

# CHINA LEGAL BRIEFING\* 164

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**Circular of the Ministry of Land and Resources Regarding the Promulgation and Implementation of the State Criterion on Minimum Assignment Price of Industry Use Land (Guotuzifa [2006] 307)**

关于发布实施《全国工业用地出让最低价标准》的通知  
(国土资发[2006]307号)

Issued By	<b>The Ministry of Land and Resources</b>
Subject	<b>State Minimum Assignment Price of Industry Use Land</b>
Promulgated on	<b>December 23<sup>th</sup> 2006</b>
Effective from	<b>January 1<sup>st</sup> 2007</b>
Source	<a href="http://www.mlr.gov.cn">www.mlr.gov.cn</a>

This Criterion is the minimum control criterion that must be executed when industry use land is assigned by municipal and county level governments and the price of the land use right is determined.

The industry use land shall be assigned only by bidding, auction or quotation. The minimum assignment price set by the Criterion shall not be undermined by local administrations of land and resources in any excuses. The dealing price shall not lower than the minimum assignment price.

As of the promulgation of this Criterion, all provinces, autonomous regions, and municipalities shall update the land base price in line with the requirements of this Criterion.

The Criterion has two attachments. The Attachment I is the State Criterion on Minimum Assignment Price of Industry Use Land. And the Attachment II is the Classification of Land.

According to the Attachment II, the land of the whole country has been classified into 15 categories, from Class I to Class XV. This 29 pages Attachment shows a very detailed classification.

According to the Attachment I, the minimum assignment price of Class I land is RMB 840 per square meter, and the minimum assignment price of Class XV land is RMB 60 per square meter.

For instance, in order to know the minimum assignment price of an industry use land in Chaoyang district of Beijing, we can easily check the Attachment II and find that the land in Chaoyang district is Class II, and by checking the Attachment I, we can find that the

minimum assignment price for the industry use land in Chaoyang district is 720 RMB per square meter.

## **Administrative Measures on Product Oil Market (MOFCOM Order [2006] No. 23)**

成品油市场管理办法 (商务部令2006年第23号)

Issued By	<b>The Ministry of Commerce (MOFCOM)</b>
Subject	<b>Product Oil</b>
Promulgated on	<b>December 4<sup>th</sup> 2006</b>
Effective From	<b>January 1<sup>st</sup> 2006</b>
Source	<a href="http://www.mofcom.gov.cn">www.mofcom.gov.cn</a>

The Administrative Measures on Product Oil Market (the “Measures”) are promulgated by the MOFCOM in accordance with the Decision of the State Council on Applying Administrative Licensing to Matters that Need to Remain Subject to Administrative Examination and Approval (No. 412 of the State Council) and other relevant laws and regulations for the purpose of strengthening the supervision and control of the product oil market, standardizing the product oil business activities, maintaining the product oil market order and protecting lawful benefits of enterprises and consumers.

The enterprises engaging in the wholesale, storage and retail of product oil within the territory of the People’s Republic of China must obey the Measures and other relevant laws and regulations. A licensing system against product oil business shall be implemented. For the purpose of the Measures, product oil shall refer to gasoline, kerosene, diesel oil and other substitute fuel such as ethanol gasoline and biologic diesel oil.

An enterprise applying for a license for the wholesale of product oil must meet the following requirements: having a stable and lasting supply of product oil; the applicant shall be Chinese enterprise legal person with its registered capital of not less than 30 million RMB; where the applicant is a branch of a Chinese enterprise legal person, such legal person shall have already obtained the permit for the wholesale of product oil; having an product oil depot with a capacity of not less than 10,000 cubic meters; having facilities such as oil pipe, railway leased line or pier to deliver and transport product oil.

An enterprise applying for a license for the retail of product oil must meet the following requirements: in line with local layout and technical requirements on gas station; having stable and lasting supply of product oil; the design and construction of gas station shall meet the state criterions; having professional technicians.

An enterprise applying for a license for the storage of product oil must meet the following requirements: having a product oil depot with a capacity of not less than 10,000 cubic meters; it shall be a Chinese enterprise legal person with its registered capital of not less than 10 million RMB; having facilities such as oil pipe, railway leased line or pier to deliver and transport product oil; where the applicant is a branch of a Chinese enterprise legal person, such legal person shall have already obtained the permit for the storage of product oil.

The existing oil refining enterprises shall apply for the Certificate of Approval for the Wholesale of Product Oil in line with these Measures.

### **Administrative Measures on Raw Oil Market (MOFCOM Order [2006] No. 24)**

原油市场管理办法 (商务部令2006年第24号)

Issued By	<b>The Ministry of Commerce (MOFCOM)</b>
Subject	<b>Raw Oil</b>
Promulgated on	<b>December 4<sup>th</sup> 2006</b>
Effective From	<b>January 1<sup>st</sup> 2006</b>
Source	<a href="http://www.mofcom.gov.cn">www.mofcom.gov.cn</a>

The Administrative Measures on Raw Oil Market (the “Measures”) are promulgated by the MOFCOM with the similar purpose of that of the Administrative Measures on Product Oil Market.

The enterprises engaging in the raw oil business operation within the territory of the People’s Republic of China must observe the Measures and other relevant laws and regulations. The “raw oil business enterprises” mentioned by the Measures shall refer to the enterprises engaging in distribution and storage of raw oil. A licensing system against raw oil business shall be implemented.

An enterprise applying for a license for the distribution of raw oil must meet the following requirements: the applicant should be a Chinese enterprise legal person with a registered capital of not less than 100 million RMB; it has lasting and stable supply of raw oil; it has lasting, stable and lawful distribution networks of raw oil; it has an oil depot with a capacity of not less than 200,000 cubic meters.

An enterprise applying for a license for the storage of raw oil must meet the following requirements: the applicant should be a Chinese enterprise legal person with a registered capital of not less than 50 million RMB; it has a raw oil depot with a capacity of not less than 500,000 cubic meters; it has facilities such as oil pipe, railway leased line or pier for raw oil delivery and transportation.

The Measures and relevant state policies, laws, regulations and rules on foreign investment shall be followed where a foreign invested raw oil business enterprise is proposed.

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