

**PROVISIONAL REGULATIONS OF THE PEOPLE'S REPUBLIC OF CHINA ON
RESOURCE TAX**

(State Council: 13 December 1993)

Article 1

All units and individuals engaged in the exploitation of mineral products as prescribed in these Regulations or production of salt within the territory of the People's Republic of China (hereinafter referred to as 'exploiting or producing taxable products') are taxpayers of Resource Tax (hereinafter referred to as 'taxpayers') and shall pay Resource Tax in accordance with these Regulations.

Article 2

The taxable items and tax amounts of Resource tax shall be determined in accordance with the attached to these Regulations as well as the relevant stipulations of the Ministry of Finance. Any adjustments to the taxable items and tax amount range shall be determined by the State Council.

Article 3

The specific tax amount applicable to taxpayers shall be determined within a prescribed tax amount range, by the Ministry of Finance in consultation with the relevant departments of the State Council in accordance with the resource situation of the taxable products exploited or produced by taxpayers.

Article 4

Taxpayers exploiting or producing taxable products under different taxable items. The assessable volume of the taxable products under different taxable items shall be accounted for separately. If the assessable volume of the taxable products under different taxable items has not been accounted for separately or cannot be accurately provided, the higher tax amount shall apply.

Article 5

The tax payable for Resource Tax shall be computed in accordance with the assessable volume of the taxable products and the prescribed unit tax amount. The formula for computing the tax payable is as follows: Tax payable = Assessable volume x Unit tax amount

Article 6

The assessable volume of Resource Tax is as follows:

- (1) For taxpayers exploiting or producing taxable products for sale, the sales volume shall be the assessable volume.
- (2) For taxpayers exploiting or producing taxable products for own use, the self-used volume shall be the assessable volume.

Article 7

Resource Tax shall be reduced or exempt under any one of the following circumstances:

- (1) Crude oil used for heating or repairing wells in the course of exploiting crude oil shall be exempt.

The copyright and/or other intellectual property rights of China Business Engine including related text, images, charts, sound, animation, and videos, and their arrangement on the China Business Engine website, are protected by copyright and other protective laws.

(2) For taxpayers sustaining huge losses due to such reasons as accidents or natural disasters in the course of exploiting or producing taxable products, tax reduction or exemption shall be determined at the discretion of the People's governments of the provinces, autonomous regions or municipalities directly under the central government.

(3) Other tax reduction or exemption items as stipulated by the State Council.

Article 8

The assessable volume of the tax reduced or exempt items of the taxpayer shall be accounted for separately. If the assessable volume has not been accounted for separately or cannot be accurately provided, no reduction or exemption shall be granted.

Article 9

For taxpayers selling taxable products, the time at which the tax liability arises shall be the day on which the sales sum is received or documented evidence of right to collect the sales sum is obtained. For self-produced taxable products for own use, the time at which the tax liability arises shall be the day on which the products are removed for use.

Article 10

Resource Tax shall be collected by the tax authorities.

Article 11

The units purchasing untaxed mineral products shall be the Resource Tax withholding agent.

Article 12

The Resource Tax payable by taxpayers shall be paid to the local competent tax authorities where the taxable products are exploited or produced. For taxpayers exploiting or producing taxable products within the boundaries of their own provinces, autonomous regions and municipalities, any adjustments in the tax payment location shall be determined by the tax authorities of the provinces, autonomous regions and municipalities.

Article 13

The assessable period for taxpayers shall be one day, three days, five days, ten days, fifteen days or one month to be determined by the competent tax authorities according to the actual circumstances; tax that cannot be assessed in regular periods may be assessed on a transaction-by-transaction basis. Taxpayers that adopt one month as an assessable period shall report and pay tax within ten days following the end of the period. If an assessable period of one day, three days, five days, ten days or fifteen days is adopted, the tax shall be prepaid within five days following the end of the period and a monthly return shall be filed with any balance of tax due settled within ten days from the first day of the following month. The tax payment deadlines for withholding agents shall be determined with reference to the stipulations of the above two paragraphs.

Article 14

The copyright and/or other intellectual property rights of China Business Engine including related text, images, charts, sound, animation, and videos, and their arrangement on the China Business Engine website, are protected by copyright and other protective laws.

The collection and administration of Resource Tax shall be conducted in accordance with the relevant regulations of the and these Regulations.

Article 15

The Ministry of Finance shall be responsible for the interpretation of these Regulations and for the formulation of the Detailed Rules and Regulations for the implementation of these Regulations.

Article 16

These Regulations shall come into effect from January 1, 1994. The and the promulgated by the State Council on September 18, 1984 shall be repealed on the same date.

RESOURCE TAX TAXABLE ITEMS AND TAX AMOUNT RANGE TABLE

Taxable

Items Tax Amount Range

-
1. Crude oil 8-30 yuan/ton
 2. Natural gas 2-15 yuan/1000 cubic metres
 3. Coal 0.3-5 yuan/ton
 4. Other non-metal ores 0.5-20 yuan/ton or one cubic metre
 5. Ferrous metal ores 2-30 yuan/ton
 6. Non-ferrous metal ores 0.4-30 yuan/ton
 7. Salt
 8. Solid salt 10-60 yuan/ton
 9. Liquid salt 2-10 yuan/ton
-

The copyright and/or other intellectual property rights of China Business Engine including related text, images, charts, sound, animation, and videos, and their arrangement on the China Business Engine website, are protected by copyright and other protective laws.