Implementing Regulations for the Mineral Resources Law of the PRC

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Adopted at the 85th Executive Meeting of the State Council on May 9, 2026
Promulgated by Decree No. 839 of the State Council of the People's Republic of China on May 15, 2026
Effective: June 15, 2026

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Chapter I — General Provisions

Article 1 — These Regulations are formulated in accordance with the Mineral Resources Law of the People's Republic of China (hereinafter referred to as the "Mineral Resources Law").

Article 2 — The State promotes the rational development and utilization of mineral resources, strengthens the protection of mineral resources and the ecological environment, advances high-quality development of

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the mining industry, and safeguards the security of mineral resources.

Article 3 — The determination and adjustment of the catalogue of mineral resources shall be proposed by the natural resources administrative department of the State Council in conjunction with the development and reform department of the State Council, and shall be announced upon approval by the State Council.

The catalogue of mineral resources shall include the types and classifications of mineral resources.

Article 4 — The State shall increase investment in fundamental geological survey work, strengthen the building of fundamental geological survey teams, encourage social forces to participate in fundamental geological surveys in an orderly manner in accordance with the law, and improve the quality and efficiency of fundamental geological survey work.

Article 5 — The State shall improve policy measures in finance and taxation, land, the ecological environment, industry, import and export, and other respects; strengthen the whole-chain coordination and linkage system for the exploration, production, supply, storage, and marketing of strategic mineral resources; increase support for the exploration, mining, processing, trade, and stockpiling of strategic mineral resources; promote the optimization and upgrading of strategic mineral resources industries; and enhance the level of safeguarding the security of mineral resources.

The determination and adjustment of the catalogue of strategic mineral resources shall be studied and proposed by the natural resources administrative department of the State Council in conjunction with the relevant departments of the State Council, and shall be implemented upon approval by the State Council. In determining and adjusting the catalogue of strategic mineral resources, the following factors shall be comprehensively considered, and the relevant mineral resources shall be assessed:

(1) their importance to national economic and social development and national security;

(2) domestic resource endowment conditions, the degree of scarcity, and the degree of external dependence;

(3) the resilience and security level of the relevant industrial chains and supply chains; and

(4) other factors that need to be considered.

For specific strategic mineral resources determined by the State Council, protective mining measures such as planning control, aggregate quantity control, and restriction of mining entities shall be implemented in accordance with laws, administrative regulations, and the relevant provisions of the State.

Article 6 — Mineral resources-related plans prepared and approved in accordance with Article 9 of the Mineral Resources Law shall be published in accordance with the law. Activities such as geological surveys and the exploration, mining, and protection of mineral resources and the ecological restoration of mining areas shall conform to mineral resources-related plans.

The natural resources administrative departments of people's governments at or above the county level may, based on actual needs, prepare relevant plans in conjunction with the relevant departments for the exploration, mining, protection, and ecological restoration of mining areas of mineral resources in specific fields or specific regions, or of specific mineral types, and the relevant information shall be incorporated into the information system for the implementation and supervision of territorial space planning.

Article 7 — The State adheres to the principle of equality, mutual benefit, and win-win cooperation, actively promotes international cooperation in investment, trade, technology, and other aspects in the field of mineral resources through various channels and means, and maintains the security and stability of industrial chains and supply chains.

In carrying out the development and utilization of overseas mineral resources, national interests and public interests shall be safeguarded; the laws and regulations of China and the relevant laws of the host country or

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region shall be observed; contracts shall be honored; local customs and cultural traditions shall be respected; attention shall be paid to ecological environment protection and production safety; safety risk prevention shall be strengthened; the relevant procedures shall be completed in accordance with provisions; and the management and supervision of the relevant departments of China and Chinese diplomatic missions stationed abroad shall be accepted in accordance with the law.

Chapter II — Mining Rights

Article 8 — Mining rights shall be granted through competitive means such as bidding, auction, and listing; for strategic mineral resources with a high degree of scarcity and reserves of medium scale or above, or for exploration blocks with special requirements for exploration and mining technology or ecological environment protection, exploration rights shall be granted preferentially through bidding.

Mining rights may be granted by agreement under any of the following circumstances:

(1) the relevant mineral resources are required, in accordance with laws, administrative regulations, or provisions of the State Council, to be explored or mined by a specific entity;

(2) for the purpose of ensuring mine production safety or the reasonable establishment of mining rights, it is necessary to continue mining mineral resources in the deep or upper part of the registered mining area, or to further mine scattered mineral resources in its periphery;

(3) the same mining rights holder explores or mines mineral resources in an intervening area between its registered adjacent exploration and mining areas where a mining right cannot be separately established; or

(4) other circumstances provided for by laws, administrative regulations, or provisions of the State Council.

Where strategic mineral resources urgently need to be mined in order to safeguard the security of national mineral resources, mining rights may be directly granted by the natural resources administrative departments of people's governments at or above the provincial level upon approval by the State Council.

Article 9 — The natural resources administrative departments of people's governments at or above the county level shall organize the grant of mining rights in accordance with their prescribed authority.

The grant of mining rights for the following mineral resources shall be organized by the natural resources administrative department of the State Council or the natural resources administrative departments of the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government authorized by it:

(1) strategic mineral resources;

(2) mineral resources spanning two or more provinces, autonomous regions, or municipalities directly under the Central Government; and

(3) mineral resources in China's territorial sea and other sea areas under its jurisdiction.

The authority to grant mining rights for mineral resources other than those specified in the preceding paragraph shall be prescribed by the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government.

The grant of exploration rights and mining rights for the same mineral type shall be administered at the same level. Where the grant of a mining right involves multiple mineral types, the granting authority shall be determined based on the principal mineral type; where it is difficult to determine the principal mineral type, it shall be determined based on the mineral type with the highest granting authority.

Article 10 — The natural resources administrative departments of people's governments at or above the county level shall, based on mineral resources-related plans and the supply and demand situation of mineral resources, strengthen the overall arrangement of the grant of mining rights and promptly arrange the grant of

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those that meet the conditions for grant.

Before a mining right is granted, the natural resources administrative department that grants the mining right (hereinafter referred to as the "mining right granting department") shall conduct verification to ensure that the exploration or mining area to be granted conforms to the control requirements of territorial space planning.

Exploration rights shall be granted with blocks demarcated by longitude and latitude as the basic unit.

Except in circumstances conforming to provisions, the scope of a newly established mining right shall not overlap with the vertical projection of an existing mining right, and no more than two mining rights may be established for the same ore body that can be developed in a concentrated manner.

Article 11 — Units and individuals that provide block sources for the establishment of exploration rights to the natural resources administrative departments of people's governments at or above the county level shall be given appropriate rewards or compensation in accordance with the relevant provisions of the State; those that participate in the competitive grant of the exploration right for that block shall be given priority to obtain the exploration right under equal conditions.

Article 12 — Where a mining right is granted through competitive means, the mining right granting department shall announce in advance on its official website, public resources trading platforms, and other channels the basic information of the mining right to be granted, the granting method, competition rules, collection of deposits, risk warnings, the technical capability and other conditions of the transferee, and its rights and obligations. The announcement period shall be no less than 30 working days.

The natural resources administrative department of the State Council and the people's governments at or above the county level and their natural resources administrative departments shall create and maintain a fair and orderly market competition environment and ensure that all types of entities participate in the competitive grant of mining rights equally in accordance with the law.

Article 13 — When granting a mining right, the mining right granting department shall sign a written mining right grant contract with the transferee determined in accordance with the law.

After the mining right grant contract is signed, where the mining right fails to conform to the control requirements of territorial space planning due to verification errors by the mining right granting department or other reasons, making exploration or mining impossible, the transferee shall have the right to rescind the contract. After the contract is rescinded, the mining right granting department shall return the mining right grant proceeds; where property losses are caused to the transferee, compensation shall be made in accordance with the law.

Article 14 — The transferee of a mining right shall, in accordance with the relevant provisions of the State and the grant contract, pay in full and on time the mining right grant proceeds, mining right occupation fees, and other relevant fees. The specific measures for the collection of mining right-related fees shall be formulated by the finance department of the State Council in conjunction with the natural resources administrative department and the tax administrative department of the State Council, and shall be implemented upon approval by the State Council.

Mining right grant proceeds may be reduced or exempted under any of the following circumstances:

(1) exploration or mining of low-grade or difficult-to-beneficiate and difficult-to-smelt mineral resources;

(2) remarkable results in the comprehensive development and utilization of mineral resources;

(3) organization of emergency mining of mineral resources in accordance with the law; or

(4) other circumstances prescribed by the State Council.

Where mining right grant proceeds are not paid in full and on time, liquidated damages shall be paid in accordance with the relevant provisions of the State and the grant contract.

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Article 15 — The term of an exploration right shall be five years. Upon expiration, the term may be renewed, with no more than three renewals, each for a term of five years. For petroleum, natural gas, and other strategic mineral resources determined by the natural resources administrative department of the State Council, the number of renewals may be increased according to actual circumstances upon approval by the natural resources administrative department of the State Council.

The term of a mining right shall be determined in light of the mineral resources reserves and the scale of mine construction, and shall not exceed 30 years. The specific measures for determining the term of mining rights shall be formulated by the natural resources administrative department of the State Council. Upon expiration of the term of a mining right, if there are still mineral resources available for mining in the registered mining area, the term may be renewed.

Before the term of a mining right expires, where it is necessary for the public interest such as safeguarding the security of national mineral resources, the original mining right granting department may withdraw the mining right in accordance with the law; where a mining right is withdrawn, fair and reasonable compensation shall be given in accordance with the law.

Article 16 — To apply for renewal of a mining right, the mining rights holder shall submit an application to the original mining right granting department within six months to three months before the term of the mining right expires. The original mining right granting department shall make a decision on whether to approve the renewal before the term of the mining right expires.

Article 17 — When handling the renewal of an exploration right, the area of the exploration region shall be reduced in accordance with the proportion prescribed by the natural resources administrative department of the State Council. However, exploration regions where mineral resources have already been proven, or that conform to the circumstances prescribed by the natural resources administrative department of the State Council, shall not be included in the calculation base for area reduction.

Where part of an exploration region for which an exploration right has been established can no longer be explored due to public interest needs such as ecological environment protection and infrastructure construction, or due to force majeure such as natural disasters, the area required to be reduced may be offset with the relevant supporting documents in accordance with provisions.

Article 18 — Where an exploration right holder applies, in accordance with Article 25 of the Mineral Resources Law, to convert its exploration right into a mining right, it shall submit an application to the original mining right granting department within the term of the exploration right and submit materials such as a mineral resources reserve report (hereinafter referred to as the "reserve report"). The original mining right granting department shall sign a mining right grant contract with the exploration right holder and establish the mining right, except under any of the following circumstances:

(1) the mineral resources proven are required, in accordance with the relevant provisions of the State, to be mined by a specific entity other than the exploration right holder;

(2) the mineral resources proven do not meet the reserve scale or production capacity requirements prescribed by the relevant industrial policies;

(3) the mineral resources proven cannot be converted into a mining right due to public interest needs, or the conditions for mining no longer exist due to force majeure or other special circumstances; or

(4) other circumstances provided for by laws or administrative regulations.

Article 19 — Mining rights may be transferred in accordance with the law. However, a mining right shall not be transferred under any of the following circumstances:

(1) the mining right was obtained through agreement-based grant and has been held for less than five years;

(2) the mining right has been sealed up in accordance with the law;

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(3) the ownership of the mining right is unclear or is in dispute;

(4) the mining right grant contract stipulates that the mining right shall not be transferred; or

(5) other circumstances under which transfer is prohibited by the State.

A mining right directly granted by the natural resources administrative department of a people's government at or above the provincial level in accordance with paragraph 3 of Article 8 of these Regulations shall not be transferred without the approval of the natural resources administrative department that originally granted the mining right.

Where a change in the actual controller results from an equity transfer or otherwise, the mining rights holder shall report to the original mining right granting department.

Article 20 — Where a mining right is transferred, the transferee shall possess the technical capability and other conditions required of the transferee at the time the mining right was granted.

Article 21 — Where a mining right is transferred, the transferor and the transferee shall sign a written mining right transfer contract specifying the rights and obligations of both parties. The mining right transfer contract shall clearly stipulate matters concerning the performance of the ecological restoration obligations of the mining area.

The term of a mining right after transfer shall be the remaining term of the mining right.

Article 22 — The establishment, change, transfer, mortgage, and extinguishment of mining rights shall be registered in accordance with the law.

Article 23 — "State-funded exploration of mineral resources" as mentioned in item (1) of Article 28 of the Mineral Resources Law means mineral resources exploration funded by the central government or local governments and carried out to safeguard the security of national mineral resources. Where mineral resources exploration is funded by the State, geological exploration work shall be carried out on the strength of the project assignment document, and no exploration right is required.

Where a mining rights holder needs to carry out exploration for mining activities within the registered mining area, and carries out exploration in the deep or upper part of the registered mining area, no exploration right is required.

Article 24 — Where a construction project's construction unit, within the approved operation area and construction period, needs to excavate sand, stone, or clay that can only be used as ordinary building materials for construction purposes, no mining right is required. The disposal of the excavated sand, stone, and clay shall comply with the relevant provisions of the province, autonomous region, or municipality directly under the Central Government where it is located, and shall not be disposed of on its own (except for self-use in the construction of the construction project).

The "approved operation area" mentioned in the preceding paragraph shall not include the temporary land use area of the construction project.

Chapter III — Exploration and Mining of Mineral Resources

Article 25 — The natural resources administrative department of the State Council shall, in conjunction with the relevant departments of the State Council, establish and improve the system of technical standards and specifications for fundamental geological surveys.

Units engaged in fundamental geological survey work shall strictly implement the relevant technical standards and specifications and be responsible for the quality of the survey results. The natural resources administrative departments of people's governments at or above the county level shall strengthen supervision of the quality of fundamental geological survey results.

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No unit or individual shall obstruct or impede fundamental geological survey work carried out in accordance with the law.

Article 26 — The natural resources administrative departments of people's governments at or above the provincial level shall strengthen the management of the release of fundamental geological survey results and uniformly release information on fundamental geological survey results in accordance with their prescribed authority; before information is released, a confidentiality review shall be conducted in accordance with the law, and result data involving state secrets, work secrets, or commercial secrets shall not be released.

Article 27 — The natural resources administrative departments of people's governments at or above the provincial level shall provide construction units with inquiry services on the distribution of mineral resources and the establishment of mining rights within the scope of land occupied by construction projects.

Where a construction project genuinely needs to overlap mineral resources for which a mining right has already been established, causing a direct impact on the normal exploration or mining activities of the mining rights holder, the construction unit shall negotiate with the mining rights holder before the overlap and give the mining rights holder fair and reasonable compensation in accordance with the law. Where the registration of a mining right needs to be changed or cancelled in accordance with the law because the mineral resources have been overlapped, the mining rights holder shall handle it in accordance with the law.

Where a construction project genuinely needs to overlap strategic mineral resources, it shall be subject to approval by the natural resources administrative department of the State Council or the natural resources administrative departments of the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government authorized by it. Where a construction project within the urban development boundary determined in approved territorial space planning genuinely needs to overlap strategic mineral resources, the relevant approval shall be simplified according to actual circumstances.

Where, upon scientific assessment, a construction project overlaps mineral resources but does not directly affect normal exploration or mining activities, it may not be treated as overlapping mineral resources.

Article 28 — Before carrying out exploration or mining operations for mineral resources, a mining rights holder shall separately prepare an exploration plan and a mining plan, submit them to the original mining right granting department for approval, and obtain an exploration license and a mining license; exploration or mining operations shall not be carried out without obtaining the corresponding license.

In preparing an exploration plan, the exploration region shall be clearly defined, exploration work methods shall be reasonably selected, and arrangements shall be made for cleanup and restoration after exploration activities are completed, based on the mineral type and scope to be explored, the relevant standards and technical specifications for exploration, and exploration work requirements such as green exploration.

In preparing a mining plan, the mining method, mining sequence, and mining method shall be reasonably selected, and arrangements shall be made for the use of space and for safeguard measures for the comprehensive mining and comprehensive utilization of resources, based on the mineral type and scope to be mined, resource occurrence conditions, mining technical specifications, and mining work requirements such as the rational development and utilization of mineral resources and green mine construction.

Where mineral resources are comprehensively mined, the mineral types to be mined shall be reasonably determined and registered according to actual mining conditions in light of the reserve report and the mining plan.

Article 29 — To apply for an exploration license or a mining license, an application, the mining right certificate, and materials such as the corresponding exploration plan or mining plan shall be submitted to the original mining right granting department. The original mining right granting department shall make a decision on whether to approve within 15 working days from the date of acceptance of the application. Where the application is approved, the exploration license or mining license shall be issued; where it is not

approved, the applicant shall be notified in writing with the reasons stated.

After accepting an application, the original mining right granting department may organize experts to review the exploration plan or mining plan and issue review opinions within 10 working days. The time required for review shall not be counted in the license review period, and the fees shall not be borne by the mining rights holder.

The expiration date of an exploration license or mining license shall be consistent with the expiration date of the exploration right or mining right.

After issuing a mining license, the original mining right granting department shall promptly notify the relevant local people's government of the mining area to organize the demarcation of the mining right.

Article 30 — A mining rights holder may, when handling mining right registration, simultaneously apply for an exploration license or a mining license.

Where a mining right is transferred, the transferee shall re-apply for an exploration license or a mining license.

Article 31 — The specific administrative measures for exploration licenses and mining licenses shall be formulated by the natural resources administrative department of the State Council.

Article 32 — A mining rights holder shall carry out exploration and mining operations in accordance with the approved exploration plan and mining plan.

Where the main methods of exploration work change, the exploration right holder shall adjust the exploration plan and submit it to the original mining right granting department for approval.

Where the mining method changes significantly or the principal mineral type mined changes, the mining rights holder shall adjust the mining plan, submit it to the original mining right granting department for approval, and the mining license shall be re-issued.

Article 33 — Before carrying out exploration or mining operations for mineral resources, a mining rights holder shall, in accordance with the law, complete the relevant procedures for project approval (filing), land and sea use, the ecological environment, and production safety; where military land is involved, it shall also be subject to approval by a unit at or above the regiment level of the military in accordance with the relevant provisions of the Central Military Commission.

The feasibility study report of a mine development project, the preliminary design of a mine (oil and gas field development plan), and other documents prepared by a mining rights holder shall be coordinated with the mining plan.

Article 34 — Within the scope of nature reserves, fundamental geological surveys, prospective surveys of strategic mineral resources, and exploration and mining of strategic mineral resources within the prescribed scope that conform to control requirements may be carried out in accordance with the law; the specific administrative measures shall be formulated by the natural resources administrative department and the forestry and grassland administrative department of the State Council.

Article 35 — "Mining land" as mentioned in paragraph 1 of Article 34 of the Mineral Resources Law includes land for mineral resources exploration and land for mineral resources mining.

Land for mineral resources exploration includes land used for exploration operations and land used for the construction or erection of living quarters, work sheds, transport access roads, and the like needed to meet exploration operation needs.

Land for mineral resources mining includes land used for mining operations such as extracting mineral resources, and land used for stacking mined ore, waste rock, and waste residue, and for constructing industrial plants, shaft and tunnel works, tailings ponds, supporting ore dressing plants, living service

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facilities, transport facilities, and the like needed to meet mining operation needs.

People's governments at or above the county level shall safeguard the reasonable demand for land for mineral resources exploration and mining in accordance with the law.

Article 36 — A mining rights holder may use state-owned land through allocation, grant, lease, capital contribution at assessed value, and other means in accordance with the law, and may also obtain the right to use collectively owned profit-oriented construction land through grant, lease, and other means in accordance with the law.

Where state-owned land and collectively owned profit-oriented construction land are used for mining mineral resources, they may be granted by agreement.

Article 37 — For exploration of mineral resources, land may be used temporarily in accordance with the provisions of land administration laws and administrative regulations.

Where land is occupied for open-pit mining of strategic mineral resources and, upon scientific demonstration, the conditions for simultaneous mining and reclamation are satisfied, the mining rights holder may use the land temporarily upon approval by the natural resources administrative department of a people's government at or above the provincial level; where forest land or grassland is involved, the relevant natural resources administrative department shall solicit the opinions of the forestry and grassland administrative department at the same level. Temporary land use shall be subject to approval by zones and by stages, and in principle each stage shall not exceed five years. Where a mining rights holder fails to perform the ecological restoration obligations of the mining area such as land reclamation in accordance with provisions, the relevant natural resources administrative department shall not approve its new temporary land use.

Article 38 — Where mineral resources available for mining such as petroleum and natural gas are discovered during the exploration of mineral resources such as petroleum and natural gas, the exploration right holder may, after completing oil (gas) testing operations and submitting an integrated exploration-mining plan to the original mining right granting department, carry out mining and complete filing procedures with the relevant energy administrative department in accordance with provisions.

Where an exploration right holder mines mineral resources such as petroleum and natural gas in accordance with the preceding paragraph, it shall, within the period prescribed by the natural resources administrative department of the State Council, apply to the original mining right granting department to convert its exploration right into a mining right, complete mining right registration in accordance with the law, and obtain a mining license.

Article 39 — The natural resources administrative department of the State Council shall, in conjunction with the relevant departments of the State Council, improve green mine policies and standards and specifications, improve the green mine directory, and implement dynamic management. Mining rights holders shall strengthen the planning, construction, operation, and management of green mines and promote the green development of mining enterprises.

Article 40 — The natural resources administrative department of the State Council shall, in conjunction with the relevant departments of the State Council, organize the formulation of the relevant national standards for the recovery rate of mineral resources mining, the recovery rate of ore dressing, and the comprehensive utilization rate.

Mining rights holders shall take effective measures in technology, equipment, management, and other aspects to ensure that the recovery rate of mineral resources mining, the recovery rate of ore dressing, and the comprehensive utilization rate meet the requirements of the relevant national standards.

The State shall formulate and improve relevant incentive policy measures to promote the improvement of the recovery rate of mineral resources mining, the recovery rate of ore dressing, and the comprehensive utilization rate.

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Article 41 — The natural resources administrative departments of people's governments at or above the county level shall, in conjunction with the relevant departments, strengthen the promotion and application of advanced and applicable technologies, processes, and equipment for comprehensive mining and comprehensive utilization of mineral resources, encourage and guide mining rights holders to upgrade technologies and processes and renew equipment, and promote the industrialized development of comprehensive utilization of mineral resources.

Article 42 — The State shall establish a mineral resources reserve management system, strengthen the investigation, verification, statistics, and assessment of mineral resources reserves and their changes, and provide a basis for preparing mineral resources-related plans, promoting the rational development and utilization of mineral resources, and strengthening the protection of mineral resources.

The State shall periodically organize mineral resources potential assessment and investigation of the current status of development and utilization, and strengthen the assessment and management of mineral resources reserves, the value of mining rights, and related rights and interests.

Article 43 — Where a mining rights holder ascertains mineral resources available for mining through exploration work, or discovers a major change in mineral resources reserves during mining, it shall prepare a reserve report and submit it to the original mining right granting department. The reserve report shall include the spatial distribution, types, quantities, and quality of mineral resources and the demonstration of the industrial indicators of the deposit, and shall explain the technical performance of ore processing, dressing, and smelting, the mining technical conditions, and the economic significance of development.

The original mining right granting department shall review the reserve report submitted by the mining rights holder and may, according to the needs of the review, organize relevant units to conduct technical assessment of the reserve report. The reviewed reserve report may serve as the basis for statistics and supervision and management of mineral resources reserves.

A mining rights holder shall be responsible for the authenticity of the reserve report it submits and shall not engage in fraud.

Article 44 — Mining rights holders shall carry out monitoring of mineral resources reserves in accordance with provisions, establish and improve mineral resources reserve ledgers, and periodically report changes in mineral resources reserves and development and utilization conditions to the original mining right granting department.

Article 45 — When a mine is closed, the mining rights holder shall submit the mine closure geological report to the natural resources administrative department of the local people's government at or above the county level in accordance with the relevant provisions of the State, and submit the relevant geological data.

Chapter IV — Ecological Restoration of Mining Areas

Article 46 — The natural resources administrative departments of local people's governments at or above the county level shall, in conjunction with the relevant departments, investigate and assess ecological damage such as geological environment destruction, land damage, and vegetation degradation caused by the mining of mineral resources within their administrative regions, and specify the key areas, objectives, and tasks for ecological restoration of mining areas.

Article 47 — A mining rights holder is the person responsible for ecological restoration of the mining area. The mining rights holder shall coordinate the implementation of ecological restoration and pollution prevention and control of the mining area.

Where a mining right is transferred, unless the State provides otherwise or the mining right grant or transfer contract provides otherwise, the transferee shall perform the ecological restoration obligations of the mining area. Where the transferor engages in fraud with respect to ecological restoration matters of the mining area

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during the transfer of the mining right, its ecological restoration obligations shall not be exempted by reason of the transfer of the mining right.

Article 48 — For historically abandoned mining areas, the natural resources administrative department of the local people's government at or above the county level where the mining area is located shall determine the person responsible for ecological restoration of the mining area; where the responsible person has ceased to exist or cannot be determined, the local people's government at or above the county level where the mining area is located shall organize the ecological restoration of the mining area and coordinate pollution control.

The natural resources administrative department of the State Council and other relevant departments may formulate special policies to support local people's governments in carrying out ecological restoration of historically abandoned mining areas. Local people's governments at or above the county level may broaden the funding channels for ecological restoration of mining areas through various means in accordance with the law.

Article 49 — The State shall improve policy measures to encourage social capital to participate in ecological restoration of mining areas in accordance with the law and safeguard the lawful rights and interests of social capital participating in ecological restoration of mining areas.

The State shall give full play to the role of market mechanisms in ecological restoration of mining areas and promote the market-oriented development of ecological restoration of mining areas.

Article 50 — Before mining mineral resources, a mining rights holder shall prepare an ecological restoration plan for the mining area in accordance with laws, regulations, the provisions of the natural resources administrative department of the State Council, and the mining right grant contract, and submit it to the original mining right granting department for approval together with the mining plan. The ecological restoration plan for the mining area shall specify the objectives and tasks, engineering layout, technical measures, timing arrangements, budget estimates, safeguard measures, and other contents of ecological restoration; where a tailings pond is involved, special measures for the restoration of the tailings pond shall also be specified.

In preparing the ecological restoration plan for the mining area, public comments shall be solicited within the relevant scope of the mining area in accordance with paragraph 2 of Article 46 of the Mineral Resources Law, and the opinions of relevant units and individuals shall be specifically solicited. When submitting the ecological restoration plan for the mining area for approval, the mining rights holder shall explain the circumstances of the solicitation of public comments and the specific solicitation of opinions.

Where a mining rights holder adjusts the ecological restoration plan for the mining area, it shall file with the original mining right granting department in accordance with the provisions of the natural resources administrative department of the State Council; where the mining plan is adjusted in accordance with paragraph 3 of Article 32 of these Regulations, the ecological restoration plan for the mining area shall be re-prepared and submitted to the original mining right granting department for approval together with the mining plan.

Where an ecological restoration plan for the mining area has already been prepared in accordance with provisions, a land reclamation plan shall no longer be prepared.

Article 51 — Where ecological restoration of a mining area can be carried out simultaneously with mining, or by zones or by stages, the mining rights holder shall reasonably divide restoration units and arrange the restoration sequence and promptly carry out ecological restoration based on the mine mining design and process flow, mining progress, the scope and type of mining land, production safety conditions, and land damage and ecological damage conditions; where ecological restoration cannot be carried out simultaneously with mining or by zones or by stages, it shall be completed before the mine is closed or within two years after the mine is closed, except that the time limit for ecological restoration of mining areas where

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radioactive mineral resources are mined may be determined according to actual needs.

Article 52 — After completing ecological restoration in accordance with the ecological restoration plan for the mining area, a mining rights holder shall promptly apply for acceptance to the natural resources administrative department of the local people's government at or above the county level where the mining area is located; where ecological restoration is completed by zones or by stages, acceptance shall be applied for by zones or by stages.

The natural resources administrative departments of local people's governments at or above the county level shall, in conjunction with the ecological environment administrative departments and other relevant departments, organize acceptance of ecological restoration of mining areas. Where acceptance is passed, an acceptance confirmation shall be issued to the mining rights holder; where acceptance is not passed, written rectification opinions shall be issued to the mining rights holder, and the mining rights holder shall re-apply for acceptance after completing the rectification.

Article 53 — Ecological restoration fees for mining areas shall be withdrawn annually by mining rights holders. Unless otherwise provided by law, ecological restoration fees for mining areas shall not be sealed up, frozen, or transferred.

Chapter V — Mineral Resources Reserves and Emergency Response

Article 54 — The State shall, in accordance with the principles of government leadership, joint construction by society, diversified complementarity, and efficient coordination, build a strategic mineral resources reserve system combining product reserves, production capacity reserves, and production area reserves, scientifically and reasonably determine the reserve structure, scale, and layout and dynamically adjust them, and give play to the functions of reserves in strategic safeguarding, macro-control, and responding to urgent needs.

The State shall improve the supervision system for strategic mineral resources reserves, accelerate the construction of reserve facilities, improve the professional level of reserve operating entities, strengthen the informatization of reserves, and continuously enhance the comprehensive effectiveness of strategic mineral resources reserves. People's governments at or above the county level shall, as needed, incorporate strategic mineral resources reserves into the relevant plans for national economic and social development and territorial space planning, and provide support in arranging the construction of major projects.

Article 55 — The development and reform department of the State Council shall coordinate the national mineral product reserve work, periodically formulate reserve plans and aggregate quantity plans, and dynamically adjust the varieties and scale of reserves; the food and strategic reserves department of the State Council shall organize the implementation of the purchase, rotation, and day-to-day management of central government mineral product reserves; and the energy administrative department of the State Council shall be responsible for energy reserve-related work according to its duties. Local people's governments at or above the county level shall carry out mineral product reserves in light of local conditions in accordance with the relevant provisions of the State.

Relevant enterprises shall do a good job of mineral product reserve work in accordance with the relevant provisions of the State. The State shall improve policy measures to support enterprises in carrying out mineral product reserves.

The management departments of strategic mineral product reserves and reserve-holding units shall strengthen the asset management of strategic mineral products and report the management of mineral product reserves in accordance with provisions.

Article 56 — The specific measures for the production capacity reserves of energy strategic mineral resources shall be formulated by the energy administrative department of the State Council in conjunction

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with the relevant departments of the State Council; the specific measures for the production capacity reserves of other strategic mineral resources shall be formulated by the industry and information technology administrative department of the State Council in conjunction with the relevant departments of the State Council.

Mining rights holders that mine strategic mineral resources shall, in accordance with the relevant provisions of the State and in light of mine production capacity, external transport conditions, production safety conditions, and other circumstances, prepare production capacity reserve construction plans, fulfill production capacity reserve responsibilities, reasonably plan production capacity, and ensure the needs of emergency production increases.

Article 57 — Production area reserves of strategic mineral resources shall follow the principles of scientific assessment, reasonable layout, management by levels, and dynamic adjustment. In light of the relevant plans for national mineral resources development and utilization and security safeguard, and comprehensively considering resource endowment, development and utilization technical conditions, domestic and international supply and demand conditions, and ecological location and other factors, the reserve scale and layout shall be reasonably determined, and necessary supplementary exploration of the reserve areas shall be carried out to enhance emergency mining capacity and organically link with product reserves and production capacity reserves to form tiered supply capacity.

The natural resources administrative department of the State Council shall take the lead in organizing national strategic mineral resources production area reserve work, study and propose opinions on the mineral types, scale, and layout of production area reserves, organize the baseline investigation, assessment and demonstration, and reserve exploration of production area reserves, demarcate strategic mineral resources reserve areas, and strengthen the monitoring and protection supervision of production area reserves. The natural resources administrative departments of the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government shall assist in the work related to production area reserves and organize protection supervision work in accordance with the principle of territorial management duties. Enterprises shall be encouraged to actively participate in production area reserve work.

The term of strategic mineral resources production area reserves shall be coordinated with mineral resources-related plans and shall in principle be no less than five years. Upon expiration of the reserve term, the natural resources administrative department of the State Council shall, in conjunction with the relevant departments of the State Council, organize assessment and demonstration to determine whether to extend the reserve term, and carry out adjustment and utilization of production area reserves in a timely manner as needed.

Strategic mineral resources incorporated into production area reserves shall not be mined or overlapped without the approval of the natural resources administrative department of the State Council.

Article 58 — The development and reform, industry and information technology, natural resources, food and strategic reserves, mine safety supervision, and other relevant departments of the State Council shall establish and improve the forecasting and early warning work system for mineral resources supply security, strengthen the sharing and application of mineral resources supply security-related data and information, carry out comprehensive monitoring, analysis, and assessment of changes in mineral product supply and demand, price fluctuations, and security risk conditions, and conduct forecasting and early warning in a timely manner.

Article 59 — "Other necessary measures" as mentioned in item (6) of paragraph 1 of Article 55 of the Mineral Resources Law include, but are not limited to, directly organizing the mining, processing, transport, and supply of mineral resources, requisitioning relevant mineral products, mineral product reserve facilities, and transport vehicles, and organizing the supply of mineral resources or mineral products in accordance with

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the order of supply safeguard.

Chapter VI — Supervision and Administration

Article 60 — The natural resources administrative departments of people's governments at or above the county level and other relevant departments shall, in accordance with the division of duties, strengthen supervision and inspection of activities such as mineral resources exploration and mining and ecological restoration of mining areas, and promptly investigate and deal with illegal acts in accordance with the law.

In supervision and inspection, the natural resources administrative departments of people's governments at or above the county level and other relevant departments shall strengthen coordination and cooperation, conduct joint inspections where joint inspection is possible, and encourage supervision and inspection through off-site inspection and the use of non-contact technical means.

Article 61 — The natural resources administrative departments and other relevant departments and their staff shall have the obligation to keep confidential, in accordance with the law, state secrets, work secrets, commercial secrets, personal privacy, and personal information learned in the course of supervision and management.

"Commercial secrets" mentioned in the preceding paragraph include, but are not limited to, mineral resources reserves and the exploration results, major discoveries, and core technical plans of mining rights holders. Commercial secrets shall not be disclosed to third parties, except as otherwise provided by law or with the written consent of the mining rights holder.

Article 62 — The natural resources administrative department of the State Council shall, in accordance with the principles of being scientific and reasonable, reflecting differences, and being simple and easy to implement, establish an indicator system for assessing the level of development and utilization of mineral resources, and strengthen guidance on the application of the assessment indicators.

The natural resources administrative departments of people's governments at or above the county level shall, based on the assessment indicators for the level of development and utilization of mineral resources, strengthen the aggregation and analysis of mineral resources exploration and mining conditions within their administrative regions and conduct periodic assessment, and propose improvement measures for the economical and intensive development and utilization of mineral resources. Mining rights holders and relevant mining enterprises shall cooperate with the assessment work of the natural resources administrative departments and implement the relevant improvement measures.

Article 63 — The natural resources administrative department of the State Council shall promote the improvement of the informatization level of mineral resources supervision and management, carry out supervision and services through the national mineral resources supervision and management information system, and strengthen information sharing with the relevant departments of the State Council.

Article 64 — The natural resources administrative department of the State Council shall, based on the scale, technical capability, talent and equipment, and credit status of units engaged in mineral resources exploration, implement filing and classified and graded supervision of them, guide the large-scale development of the mineral resources exploration market, and enhance the professional level.

Article 65 — Disputes between mining rights holders over exploration or mining areas shall be resolved through negotiation by the parties concerned. Where the parties fail to reach an agreement through negotiation, the matter shall be handled by the local people's government at or above the county level where the mineral resources are located based on the exploration or mining areas verified in accordance with the law; disputes over exploration or mining areas spanning administrative regions shall be handled by the people's government at the next higher level common to both sides.

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Article 66 — The national natural resources supervision institution shall, upon authorization by the State Council, supervise the development, utilization, and supervision and management of mineral resources by the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government.

When conducting supervision, the national natural resources supervision institution shall have the right to learn the relevant circumstances of supervision matters from units and individuals concerned with the supervision matters, and the relevant units and individuals shall support and assist the supervision institution in its work.

Chapter VII — Legal Liability

Article 67 — Where a unit or individual obstructs or impedes fundamental geological survey work carried out in accordance with the law, the natural resources administrative department of a people's government at or above the county level shall order rectification and give a warning or circulate a notice of criticism; where rectification is refused, a fine of not less than RMB 20,000 nor more than RMB 100,000 shall be imposed on a unit, and a fine of not less than RMB 10,000 nor more than RMB 50,000 shall be imposed on an individual.

Article 68 — Where a mining rights holder fails to periodically report changes in mineral resources reserves and development and utilization conditions, or fails to submit the mine closure geological report after the mine is closed, the natural resources administrative department of a people's government at or above the county level shall order rectification and impose a fine of not less than RMB 20,000 nor more than RMB 100,000; where the circumstances are serious, a fine of not less than RMB 100,000 nor more than RMB 500,000 shall be imposed.

Article 69 — Where the mineral resources involved in the illegal acts specified in Articles 63, 64, 66, 67, and 68 of the Mineral Resources Law are strategic mineral resources, heavier punishment shall be imposed.

Article 70 — Where a mining rights holder fails to pay mining right occupation fees in accordance with provisions, the collection authority may order payment within a time limit; where payment is not made within the time limit, a fine of not more than three times the mining right occupation fees payable may be imposed.

Article 71 — Where a construction project's construction unit disposes on its own of the sand, stone, or clay excavated for construction needs, the natural resources administrative department of a people's government at or above the county level shall order rectification and impose a fine of not less than three times nor more than five times the market value of the mineral products disposed of on its own; where the market value of the mineral products disposed of on its own is less than RMB 100,000, a fine of not less than RMB 100,000 nor more than RMB 300,000 shall be imposed.

Article 72 — Where strategic mineral resources incorporated into production area reserves are mined without approval, heavier punishment shall be imposed in accordance with Article 64 of the Mineral Resources Law.

Article 73 — Where a violation of these Regulations causes personal or property damage to others or damage to the ecological environment, civil liability shall be borne in accordance with the law; where it constitutes a violation of public security administration, public security administration punishment shall be imposed in accordance with the law; where it constitutes a crime, criminal liability shall be pursued in accordance with the law.

Chapter VIII — Supplementary Provisions

Article 74 — Foreign investment in the exploration and mining of mineral resources shall conform to the provisions of the negative list for foreign investment access.

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Where foreign investment in the exploration and mining of mineral resources affects or may affect national security, a security review shall be conducted in accordance with the relevant provisions of the State.

Article 75 — The import and export of mineral resources and related goods, technologies, and services shall comply with the provisions of the relevant laws and administrative regulations on foreign trade and import and export administration; where they are export control items, the provisions of export control laws and administrative regulations shall also be complied with.

Article 76 — Where any country, region, or international organization adopts, assists, or supports discriminatory prohibitions, restrictions, or other similar measures that endanger the security of China's mineral resources and related industrial chains and supply chains, the relevant departments of the State Council may take necessary countermeasures according to actual circumstances.

Article 77 — Where the State provides otherwise for the exploration, mining, and protection of radioactive mineral resources such as uranium (thorium) ores, such provisions shall prevail.

Article 78 — Exploration licenses and mining licenses issued in accordance with the law before July 1, 2025 shall remain valid within their periods of validity.

Article 79 — These Regulations shall come into force on June 15, 2026. The Interim Measures for the Supervision and Administration of Mineral Resources, the Provisions on the Administration of Collection of Mineral Resources Compensation Fees, the Detailed Rules for the Implementation of the Mineral Resources Law of the People's Republic of China, the Measures for the Administration of Registration of Mineral Resources Exploration Blocks, the Measures for the Administration of Registration of Mineral Resources Mining, and the Measures for the Administration of Transfer of Exploration Rights and Mining Rights shall be repealed simultaneously.

Disclaimer: This is an unofficial English translation of the Implementing Regulations for the Mineral Resources Law of the People's Republic of China (State Council Decree No. 839, 2026), provided for reference and informational purposes only. In the event of any discrepancy between this translation and the original Chinese text, the original Chinese version shall prevail. This translation does not constitute legal advice.