry, promote the structural adjustment, improve the industrial layout, develop a recycling economy, lower the consumption of materials and energy, pay attention to the environmental protection, enhance the comprehensive competitiveness of enterprises, realize the industrial upgrading and develop the iron and steel industry into an industry with international competitiveness that may basically satisfy the demand of the national economy and social development in terms of quantity, quality and varieties, we have formulated the development policies of the iron and steel industry according to the relevant laws and regulations and the domestic and international situations the iron and steel industry faces so as to guide the sound development of the iron and steel industry.

Chapter I Aim of the Policy

Article 1 According to the requirement of our country's economic and social development and the situation of resources, energy and environmental protection, the production capacity of iron and steel shall maintain at a reasonable scale, which may be specifically resolved in the relevant planning. The comprehensive competitiveness of iron and steel industry may reach the internationally advanced level so that China may become a large country in iron and steel production and with world-wide competitive.

Article 2 By the year 2010, by means of structural adjustment of products, the proportion of good iron and steel products shall have been elevated considerably, the majority of products shall have basically satisfied the development requirements of most industries in the national economy such as construction, machinery, chemical industry, auto-mobiles, household appliances, vessels, traffic, railway, military industry and new industries.

Article 3 By means of organizational and structural adjustment of the iron and steel industry, we may expand the scale of those backbone enterprise groups with comparative advantages by means of acquisition and reorganization so as to elevate the industrial concentration. By 2010, the number of iron and steel smelting enterprises shall have been considerably reduced and the production capacity of the iron and steel enterprise groups that rank top 10 in the domestic market shall have covered more than 50 % of the national total production capacity; by 2020, the proportion shall have reached more than 70%.

Article 4 By means of layout adjustment of the iron and steel industry, by 2010, the unreasonable layout shall have been changed; by 2020, a comparatively reasonable industrial layout that complies with the supply of resources and energy, allocation of traffic and transportation, supply and demand of the market and environmental capacity shall have been formed.

Article 5 According to the concept of sustainable development and recycling economy, we should elevate the comprehensive level of environmental protection and resource utilization, and should save energy and lower consumption. We should elevate the comprehensive utilization capacity of waste gases, water and rubbishes to the largest possible extent, strive for the goal of realizing "zero discharge" and establish iron and steel factories of the recycling type. The iron and steel enterprises shall develop the business of generating power by using remnant heat and energy. An iron and steel associated enterprise with the production scale of more than 5 million tons shall strive for the goal of having more than enough power to support itself and providing the surplus to outsiders. By 2005, the comprehensive energy consumption for each ton of steel shall have been lowered to 0.76 ton of standard coal, the comparable energy consumption for each ton of iron shall have been lowered to 0.70 ton of standard coal and the water consumption for each ton of steel shall have been lowered to less than 12 tons in the whole industry; by 2010, the corresponding index shall have been lowered to 0.73 ton of standard coal, 0.685 ton of standard coal and less than 8 tons of water, respectively; by 2020, the corresponding index shall have been lowered to 0.7 ton of standard coal, 0.64 ton of standard coal and less than 6 tons of water, respectively. That is, in the coming 10 years, the iron and steel industry shall, on the precondition that the total consumption of water resources decreases and the total energy consumption increases by a small margin, and realize a proper development in total quantity.

Article 6 By the end of 2005, all the wastes as discharged by iron and steel enterprises shall have met the standards of the state and local provisions, and the total discharge volume of major wastes shall have met the controlling index as verified by the local environmental department.

Chapter II Industrial Development Planning

Article 7 The state guides the iron and steel industry to develop in a sound, sustainable and harmonious manner through the development policies and the mid- and long-term development policies of the iron and steel industry. The mid- and long-term development policies of the iron and steel industry shall be formulated by the National Development and Reform Commission (hereinafter referred to the NDRC) in collaboration with other relevant departments.

Article 8 An enterprise group with a production capacity of more than 5 million tons in 2003 may, according to the state mid- and long-term development planning of the iron and steel industry and the overall planning of the city where it is located, formulate the planning of its own, which shall be implemented upon the approval of the State Council or the NDRC after making necessary cohesion and balancing efforts. The specific construction projects of the planning are not required to be subject to the examination and approval or verification of the NDRC, but shall be organized and implemented by the enterprise itself after such formalities for examination and approval of land, environmental protection, security and credit have been handled, and shall be reported to the NDRC for archival filing according to the relevant provisions.

Article 9 The development of any other iron and steel enterprise shall also meet the requirements of the development policies and mid- and long-term development planning of the iron and steel industry.

Chapter III Adjustment of Industrial Layout

Article 10 For the adjustment of industrial layout, we should take such conditions as mineral resources, energy, water resources, traffic and transportation, environmental capacity, market allocation and overseas resources into account in a comprehensive manner. For the layout adjustment of the iron and steel industry, we shall not separately establish any new iron and steel associated enterprise, independent iron-smelting or steel-smelting factory as a general principle. It's not encouraged to establish any independent steel-rolling factory. We should, on the basis of those established enterprises that meet relevant conditions and in combination with merger and relocation, carry out reform and expansion in those regions with such comparative advantages as water resources, raw materials, transportation and market consumption. We should combine new increase of production capacity with elimination of backward production capacity and shall not, as a general rule, substantially expand the production capacity.

In the important regions of environmental protection, the regions in serious short of water, the urban district of big cities, the iron and steel smelting and production capacity shall not be expanded any more. Those enterprises established within the districts shall, in combination of the adjustment of organizational structure, equipment structure and product structure, cut production and move to other places so as to meet the requirements of environmental protection and resource economization.

Article 11 Taking bulk ores, energy, resources, water resources, transportation condition and the domestic and overseas market into account, the large-scale iron and steel enterprises shall be

mainly located along the coastal areas. The iron and steel enterprises in inland regions shall, in combination with the local market and bulk ore resources, determine their production according to the mines available, and shall regard the sustainable production as the main factor for consideration other than strive for any expansion of production scale.

There are abundant resources of iron mines in the Anshan-Benxi region in north-east China, which is near the production bases of coal and has a certain condition of water resources. According to the development strategy of vitalizing the old north-east industrial base, the iron and steel enterprises in this region shall, according to the requirements of associated reorganization and establishing a top-quality production base, eliminate the backward production capacity so as to build up a large enterprise group with international competitiveness.

As the region of North China is in short of water resources and the production capacity thereof is low and excessive, we should, according to the ecological requirements of environmental protection, put the focus on structural adjustment, carry out merger and reorganization, strictly control the continuous over-increase of production factories and expansion of production capacity. We should relocate the Capital Steel Corporation and the reorganize it with the iron and steel industry of Hebei Province.

The steel material market in North China has a big potential. However, the layout of iron and steel enterprises thereof are over-intensified and thus, the large backbone enterprises with comparative advantages within this region may, in combination of the adjustment of organizational structure and product structure, elevate their production concentration and international competitiveness.

As the central-southern region has abundant water resources and desirable water transportation, the south-east coastal regions shall make full use of the advantage of deep waters and good harbors to build up large iron and steel associated enterprises in combination with the industrial reorganization and the relocation of urban steel factories.

There are abundant water resources in the west-south regions, and in the Panzhihua-Xichangarea has a large storage capacity of iron mines and coal resources but with inconvenient transportation. The key backbone enterprises established shall improve their equipments, adjust the variety structure, develop high-value-added products, determine the production capacity according to the sustainable supplying capacity of bulk ores rather than blindly pursue the increase of quantity.

As the west-north region is in short of bulk iron ores and water resources, the backbone enterprises established shall put the focus on satisfying the requirement of local regional economic development other than pursue the expansion of production scale, and shall make good use of the mineral resources in neighboring countries.

Chapter IV Industrial Technical Policies

Article 12 In order to guarantee the industrial upgrading of the iron and steel industry, realize the sustainable development and prevent any low-level repetitive construction, we hereby prescribe

the equipment level, the technical and economic indexes and the requirements of access into the iron and steel industry as follows, which the enterprises shall make efforts to meet by way of technical innovation:

The building areas for agglomeration machines shall be 180 sq meters or above; the height of coke-oven carbonization rooms shall be 6 meters or above; the available volume of blast furnaces, 1,000 cubic meters or above; the nominal volume of converters, 120 tons or above; and the nominal volume of electric furnaces, 70 tons or above.

For the iron and steel projects as constructed in deep water harbors along the coast, the available volume of blast furnaces shall be more than 3,000 cubic meters; the nominal volume of converters shall be more than 200 tons, and the production scale of steel shall be 8 million tons or above. The technical and economic indexes for iron and steel associated enterprises shall be: the comprehensive energy consumption for each ton of steel in the procedure of blast furnaces shall be less than 0.7 ton of standard coal and that in the procedure of electric furnaces shall be less than 0.4 ton of standard coal; the water consumption for each ton of steel in the procedure of blast furnaces shall be less than 6 tons, and that in the procedure of electric furnaces shall be less than 3 tons. The recycling utilization rate of water shall be 95% or above. The other iron and steel enterprises shall reach the average level of key large/medium-sized iron and steel enterprises in respect of energy consumption in working procedures.

For any iron and steel construction project, we should economize our use of land and strictly carry out the administration of land. The relevant departments shall make efforts to accomplish the revision work of land use indexes for iron and steel factories and the standard of building coefficient.

Article 13 All production enterprises shall reach the local and state standards of waste discharge. The controlling index of total discharging volume of major wastes from construction projects shall be strictly implemented according to the provisions of the Appraisal Document (Form) of Environmental Influence as approved. Any enterprise, which exceeds the scope as prescribed by the waste discharging index and the total volume as verified, shall be stopped from carrying out its operations.

For those projects that are newly initiated, the blast furnaces shall be synchronously equipped with pressure recovery turbine (TRT) devices and coal injection devices; the coke oven shall be synchronously equipped with coke dry quenching devices and with filtering devices as well as gas desulfurizing devices for the coke ovens. The coke ovens, blast furnaces and converters shall be synchronously equipped with gas recovering devices. The electric furnaces shall be equipped with smoke and dust recovering devices.

Enterprises shall, according to the requirements of developing a recycling economy, establish a comprehensive treatment system for waste water and residue, adopt the technologies of drying quenching cokes, technologies for the recovery and utilization of gas from coke ovens, blast furnaces and converters, power generation by jointly using gas and steam, TRT of blaster furnaces,

evaporative cooling, technologies for the recovery and re-utilization of such energy and resources as smoke, dust and waste residue, so as to elevate the utilization efficiency of energy and the recovery and utilization rate of resources and to improve the environment.

Article 14 We should accelerate the cultivation of initial innovation capacity of the iron and steel industry, support enterprises to establish the institutions for development and scientific research of products and techniques. We should enhance the capacity of development and innovation, develop the working techniques, equipment techniques and products with the self-owned intellectual property right. We should support enterprises to follow up, research, develop and adopt such frontier techniques in the production procedures of iron and steel as continuous strip casting and melting reduction.

Article 15 Enterprises shall actively adopt such advanced techniques and equipment as feeding concentrated materials into furnaces, oxygen-enriched coal spraying, iron pretreatment, large-sized blaster furnaces, converters and electronic furnaces with superpower, ex-furnace refining, continuous casting, continuous rolling and controlling rolling and controlling cooling.

Article 16 We should support and organize the implementation of equipment localization of the iron and steel industry, enhance the research and development as well as designing and manufacture levels of major technical equipment of our iron and steel industry. For a major iron and steel project that is based on home-made equipment as newly developed, the state shall grant policy supports in such aspects as taxation, discounted interest rate and scientific research funds.

Article 17 We should accelerate the elimination and prohibition of such backward working techniques and equipment as newly-built sintering with indigenous method, indigenous carbonization (including improved carbonization), melting iron and refining steel, hot agglomeration mines, blaster furnaces with a volume of 300 cubic meters or below (except for the special factories of iron pipe casting), converters with the nominal capacity of 20 tons or below, electronic furnaces with the nominal capacity of 20 tons or below (except for the mechanic casting or the production of high-alloy steel), tight rolling sheet mills, roughing mill for ordinary steel, blank medium-sized rolling mills, three-roller Lotus medium plate rolling mills, double due wire mills, row small-sized millers, hot narrow strip rolling mills, assembling units of hot rolling seamless pipes with diameter below 76 centimeters and intermediate frequency furnaces.

Enterprises in the iron and steel industry shall strictly observe the Catalog of Repetitive Construction as Prohibited in the Field of Industry and Commerce and the Catalog of Backward Production Capacity, Working Techniques and Products to Be Eliminated as amended by the state at the opportune moment, or eliminate backward working techniques, products and techniques according to the requirements of the provisions on environmental protection.

Article 18 The policies of imported technologies and equipment: enterprises are encouraged to use home-made equipment and technologies and reduce export. For any equipment or technology that cannot be produced domestically or fails to meet the demand and, thus, shall be introduced from abroad, the introduced equipment or technology shall be advanced and practical. For the

equipment in large number, we should organize and implement the localized production thereof from now on.

Enterprises are prohibited from adopting any second-handed backward production equipment of iron and steel at home or abroad that has been eliminated.

Article 19 Enterprises of special steel shall make an effort towards conglomerated and specialized production and management. They are encouraged to adopt the working techniques with short workflow and that use waste steel as raw materials. Enterprises of special steel are discouraged to adopt any working procedure that involves the use of blaster furnaces and electronic furnaces and with high consumption and serious pollution. Enterprises of special steel are encouraged to carry out research, develop and produce special steel for the use of the military industry, bearing, gears, models, heat resistance, cold resistance and corrosion resistance, etc. so as to enhance the product quality and technical level.

Chapter V Adjustment of the Organizational Structure of Enterprises

Article 20 The iron and steel enterprises are encouraged to develop into groups and carry out strategic reorganization by way of alliance between mighty enterprises, merger and reorganization, mutual shareholding, etc. so as to reduce the number of iron and steel production enterprises and realize the structural adjustment, optimization and upgrading of the iron and steel industry.

Where possible, large-scale enterprise groups are supported and encouraged to carry out trans-regional alliance and reorganization. By 2010, two enterprise groups with the production capacity of 300 million tons and several particularly large enterprise groups of international competitiveness with the production capacity of several hundred million tons shall be established.

All the large iron and steel enterprises shall carry out stock reforms and are supported to get listed in the stock market. All kinds of social capital including private capital are encouraged to participate in the reorganization of the iron and steel enterprises as established by means of stock purchase and merger and acquisition so as to promote the adjustment of capital structure and organizational innovation thereof.

Article 21 The state supports large iron and steel associated enterprises with good conditions and that have been formed by alliance and reorganization to expand the production scale in a proper manner by way of structural adjustment and industrial upgrading and to enhance the production intensification. Such enterprises will be given policy support in such aspects as segmentation of the major and minor, resettlement of personnel and social security.

Chapter VI Investment Management

Article 22 The state shall carry out the necessary administration on the investors' economic activities of all economic types in the domestic iron and steel industry and the investment of domestic enterprises in the overseas iron and steel field. The investment in any iron and steel

project shall be subject to the examination and approval or verification of the NDRC according to the relevant provisions.

Article 23 For the construction of such projects as iron smelting, steel smelting and steel rolling, the proportion of self-owned capital of enterprises shall reach 40% or above.

To start an iron and steel project, an enterprise shall, apart from meeting the requirements of such laws and regulations of the state on environmental protection and safety production, have comparably strong capital strength, advanced technologies and management capability as well as stable, reliable external conditions such as perfect marketing networks, water resources, raw materials of bulk ores, coal, and power energy, and transportation, etc. which shall have been basically carried into effect.

Where an iron and steel enterprise invests in the construction of any cross-region iron and steel associated enterprise project, if it is an enterprise of common steel, the steel production thereof in the previous year shall reach 5 million tons or more; if it is an enterprise of special steel, the production thereof shall reach 0.5 million or more. Where a non-iron-and-steel enterprise invests in any iron and steel associated enterprise project, it shall have the capital strength and comparatively high public creditworthiness. An asset assessment shall be carried out to the enterprise's registered capital, the bank concerned shall provide a credit certification, and the relevant accounting firm shall provide a performance report. Where possible, the form of bidding invitation shall be adopted to choose the project owner.

Any overseas iron and steel enterprise that invests in the iron and steel industry of China shall have intellectual property right and techniques of its own and its production of common steel in the previous year shall reach 10 million tons or above or the production of special high-alloy steel shall reach 1 million tons. An overseas non-iron-and-steel enterprise that invests in the iron and steel industry of China shall have a strong capital strength and comparatively high public creditworthiness, and shall provide an asset assessment report as produced by a bank and an enterprise performance certification as produced by an accounting firm. Where an overseas Chinese enterprise invests in the domestic iron and steel industry, it shall implement the investment in combination with the reform and relocation of domestic iron and steel enterprises and shall not establish any new business site. For any foreign investment in the iron and steel industry of China, foreign investors are not allowed to have a controlling share, as is the general principle.

Article 24 For any project that fails to comply with the development policies for the iron and steel industry and hasn't been subject to examination and approval or where the examination and approval thereof fails to comply with the relevant provisions, the department of state land and resources shall not handle the formalities for land use and the department of industry and commerce shall not accept its registration, the administrative department of commerce shall not approve its contract and constitution, the financial institution shall not provide any loan or give credit support in any other form, the customs shall not handle the formalities for tax refund of imported equipment, the department of quality supervision shall not issue any production permit,

and the department of environmental protection shall not examine or approve the appraisal document of environmental influence on the project or issue any license of waste discharge.

Article 25 To grant mid- and long-term loans for the fixed-asset investment to the projects of iron smelting, steel smelting and steel rolling, a financial institution shall comply with the development policies for the iron and steel industry, and strengthen their risk management. For any fix-asset investment loan granted to any project of iron smelting, steel smelting and steel rolling with newly increased production capacity, the relevant reply, verification or archival documents as produced by the NDRC shall be required to be provided.

Article 26 Where an enterprise makes an initial public offering of stocks or seeks any financing in the securities market, the funds as raised shall be invested in the iron and steel industry, and shall comply with the development policies for the iron and steel industry. The investment document for the raised funds as produced by the NDRC shall be provided to the administrative department of securities.

Article 27 The state encourages the enterprises that engage in the production of iron and steel and equipment manufacture to export the technologies and set equipment of metallurgy with domestic advantages by way of integrating processing with trade or integrating techniques with trade and shall grant supports in aspect of export credit, etc..

Chapter VII Policy of Raw Materials

Article 28 The mineral resources shall belong to the state. The state encourages large-scale iron and steel enterprises to carry out the exploration and development of such resources as iron mines. For the exploration of mines, a mining license shall be legally obtained. A mining construction project of iron resources with a storage capacity of 50 million tons or more shall be subject to the verification or examination and approval of the NDRC. At the same time, we should do a good job in such environmental protection work as the planning of mines, safety production and re-claiming of land, conservation of water and top soil, and the filing of underground coal mines. Any unauthorized collection or unrestrained digging is prohibited. As for any unauthorized collection or unrestrained digging that hasn't gone through the legal procedures of examination and approval, the department of state land and resources shall revoke the mining right and stop the illegal mining.

Article 29 According to the practical situation that China has few rich mines but many poor mines, the state encourages enterprises to develop the selection technologies of low-grade mines and make full use of domestic poor mineral resources. The department of state land and resources shall intensify the exploration of mineral resources, protect mineral resources and give necessary punishments to and carry out rectification on any unauthorized collection or unrestrained digging.

Article 30 We should, according to the principles of making their advantages complement each other and achieving the win-win situation, intensify the international cooperation regarding overseas mineral resources. We should support those large backbone enterprise groups to establish overseas production and supplying bases of iron mines, chrome ore mines, manganese mines,

nickel ore mines, waste steel and coking coal, etc. by way of setting up solely-funded enterprises, joint-equity enterprises, contractual enterprises and purchase of mineral resources. For such important raw materials and auxiliary materials as bulk ores and coke as needed by the enterprises in coastal areas, the state encourages them to solve it by way of overseas market.

The iron and steel industrial association shall do a good job in the industrial self-discipline and coordination and stabilize the raw material market both at home and abroad. Where two or more domestic enterprises are engaged in vicious competition for overseas resources, the state may adopt administrative coordination to hold alliance or select one of them to make investment so as to avoid vicious competition. The relevant enterprises shall be subject to the administrative coordination of the state.

The export of such preliminarily processed products as coke, iron alloy, pig iron, waste steel and steel base (ingot) with high energy-consumption and serious pollution shall be restricted and the tax refund for export of these products shall be decreased or canceled.

Chapter VIII Economical Use of Steel

Article 31 The whole society shall set up the consciousness of using steel in an economical and scientific manner. It is encouraged to use renewable materials as a substitution and to recover wasted steel so as to reduce the quantity of steel as used.

Article 32 The departments of construction shall organize the revision and improvement of the designing norms and standards for the use of construction steel so as to reduce the coefficient of steel use under the precondition of ensuring safety. The departments of design shall, according to the designing norms and standards, carry out their designs and incorporate the economical and thrifty products as developed and researched into the standardized design in a timely manner.

Article 33 It is encouraged to research, develop and use new materials of good performance, low costs and low consumption to substitute steel.

Article 34 The iron and steel enterprises are encouraged to produce high-strength steel and corrosion resisting steel, elevate the strength and service term of steel and lower the quantity of steel as used.

We should lower the steel consumption by means of popularizing such steel varieties as hot rolling strip reinforcing bar at or above Grade III (400mpa), the high-strength steel plates for all kinds of purposes, and h-steel, etc.

We should elevate the corrosion resistance and service term of steel by means of applying the oil well pipes and pipeline steel plates capable of resisting the corrosion of hydrothion and carbon dioxide, steel plates and structural steel capable of resisting the corrosion of atmosphere, and fire-resisting steel.

Article 35 With the increase of the number of iron and steel products in the market and the recycling quantity of waste steel as well, we should decrease the proportion of iron ores and increase the proportion of wasted steel.

Chapter IX Other Matters

Article 36 Consultation, designing and construction entities that engage in the iron and steel industry shall observe the present industrial policies. The relevant industrial associations shall establish a mechanism of self-discipline and mutual supervision. For any violation of the present industrial policies, the person and entity as held responsible shall be given punishments by relevant departments such as the NDRC, the Ministry of Construction and the State Administration of Industry and Commerce, etc. according to the relevant provisions.

The present industrial development policies are the basic requirements for the iron and steel industry. All relevant departments and industrial associations may formulate and revise the relevant technical norms and standards according to the present industrial policies.

Article 37 We should regulate the market order and maintain the market steadiness. The iron and steel enterprises are encouraged to establish a long-term strategic alliance with users, stabilize the supply and demand relations, enhance the processing and distribution capacity of steel, and extend the services thereof.

Article 38 We should give full play to the functions of the industrial associations. The industrial associations shall establish and improve a periodical information publication system and an industrial early-warning system in respect to the supply and demand of the iron and steel market, production capacity and technical and economic indexes, shall report the industrial trend to the administrative department of government and set forth policy suggestions in a timely manner, coordinate the significant matters regarding industrial development, intensify the industrial self-discipline and offer guidance to the enterprise development.

Article 39 The present industrial policies are published upon the authorization of the State Council and shall be observed by all the administrative departments of the people's governments. For any construction entity or administrative entity which violates the present policies for industrial development, such departments as supervision, investment, land, industry and commerce, taxation, quality inspection, environmental protection, commerce, finance and securities supervision shall investigate into the violations and fix responsibilities to the violator.

Article 40 The NDRC shall organize the relevant departments to formulate and revise the development policies for the iron and steel industry, report it to the State Council for approval and supervise the implementation thereof.

Notes:

1. The term "the iron and steel industry" as mentioned in the present Development Policies covers:

the selection of iron mines, manganese mines and chromium mines and working techniques and relevant supporting techniques such as agglomeration, carbonization, iron alloy, carbon products, fire-resisting materials, iron smelting, steel rolling and metal products.

2 The term "trans-regional investment" refers to the investment across different countries, provinces, autonomous regions or municipalities directly under the Central Government.

3. The term "overseas enterprises" includes the enterprises that have been registered abroad or in the regions of Hong Kong, Macao or Taiwan.

钢铁产业发展政策

中华人民共和国国家发展和改革委员会令 第 35 号

《钢铁产业发展政策》业经国务院常务会议讨论通过，经国务院同意，现予以发布，自发布之日起施行。

附：钢铁产业发展政策

国家发展和改革委员会主任：马凯

二〇〇五年七月八日

钢铁产业是国民经济的重要基础产业，是实现工业化的支撑产业，是技术、资金、资源、能源密集型产业，钢铁产业的发展需要综合平衡各种外部条件。我国是一个发展中大国，在经济发展的相当长时期内钢铁需求较大，产量已多年居世界第一，但钢铁产业的技术水平和物耗与国际先进水平相比还有差距，今后发展重点是技术升级和结构调整。为提高钢铁工业整体技术水平，推进结构调整，改善产业布局，发展循环经济，降低物耗能耗，重视环境保护，提高企业综合竞争力，实现产业升级，把钢铁产业发展成在数量、质量、品种上基本满足国民经济和社会发展需求，具有国际竞争力的产业，依据有关法律法规和钢铁行业面临的国内外形势，制定钢铁产业发展政策，以指导钢铁产业的健康发展。

第一章 政策目标

第一条 根据我国经济社会发展需要和资源、能源及环保状况，钢铁生产能力保持合理规模，具体规模可在规划中解决。钢铁综合竞争能力达到国际先进水平，使我国成为世界钢铁生产的大国和具有竞争力的强国。

第二条 通过产品结构调整，到 2010 年，我国钢铁产品优良品率有大幅度提高，多数产品基本满足建筑、机械、化工、汽车、家电、船舶、交通、铁路、军工以及新兴产业等国民经济大部分行业发展需要。

第三条 通过钢铁产业组织结构调整，实施兼并、重组，扩大具有比较优势的骨干企业集团规模，提高产业集中度。到 2010 年，钢铁冶炼企业数量较大幅度减少，国内排名前 10 位的钢铁企业集团钢产量占全国产量的比例达到 50% 以上；2020 年达到 70% 以上。

第四条 通过钢铁产业布局调整，到 2010 年，布局不合理的局面得到改善；到 2020 年，形成与资源和能源供应、交通运输配置、市场供需、环境容量相适应的较合理的产业布局。

第五条 按照可持续发展和循环经济理念，提高环境保护和资源综合利用水平，节能降耗，最大限度地提高废气、废水、废物的综合利用水平，力争实现“零排放”，建立循环型钢铁工厂。钢铁企业必须发展余热、余能回收发电，500 万吨以上规模的钢铁联合企业，要努力做到电力自给有余，实现外供。2005 年，全行业吨钢综合能耗降到 0.76 吨标煤、吨钢可比能耗 0.70 吨标煤、吨钢耗新水 12 吨以下；2010 年分别降到 0.73 吨标煤、0.685 吨标煤、8 吨以下；2020 年分别降到 0.7 吨标煤、0.64 吨标煤、6 吨以下。即今后十年，钢铁工业在水资源消耗总量减少和能源消耗总量增加不多的前提下实现总量适度发展。

第六条 在 2005 年底以前，所有钢铁企业排放的污染物符合国家和地方规定的标准，主要污染物排放总量应符合地方环保部门核定的控制指标。

第二章 产业发展规划

第七条 国家通过钢铁产业发展政策和中长期发展规划指导行业健康、持续、协调发展。钢铁产业中长期发展规划由国家发展和改革委员会会同有关部门制定。

第八条 2003年钢产量超过500万吨的企业集团可以根据国家钢铁产业中长期发展规划和所在城市的总体规划,制定本集团规划,经国务院或国家发展和改革委员会进行必要衔接平衡后批准执行。规划内的具体建设项目国家发展和改革委员会不再审批或核准,由企业办理土地、环保、安全、信贷等审批手续后自行组织实施,并按规定报国家发展和改革委员会备案。

第九条 其它钢铁企业的发展也必须符合钢铁产业发展政策和钢铁工业中长期发展规划的要求。

第三章 产业布局调整

第十条 钢铁产业布局调整要综合考虑矿产资源、能源、水资源、交通运输、环境容量、市场分布和利用国外资源等条件。钢铁产业布局调整,原则上不再单独建设新的钢铁联合企业、独立炼铁厂、炼钢厂,不提倡建设独立轧钢厂,必须依托有条件的现有企业,结合兼并、搬迁,在水资源、原料、运输、市场消费等具有比较优势的地区进行改造和扩建。新增生产能力要和淘汰落后生产能力相结合,原则上不再大幅度扩大钢铁生产能力。

重要环境保护区、严重缺水地区、大城市市区,不再扩建钢铁冶炼生产能力,区域内现有企业要结合组织结构、装备结构、产品结构调整,实施压产、搬迁,满足环境保护和资源节约的要求。

第十一条 从矿石、能源、资源、水资源、运输条件和国内外市场考虑,大型钢铁企业应主要分布在沿海地区,内陆地区钢铁企业应结合本地市场和矿石资源状况,以矿定产,不谋求生产规模的扩大,以可持续生产为主要考虑因素。

东北的鞍山、本溪地区有比较丰富的铁矿资源,临近煤炭产地,有一定水资源条件,根据振兴东北老工业基地发展战略,该区域内现有钢铁企业要按照联合重组和建设精品基地的要求,淘汰落后生产能力,建设具有国际竞争力的大型企业集团。

华北地区水资源短缺,产能低水平过剩,应根据环保生态要求,重点搞好结构调整,兼并重组,严格控制生产厂点继续增多和生产能力扩张。对首钢实施搬迁,与河北省钢铁工业进行重组。

华东地区钢材市场潜力大,但钢铁企业布局过于密集,区域内具有比较优势的大型骨干企业可结合组织结构和产品结构调整,提高生产集中度 and 国际竞争能力。

中南地区水资源丰富,水运便利,东南沿海地区应充分利用深水良港条件,结合产业重组和城市钢厂点的搬迁,建设大型钢铁联合企业。

西南地区水资源丰富,攀枝花、西昌地区铁矿和煤炭资源储量丰富,但交通不便,现有重点骨干企业要提提高装备水平,调整品种结构,发展高附加值产品,以矿石可持续供应能力确定产量,不追求数量的增加。

西北地区铁矿石和水资源短缺,现有骨干企业应以满足本地区经济发展需求为主,不追求生产规模扩大,积极利用周边国家矿产资源。

第四章 产业技术政策

第十二条 为确保钢铁工业产业升级和实现可持续发展,防止低水平重复建设,对钢铁工业装备水平和技术经济指标准入条件规定如下,现有企业要通过技术改造努力达标:

建设烧结机使用面积180平方米及以上;焦炉炭化室高度6米及以上;高炉有效容积1000立方米及以

上：转炉公称容量 120 吨及以上；电炉公称容量 70 吨及以上。

沿海深水港地区建设钢铁项目，高炉有效容积要大于 3000 立方米；转炉公称容量大于 200 吨，钢生产规模 800 万吨及以上。

钢铁联合企业技术经济指标达到：吨钢综合能耗高炉流程低于 0.7 吨标煤，电炉流程低于 0.4 吨标煤，吨钢耗新水高炉流程低于 6 吨，电炉流程低于 3 吨，水循环利用率 95% 以上。其它钢铁企业工序能耗指标要达到重点大中型钢铁企业平均水平。

钢铁建设项目要节约用地，严格土地管理，有关部门要抓紧完成钢铁厂用地指标和建筑系数标准修订工作。

第十三条 所有生产企业必须达到国家和地方污染物排放标准，建设项目主要污染物排放总量控制指标要严格执行经批准的环境影响评价报告书（表）的规定，对超过核定的污染物排放指标和总量的，不准生产运行。

新上项目高炉必须同步配套高炉余压发电装置和煤粉喷吹装置；焦炉必须同步配套干熄焦装置并匹配收尘装置和焦炉煤气脱硫装置；焦炉、高炉、转炉必须同步配套煤气回收装置；电炉必须配套烟尘回收装置。

企业应根据发展循环经济的要求，建设污水和废渣综合处理系统，采用干熄焦、焦炉、高炉、转炉煤气回收和利用，煤气—蒸汽联合循环发电，高炉余压发电、汽化冷却，烟气、粉尘、废渣等能源、资源回收利用技术，提高能源利用效率、资源回收利用率 and 改善环境。

第十四条 加快培育钢铁工业自主创新能力，支持企业建立产品、技术开发和科研机构，提高开发创新能力，发展具有自主知识产权的工艺、装备技术和产品。支持企业跟踪、研究、开发和采用连铸薄带、熔融还原等钢铁生产流程前沿技术。

第十五条 企业应积极采用布料入炉、富氧喷煤、铁水预处理、大型高炉、转炉和超功率电炉、炉外精炼、连铸、连轧、控轧、控冷等先进工艺技术和装备。

第十六条 支持和组织实施钢铁工业装备本地化，提高我国钢铁工业的重大技术装备研发、设计、制造水平。对于以国产新开发装备为依托建设的钢铁重大项目，国家给予税收、贴息、科研经费等政策支持。

第十七条 加快淘汰并禁止新建土烧结、土焦（含改良焦）、化铁炼钢、热烧结矿、容积 300 立方米及以下高炉（专业铸铁管厂除外）、公称容量 20 吨及以下转炉、公称容量 20 吨及以下电炉（机械铸造和生产高合金钢产品除外）、叠轧薄板轧机、普钢初轧机及开坯用中型轧机、二辊劳特式中板轧机、复二重式线材轧机、横列式小型轧机、热轧窄带钢轧机、直径 76 毫米以下热轧无缝管机组、中频感应炉等落后工艺技术装备。

钢铁产业必须严格遵守国家适时修订的《工商领域制止重复建设目录》、《淘汰落后生产能力、工艺和产品的目录》，或依照环保法规要求，淘汰落后工艺、产品和技术。

第十八条 进口技术和装备政策：鼓励企业采用国产设备和技术，减少进口。对国内不能生产或不能满足需求而必须引进的装备和技术，要先进实用。对今后量大面广的装备要组织实施本地化生产。

禁止企业采用国内外淘汰的落后二手钢铁生产设备。

第十九条 特钢企业要向集团化、专业化方向发展，鼓励采用以废钢为原料的短流程工艺，不支持特钢企业采用电炉配消耗高、污染重的小高炉工艺流程。鼓励特钢企业研发生产国内需求的军工、轴承、齿轮、工模具、耐热、耐冷、耐腐蚀等特种钢材，提高产品质量和技术水平。

第五章 企业组织结构调整

第二十条 支持钢铁企业向集团化方向发展,通过强强联合、兼并重组、互相持股等方式进行战略重组,减少钢铁生产企业数量,实现钢铁工业组织结构调整、优化和产业升级。

支持和鼓励有条件的大型企业集团,进行跨地区的联合重组,到2010年,形成两个3000万吨级,若干个千万吨级的具有国际竞争力的特大型企业集团。

大型钢铁企业均要进行股份制改造并支持其公开上市,鼓励包括民营资本在内的各类社会资本通过参股、兼并等方式重组现有钢铁企业,推进资本结构调整和机制创新。

第二十一条 国家支持具备条件的联合重组的大型钢铁联合企业通过结构调整和产业升级适当扩大生产规模,提高集约化生产度,并在主辅分离、人员分流、社会保障等方面给予政策支持。

第六章 投资管理

第二十二条 国家对各类经济类型的投资主体投资国内钢铁行业和国内企业投资境外钢铁领域的经济活动实行必要的管理。投资钢铁项目需按规定报国家发展和改革委员会审批或核准。

第二十三条 建设炼铁、炼钢、轧钢等项目,企业自有资本金比例必须达到40%及以上。

建设钢铁项目除满足环保生态、安全生产等国家法律法规要求外,企业还必须具备较强的资金实力、先进的技术和管理能力,以及健全的市场营销网络,水资源、矿石原料、煤炭和电力能源、运输等外部条件稳定可靠和基本落实。

钢铁企业跨地区投资建设钢铁联合企业项目,普钢企业上年钢产量必须达到500万吨及以上,特钢企业产量达到50万吨及以上,非钢铁企业投资钢铁联合企业项目的,必须具有资金实力和较高的公信力,必须对企业注册资本进行验资,银行提供资信证明,会计师事务所提供业绩报告,有条件的通过招标方式选择项目业主。

境外钢铁企业投资中国钢铁工业,须具有钢铁自主知识产权技术,其上半年普通钢产量必须达到1000万吨以上或两合金特殊钢产量达到100万吨。投资中国钢铁工业的境外非钢铁企业,必须具有强大的资金实力和较高的公信力,提供银行、会计师事务所出具的验资和企业业绩证明。境外企业投资国内钢铁行业,必须结合国内现有钢铁企业的改造和搬迁实施,不布新点。外商投资我国钢铁行业,原则上不允许外商控股。

第二十四条 对不符合本产业发展政策和未经审批或违规审批的项目,国土资源部门不予办理土地使用手续,工商管理部门不予登记,商务管理部门不批准合同和章程,金融机构不提供贷款和其它形式的授信支持,海关不予办理免进口设备手续,质检部门不予颁发生产许可证,环保部门不予审批项目环境影响评价文件和不予发放排污许可证。

第二十五条 各金融机构向炼铁、炼钢、轧钢项目发放中长期固定资产投资贷款,要符合钢铁产业发展政策,加强风险管理,向新增能力的炼铁、炼钢、轧钢项目发放固定资产投资贷款需要项目单位提供国家发展和改革委员会出具的相应的项目批复、核准或备案文件。

第二十六条 企业申请首次公开发行股票或在证券市场融资,募集资金投向于钢铁行业,必须符合钢铁产业发展政策,并向证券监管部门提供由国家发展和改革委员会出具的募集资金投向的文件。

第二十七条 国家鼓励钢铁生产和设备制造企业采用工贸或技贸结合的方式出口国内有优势的技术和冶金成套设备,并在出口信贷等方面给予支持。

第七章 原材料政策

第二十八条 矿产资源属国家所有。国家鼓励大型钢铁企业进行铁矿等资源勘探开发，矿山开采必须依法取得采矿许可证。储量5000万吨及以上铁矿资源的开采建设项目必须经国家发展和改革委员会核准或审批，同时做好矿山规划、安全生产以及土地复垦、水土保持、地下矿井回填等环境保护工作，禁止乱采滥挖行为。未经合法审批手续乱采滥挖的，国土资源部门要收回采矿权，停止非法开采行为。

第二十九条 根据我国富矿少、贫矿多的资源现状，国家鼓励企业发展低品位矿采选技术，充分利用国内贫矿资源。国土资源部门要加大矿产资源勘探力度，保护矿产资源，对滥采乱挖行为，要给予必要处罚和进行整顿。

第三十条 按照优势互补、互利双赢的原则，加强与境外矿产资源国际合作。支持有条件的大型骨干企业集团到境外采用独资、合资、合作、购买矿产资源等方式建立铁矿、铜矿、锰矿、镍矿、废钢及炼焦煤等生产供应基地。沿海地区企业所需的矿石、焦炭等重要原辅材料，国家鼓励依靠海外市场解决。

钢铁协会要搞好行业自律和协调，稳定国内外原料市场。国内多家企业对境外资源造成恶性竞争时，国家可采取行政协调方式，进行联合或确定一家企业进行投资，避免恶性竞争。企业应服从国家行政协调，限制出口能耗高、污染大的焦炭、铁合金、生铁、废钢、钢坯（锭）等初级加工产品，降低或取消对这些产品的出口退税。

第八章 钢材节约使用

第三十一条 全社会要树立节约使用钢材意识，科学使用，鼓励用可再生材料替代和废钢材回收，减少钢材使用数量。

第三十二条 建设部门要适时组织修订和完善建筑钢材使用设计规范和标准，在确保安全的情况下，降低钢材使用系数。设计部门要严格按照设计规范和标准进行设计，把研发的经济、节约型产品及纳入标准设计。

第三十三条 鼓励研究、开发和使用高性能、低成本、低消耗的新型材料，替代钢材。

第三十四条 鼓励钢铁企业生产高强度钢材和耐腐蚀钢材，提高钢材强度和使用寿命，降低钢材使用数量。

通过推广III级（400MPa）及以上级别热轧带肋钢筋、各类用途的高强度钢板、H型钢等钢材品种，降低钢材消耗。

开发应用抗硫化氢、抗二氧化碳腐蚀的注井管和管线钢板、耐大气腐蚀钢板和型钢、耐火钢等产品，提高钢材的耐腐蚀性和钢材使用寿命。

第三十五条 随着市场保有钢铁产品数量增加和废钢回收量增加，逐渐减少铁矿石比例和增加废钢比重。

第九章 其它

第三十六条 咨询、设计、施工单位从事钢铁业活动，必须遵守本产业政策。相关行业协会要建立自律机制，互相监督。违反本产业政策规定的，由国家发展和改革委员会、建设部、工商管理总局等有关部

门根据规定对责任人、责任单位进行处罚。

本产业发展政策是对钢铁行业的基本要求，各有关部门和行业协会可根据本产业政策制定和修订有关技术规范和相关标准。

第三十七条 规范市场秩序，维护市场稳定。鼓励钢铁企业与客户建立长期战略联盟，稳定供需关系，提高钢材加工配送能力，延伸钢铁企业服务。

第三十八条 发挥行业协会的作用，行业协会要建立和完善钢铁市场供求、生产能力、技术经济指标等方面信息定期发布制度和行业预警制度，向政府行政部门及时反映行业动向和提出政策建议，协调行业发展的重大事项，加强行业自律，引导企业的发展。

第三十九条 本产业政策由国务院授权发布，各政府行政管理部门都应遵守。对违反本产业发展政策的建设单位和行政单位，各级监察、投资、土地、工商、税务、质检、环保、商务、金融、证券监督等部门要追究其责任。

第四十条 钢铁产业发展政策，由国家发展和改革委员会组织有关部门制定，修订报国务院批准，并监督执行。

注：

- 1、本产业发展政策所称钢铁产业的范围包括铁矿、锰矿、铬矿采选，烧结、焦化、铁合金、炭素制品、耐火材料、炼铁、炼钢、轧钢、金属制品等各工艺及相关配套工艺。
- 2、跨地区投资指跨国、跨省、自治区、直辖市。
- 3、境外企业包括国外和在香港、澳门、台湾地区注册的企业。