Yichun Municipal People's Government

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The People's Government of Yichun Municipality issued a notice on strengthening the management of lithium mineral resources in our city

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The people's governments of counties (cities and districts) and the departments of municipal governments:

With the consent of the municipal government, the "Several Opinions on Strengthening the Management of Lithium Mineral Resources in Our City" is now issued to you, please conscientiously implement it.

November 10, 2009

Several opinions on strengthening the management of lithium mineral resources in our city

In order to effectively protect and rationally utilize the city's lithium mineral resources and promote the rapid, orderly and sustainable development of the city's lithium battery new energy industry, in accordance with the relevant laws and regulations, combined with the local reality, the following opinions are hereby formulated on strengthening the management of lithium mineral resources in our city.

1. These Opinions are applicable to the management of lithium mineral resources with mineral resource content of mineral resources within the

administrative area of Yichun City that have reached the value of mineral processing and utilization.

Second, the development and utilization of lithium mineral resources within the administrative area of the city must strictly follow the "Yichun City Mineral Resources Master Plan", adhere to the principle of "rational mining, comprehensive utilization", and gradually reduce the use of lithium mineral resources as co-solvents and additives in the production of ceramics and smelting, and fully guarantee and actively promote the development and utilization of lithium mineral resources in the direction of intensive processing and high added value, and continuously improve the comprehensive development and utilization of lithium mineral resources.

3. The Office of the Leading Group for the Development of Lithium Battery New Energy Industry in Yichun City is responsible for the guidance and coordination of the comprehensive development and utilization of lithium mineral resources in the city, coordinating the management of lithium mineral resources by relevant departments in accordance with laws and regulations, and coordinating and cooperating with the supply guarantee of lithium mineral resources required by lithium new energy enterprises in our city.

Fourth, the municipal government plans the prospecting rights and mining rights of lithium mineral resources in the city. Applicants who meet the prescribed qualifications shall be declared by the competent department of land and resources to the provincial department of land and resources for

examination and approval of exploration licenses and mining licenses after bidding or approval through legal procedures.

5. The people's governments of cities and counties shall include the lithium mineral resources mining areas in the region into the scope of mineral resources development and integration, and in accordance with the requirements of only one mining right in a mining area, the people's government of the county (city, district) where the mining area is located shall organize relevant departments and qualified units to prepare mineral resources integration plans and carry out resource integration. After the integration, the competent department of land and resources shall apply to the provincial department of land and resources for approval and re-establishment of mining rights.

6. Lithium mineral resources mining enterprises should be based on the planning and development of the city's lithium battery new energy industry, actively support and help the city's lithium battery new energy enterprises to become bigger and stronger, establish a long-term cooperation and mutually beneficial strategic partnership between the two sides, give priority to ensuring the supply of raw materials for lithium battery new energy enterprises, and shall not sell lithium mineral resources with mineral processing value as raw ore before refining.

7. Establish and form a price guidance mechanism for the supply of lepidolite in our city to prevent price monopoly. The Municipal Office of the Leading Group for the Development of Lithium Battery New Energy Industry will take the lead in organizing the city's lithium battery new energy

enterprises and lithium mineral resources mining enterprises to adjust the market development trend under the premise of determining a benchmark price, and determine the lepidolite supply price required by lithium battery new energy enterprises through unified consultation.

8. All departments at all levels should strengthen the management and comprehensive development and utilization of lithium mineral resources in our city in accordance with the law. The Office of the Municipal Leading Group for the Development of Lithium Battery New Energy Industry will take the lead in organizing relevant functional departments to increase the governance, rectification and joint law enforcement of the management and development and utilization of lithium mineral resources in our city, increase the support for the development of lithium mineral resources in the city, strive to create a good environment for the development of lithium battery new energy industry, vigorously promote cooperation between mining enterprises and provide high-quality services.

9. Lithium mineral resources mining enterprises should strive to improve the comprehensive mining and utilization efficiency of lepidolite and ensure that the recovery rate of beneficiation reaches the national standard. The competent department of land and resources shall strengthen the supervision and inspection of the comprehensive mining and utilization of lithium mineral resources in accordance with the law, and list the recovery rate of mineral processing as an important part of law enforcement supervision. Mining enterprises whose mineral resource beneficiation recovery rate does not meet the national standard shall be ordered by the

competent department of land and resources to rectify. If the rectification is not in place, the competent department of land and resources shall be punished according to law. Destructive mining of lithium mineral resources with beneficiation and utilization value, causing serious damage to mineral resources, shall be strictly investigated and punished in accordance with the law, and imposed a fine equivalent to less than 50% of the value of mineral resource loss, if a crime is constituted, it shall be transferred to the judicial organ for criminal responsibility according to law.

10. The competent departments for land and resources shall further standardize the management of the registration and approval of prospecting rights and mining rights, and the competent departments for land and resources in the area where the mining area is located shall order them to rectify within a time limit for those who violate the "Mineral Resources Law of the People's Republic of China" and other laws and regulations.

11. The administrative departments for industry and commerce should strictly control the entry of market entities, increase the intensity of market supervision, and actively cooperate with the departments in charge of production safety to investigate and deal with illegal acts of production safety. The list of enterprises that have been revoked (Noted) by the Provincial Department of Land and Resources or rectified, closed or withdrawn from the safety inspection carried out by the municipal and county governments and their competent departments for production

safety shall be revoked (Noted) in accordance with the provisions of relevant laws and regulations.

十二、环保部门要依法加强对锂矿产资源矿山企业污染防治、生态环境保护、污染物排放的监督管理。对存在超标准排放的矿山企业，责令其限期改正，并处以罚款。对限期不改或严重污染环境或造成污染事故的，报县级以上人民政府批准后，依法予以关闭。

十三、安全生产主管部门要依法加大锂矿产资源矿山企业安全生产的监管力度，监督矿山企业严格按照开采设计方案开采，依法督促生产企业切实履行安全生产的主体责任，及时排除各种安全隐患，最大限度减少安全事故发生。对违反安全生产相关规定的矿山企业，责令其限期改正；逾期未改正的，责令其停止建设或者停产停业整顿，并处以罚款。

14. The water conservancy department should do a good job in the planning and construction of drinking water safety for rural people and livestock in lithium mineral resource mining areas; Strengthen the management of water resources and soil and water conservation in mining areas, intensify the inspection and supervision of water resources protection and soil and water conservation in mining areas, and investigate and deal with violations of relevant laws and regulations on water resources protection and soil and water conservation in mining areas.

15. Other relevant departments should give full play to their functions, actively help lithium mineral resources mining enterprises solve practical problems in production and operation, and strictly investigate and deal with behaviors that disrupt the normal production and operation order of enterprises.

16. These Opinions shall be interpreted by the Office of the Leading Group for the Development of Lithium Battery New Energy Industry in Yichun City.

Back to top Close this page

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宜春市人民政府

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宜春市人民政府印发关于加强我市锂矿产资源管理若干意见的通知

访问量：517

宜府发〔2009〕31号

各县（市、区）人民政府，市政府各部门：

经市政府同意，现将《关于加强我市锂矿产资源管理若干意见》印发给你们，请认真贯彻执行。

二OO九年十一月十日

关于加强我市锂矿产资源管理若干意见

为切实保护和合理利用我市锂矿资源，促进我市锂电新能源产业快速、有序、可持续发展，依据有关法律法规规定，结合本地实际，现就加强我市锂矿产资源管理制定如下意见。

一、 本意见适用于宜春市行政区域内矿产资源中锂矿资源含量达到有选矿利用价值的锂矿产资源管理。

二、本市行政区域内锂矿产资源的开发利用必须严格遵循《宜春市矿产资源总体规划》，坚持“合理开采，综合利用”的原则，逐步减少锂矿产资源作为陶瓷、冶炼等生产中助溶剂和添加剂的使用量，全力保障和积极推动锂矿产资源开发利用向精深加工和高附加值方向发展，不断提高锂矿产资源的综合开发利用效益。

三、宜春市锂电新能源产业发展领导小组办公室负责全市锂矿产资源综合开发利用的指导、协调工作，统筹协调有关部门依法、依规对锂矿产资源进行管理，协调配合做好我市锂电新能源企业所需锂矿产资源的供应保障工作。

四、市政府统筹规划全市锂矿产资源的探矿权、采矿权。符合规定资质条件的申请人，经合法程序竞得或批准，由国土资源主管部门逐级申报到省国土资源厅审批获得勘查许可证、采矿许可证。

五、市、县人民政府将本区域内锂矿产资源矿区纳入矿产资源开发整合范围，按照一个矿区只设置一个采矿权的要求，由矿区所在地县（市、区）人民政府组织相关部门和有资质的单位编制矿产资源整合规划并进行资源整合。整合后由国土资源主管部门逐级申报到省国土资源厅审批重新设置采矿权。

六、锂矿产资源矿山企业要立足我市锂电新能源产业规划发展，积极支持、扶助我市锂电新能源企业做大做强，建立双方长期合作、互惠互利的战略伙伴关系，优先保障锂电新能源企业的原料供应，不得将有选矿利用价值的锂矿产资源在未经提炼之前以原矿外运出售。

七、建立和形成我市锂云母供应价格引导机制，防止价格垄断。由市锂电新能源产业发展领导小组办公室牵头组织我市锂电新能源企业与锂矿产资源矿山企业，在确定一个基准价格的前提下兼顾市场发展趋势进行调整， 统一协商确定锂电新能源企业所需锂云母 供应价格。

八、各级各部门要依法加强我市锂矿产资源的管理和综合开发利用工作。由市锂电新能源产业发展领导小组办公室牵头组织相关职能部门加大对我市锂矿产资源管理和开发利用的治理整顿和联合执法力度，加大对全市锂矿产资源开发企业的扶持力度，努力营造锂电新能源产业发展的良好环境，大力促进矿企合作，提供优质服务。

九、锂矿产资源矿山企业要努力提高锂云母的综合开采利用效率，确保选矿回收率达到国家标准。国土资源主管部门要依法加强对锂矿产资源综合开采利用的监督检查，并将选矿回收率列为执法监察的重要内容。对锂矿产资源选矿回收率未达到国家标准的采矿企业，由国土资源主管部门责令其整改。整改不到位的，由国土资源主管部门依法予以处罚。对破坏性开采有选矿利用价值的锂矿产资源，造成矿产资源严重破坏的，要依法从严查处，并处以相当于矿产资源损失价值50%以下的罚款，构成犯罪的，移送司法机关依法追究刑事责任。

十、国土资源主管部门要进一步规范探矿权、采矿权登记审批管理工作，对违反《中华人民共和国矿产资源法》等法律法规的采矿权人，由矿区所在地国土资源主管部门责令限期整改，经整改仍不合格的，报请原审批发证机关依法吊销其勘查许可证、采矿许可证。

十一、工商行政管理部门要严把市场主体准入关，加大市场监管力度，积极配合安全生产主管部门查处安全生产违法行为。对省国土资源厅作出的吊（注）销采矿许可证或市、县政府及其安全生产主管部门开展安全检查提出的整改、关闭、退出的企业名单，依据相关法律法规的规定，依法吊（注）销企业工商登记并予以公告。

十二、环保部门要依法加强对锂矿产资源矿山企业污染防治、生态环境保护、污染物排放的监督管理。对存在超标准排放的矿山企业，责令其限期改正，并处以罚款。对限期不改或严重污染环境或造成污染事故的，报县级以上人民政府批准后，依法予以关闭。

十三、安全生产主管部门要依法加大锂矿产资源矿山企业安全生产的监管力度，监督矿山企业严格按照开采设计方案开采，依法督促生产企业切实履行安全生产的主体责任，及时排除各种安全隐患，最大限度减少安全事故发生。对违反安全生产相关规定的矿山企业，责令其限期改正；逾期未改正的，责令其停止建设或者停产停业整顿，并处以罚款。

十四、水利部门要抓好锂矿产资源矿区农村人畜饮水安全的规划、建设工作；加强对矿区水资源和水土保持的管理，加大对矿区水资源保护和水土保持的巡查、监察力度，对矿区违反水资源保护和水土保持等有关法律法规的行为进行查处。

十五、其他有关部门要充分发挥职能作用，积极帮助锂矿产资源矿山企业 解决生产经营中的实际问题，严厉查处扰乱企业正常生产经营秩序的行为。

十六、本意见由宜春市锂电新能源产业发展领导小组办公室负责解释。

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