Mineral Resources Law of the People’s Republic of China

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of promoting the exploration, exploitation, and protection of mineral resources, strengthening ecological conservation, safeguarding national mineral resource security, and promoting the sustainable development of the mining industry and the economy and society.

Article 2 — This Law applies to the exploration, exploitation, and protection of mineral resources and the ecological restoration of mines within the territory of the People's Republic of China and in other sea areas under the jurisdiction of the People's Republic of China. For the purposes of this Law, mineral resources means natural resources occurring in solid, liquid, or gaseous states that are formed through geological processes and have utilization value.

Article 3 — Mineral resources belong to the State. The State Council shall exercise the ownership of mineral resources on behalf of the State. The State shall ensure the exploration and exploitation of mineral resources in accordance with the law, and shall protect the lawful rights and interests of mining right holders. No organization or individual may encroach upon or destroy mineral resources by any means.

Article 4 — The exploration and exploitation of mineral resources shall comply with the law, respect and protect nature, follow the path of prioritizing conservation and protection, and uphold the principle of green development. The exploration, exploitation, and protection of mineral resources shall serve the needs of economic and social development and safeguard national security.

Article 5 — The State shall implement a paid acquisition system for mining rights. Prospecting rights and mining rights shall be acquired through competitive methods such as public bidding, auction, andlisting-for-transfer, except in cases where it is provided by law that they may be acquired through agreement-based assignment. Mining right holders shall pay mining right royalties and other fees in accordance with the law.

Article 6 — The State shall encourage scientific and technological innovation in mineral resources exploration and exploitation, support the digital and intelligent transformation of the mining industry, and promote the conservation and comprehensive utilization of mineral resources.

Article 7 — The competent department for natural resources under the State Council shall be responsible for the supervision and administration of the exploration, exploitation, and protection of mineral resources nationwide. The relevant departments under the State Council shall, within the scope of their respective duties, assist in the supervision and administration of the exploration, exploitation, and protection of mineral resources. The competent departments for natural resources of local people's governments at or above the county level shall be responsible for the supervision and administration of the exploration, exploitation, and protection of mineral resources within their respective administrative regions.

Chapter II — Mineral Resources Planning

Article 8 — The State shall implement a unified planning system for mineral resources. Mineral resources planning shall include national mineral resources planning, provincial mineral resources planning, municipal mineral resources planning, and county-level mineral resources planning. Mineral resources planning shall be an important basis for the assignment of mining rights and the supervision and administration of the exploration, exploitation, and protection of mineral resources.

Article 9 — National mineral resources planning shall be formulated by the competent department for natural resources under the State Council in conjunction with the relevant departments under the State Council and shall be implemented upon approval by the State Council. Provincial mineral resources planning shall be formulated by the competent department for natural resources of the people's government of the province, autonomous region, or municipality directly under the Central Government in conjunction with the relevant departments at the same level and shall be implemented upon approval by the people's government at the

same level. The formulation of mineral resources planning shall take into account factors such as the distribution of mineral resources, industrial layout, ecological conservation requirements, and market demand.

Article 10 — Mineral resources planning shall specify the objectives, tasks, and measures for the exploration, exploitation, and protection of mineral resources within the planning period, and shall delineate key mining areas, restricted mining areas, and prohibited mining areas. National strategic mineral resources shall be subject to special planning and centralized management.

Article 11 — The amendment of mineral resources planning shall follow statutory procedures. Where the amendment of mineral resources planning affects the lawful rights and interests of mining right holders, mining right holders shall be compensated in accordance with the law.

Chapter III — Exploration Rights and Mining Rights

Article 12 — Prospecting rights means the right to conduct exploration activities for mineral resources within the scope specified in the prospecting permit obtained in accordance with the law. Mining rights means the right to exploit mineral resources and obtain the minerals mined within the scope specified in the mining permit obtained in accordance with the law. Prospecting rights and mining rights shall be collectively referred to as mining rights.

Article 13 — The assignment of prospecting rights and mining rights shall be conducted through competitive methods such as public bidding, auction, andlisting-for-transfer, unless otherwise provided for by laws or administrative regulations. For mineral resources that involve national security or significant public interests, or that are subject to special prospecting or mining, prospecting rights or mining rights may be assigned through agreement.

Article 14 — The term of a prospecting right shall be five years. The prospecting right holder may, prior to the expiration of the term of the prospecting right, apply for an extension. The extended term shall not exceed two years each time, and the total term shall not exceed ten years, unless otherwise provided for by the State. The term of a mining right shall be determined according to the scale of mineral reserves, and shall not be less than ten years for large-scale mines, not less than five years for medium-scale mines, and not less than three years for small-scale mines.

Article 15 — Mining rights may be transferred in accordance with the law. When transferring mining rights, the transferor shall meet the following conditions: (1) the mining right has been held for a specified period of time; (2) the transferor has fulfilled its statutory obligations such as paying mining right royalties as required; (3) the transferor has completed the minimum exploration input or has commenced mining as required; and (4) other conditions prescribed by laws and administrative regulations. The transfer of mining rights through public bidding, auction, orlisting-for-transfer is encouraged.

Article 16 — The establishment, modification, transfer, and extinguishment of mining rights shall be registered. The registration of mining rights shall take effect upon registration by the competent department for natural resources. Without registration, no mining right may be exercised against any third party.

Chapter IV — Mineral Resources Exploration

Article 17 — A prospecting right holder shall conduct exploration activities in accordance with the scope, duration, and approved exploration methods specified in the prospecting permit. Where a prospecting right holder discovers a mineral deposit with industrial value in the course of exploration, it shall report to the competent department for natural resources in a timely manner.

Article 18 — A prospecting right holder shall have priority in acquiring the mining right for the mineral deposit it has discovered, unless otherwise provided for by laws or administrative regulations. Where the State needs to reserve a discovered mineral deposit, the prospecting right holder shall be compensated in

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accordance with the law.

Article 19 — The exploration of mineral resources shall employ scientific methods and advanced technology, and shall carry out comprehensive exploration and comprehensive evaluation. A prospecting right holder shall properly preserve valuable geological exploration data, and shall submit the data to the competent department for natural resources for archival purposes in accordance with regulations.

Article 20 — A prospecting right holder shall fulfill the exploration input obligations in accordance with the law. Where a prospecting right holder fails to meet the minimum exploration input for two consecutive years, the competent department for natural resources may revoke the prospecting permit in accordance with the law.

Chapter V — Mineral Resources Exploitation

Article 21 — A mining right holder shall exploit mineral resources in accordance with the scope, duration, and approved mining methods specified in the mining permit. A mining right holder shall adopt scientific mining methods, advanced technology, and advanced equipment to improve the recovery rate of mineral resources and the utilization rate of associated andparagenetic minerals.

Article 22 — A mining right holder shall, in accordance with the relevant state regulations, formulate and implement a plan for the comprehensive utilization of mineral resources, strengthen the protection of mineral resources, and prevent waste and damage to mineral resources. A mining right holder shall conduct comprehensive exploitation and comprehensive utilization of associated minerals andparagenetic minerals that have industrial value.

Article 23 — A mining right holder shall establish a mineral resources reserve management system, truthfully report the actual reserves of mineral resources, and submit the mineral resources reserve report to the competent department for natural resources for review in accordance with regulations. The mineral resources reserve management shall comply with state standards and industry specifications.

Article 24 — The exploitation of mineral resources shall comply with state regulations on work safety and occupational health and shall establish and improve a work safety responsibility system. A mining right holder shall adopt necessary safety measures to prevent safety accidents such as mine collapses, gas explosions, and water inrushes.

Article 25 — The exploitation of mineral resources shall comply with state regulations on environmental protection and shall adopt measures to prevent environmental pollution and ecological damage. A mining right holder shall collect, store, treat, or discharge in compliance with standards the wastewater, waste gas, solid wastes, and other pollutants generated during the exploitation of mineral resources.

Article 26 — A mining right holder shall, in accordance with the law, pay taxes and fees such as resource tax and mining right royalties. The specific measures for the collection and management of mining right royalties shall be prescribed by the State Council.

Chapter VI — Ecological Restoration of Mines

Article 27 — A mining right holder shall bear the responsibility for the ecological restoration of the mine, and shall, in accordance with the relevant state regulations, prepare a mine ecological restoration plan, set aside mine ecological restoration funds, and carry out ecological restoration work. The principle of “those who mine shall restore” shall apply: whoever causes ecological damage in the course of mineral exploitation shall be responsible for restoration.

Article 28 — A mine ecological restoration plan shall specify the restoration objectives, restoration measures, restoration schedule, and the sources of restoration funds, among other contents. The mine ecological restoration plan shall be submitted to the competent department for natural resources for filing.

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Article 29 — A mining right holder shall set aside mine ecological restoration funds in accordance with regulations, and the funds shall be subject to special account management and be used exclusively for mine ecological restoration. Mine ecological restoration funds may be set aside in advance and drawn upon in accordance with the progress of restoration, or may be paid in a lump sum and drawn upon in installments.

Article 30 — A mining right holder shall carry out ecological restoration while mining, and adopt measures for the comprehensive improvement of the mined areas, such as land reclamation, vegetation restoration, and geological disaster prevention and control. Upon completion of mining, the mining right holder shall carry out comprehensive ecological restoration in accordance with the mine ecological restoration plan and shall apply to the competent department for natural resources for acceptance inspection.

Article 31 — Where a mining right holder fails to perform mine ecological restoration obligations in accordance with regulations, the competent department for natural resources shall order it to make corrections within a prescribed time limit. Where corrections are not made upon the expiry of the time limit, the competent department for natural resources may arrange for remediation on its behalf or entrust a third party without the right to do so, and the costs incurred shall be borne by the mining right holder.

Chapter VII — Supervision and Management

Article 32 — The competent department for natural resources shall, in accordance with the law, supervise and inspect the exploration, exploitation, and protection of mineral resources and the ecological restoration of mines, and mining right holders shall provide cooperation and shall not refuse or obstruct such supervision and inspection.

Article 33 — The competent department for natural resources shall establish a mineral resources supervision information platform to achieve information sharing and dynamic supervision. The competent department for natural resources may use modern technical means such as satellite remote sensing and unmanned aerial vehicles to carry out daily monitoring of the exploration, exploitation, and protection of mineral resources.

Article 34 — The competent department for natural resources shall establish a credit record system for the exploration and exploitation of mineral resources, record the credit information of mining right holders in accordance with the law, publicize it to the public, and apply joint disciplinary action mechanisms for untrustworthy conduct in accordance with the law.

Article 35 — Any institution or individual shall have the right to report violations of laws and regulations in the exploration, exploitation, and protection of mineral resources to the competent department for natural resources. The competent department for natural resources shall promptly investigate and handle the reported matter and shall keep the identity of the reporter confidential.

Chapter VIII — Legal Liability

Article 36 — Where any person mines mineral resources without a mining permit, or enters into a mining area under the mining right of another person for mining without authorization, the competent department for natural resources shall order the cessation of mining and may confiscate the minerals mined and the illegal gains, and impose a fine of not less than one time but not more than five times the amount of the illegal gains; where there are no illegal gains, a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan shall be imposed; where the circumstances are serious, the competent department for natural resources may seal up the mining equipment and facilities.

Article 37 — Where a mining right holder mines mineral resources beyond the approved mining area, the competent department for natural resources shall order it to return to the approved mining area for mining, compensate for the losses, confiscate the minerals mined beyond the area and the illegal gains, and impose a fine of not less than one time but not more than five times the amount of the illegal gains; where there are no illegal gains, a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan shall be

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imposed; where the circumstances are serious, the mining permit may be revoked.

Article 38 — Where a mining right holder exploits mineral resources by destructive mining methods, the competent department for natural resources shall order it to make corrections and impose a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan; where the circumstances are serious, the mining permit may be revoked.

Article 39 — Where a mining right holder fails to perform mine ecological restoration obligations in accordance with regulations, the competent department for natural resources shall order it to make corrections within a prescribed time limit and impose a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan; where the circumstances are serious, a fine of not less than RMB 500,000 yuan but not more than RMB 5,000,000 yuan shall be imposed, and the mining right activities may be suspended.

Article 40 — Where any person illegally transfers mining rights or resells mining rights for profit, the competent department for natural resources shall confiscate the illegal gains, impose a fine, and revoke the prospecting permit or mining permit; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 41 — Where any person obstructs or refuses to cooperate with the lawful supervision and inspection conducted by the competent department for natural resources, the competent department for natural resources shall order corrections and impose a fine of not less than RMB 10,000 yuan but not more than RMB 50,000 yuan.

Article 42 — Where a staff member of a competent department for natural resources or any other relevant department neglects his or her duties, abuses his or her powers, or engages in malpractice for personal gain in the course of mineral resources supervision and administration, sanctions shall be imposed in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Chapter IX — Supplementary Provisions

Article 43 — The provisions of this Law shall apply, mutatis mutandis, to the exploration and exploitation of groundwater and mineral water. Where laws provide otherwise, such provisions shall prevail.

Article 44 — The State Council may formulate detailed rules for the implementation of this Law.

Article 45 — This Law shall enter into force as of July 1, 2025. The Mineral Resources Law of the People’s Republic of China promulgated on March 19, 1986, and amended on August 29, 1996, shall be repealed simultaneously.

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