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Environmental, Health Safety & Social Responsibility Review

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Legislation Update 法规更新

MOH: Administrative Measures of Occupation Disease Diagnosis and Identification

卫生部: 职业病诊断与鉴定管理办法, 自 2013 年 4 月 10 日起施行

On 18th March, Ministry of Health published the revised *Administrative Measures of Occupation Disease Diagnosis and Identification*, effective on April 10th. Meanwhile, the previous Measures issued on March 28 2002 was abolished.

MEP: On the implementation of air pollutant emission limit values of the special announcement

环保部: 关于执行大气污染物特别排放限值的公告

On 5th, March, Ministry of Environmental Protection published the *Announcement on the Implementation of Air Pollutant Emission Special Limits*. It says that, in order to enhance the prevention and control of air pollution, according to the *12th Five-year Plan of Prevention and Control of Atmospheric Pollution*, in key area approved by the State Council, air pollutant emission limit values are to be implemented by 6 industries such as thermal power, steel, petrochemical, cement, nonferrous metal, and chemical industry as well as the coal-fired boiler project. 47 cities are covered in Beijing-Tianjin-Shangdong area, Yizi River Delta and Pearl River Delta area.

MOFCOM: Administrative Measures on the Circulation of Used Electrical and Electronic Products

商务部：旧电器电子产品流通管理办法

On March 15, 2013, the Ministry of Commerce ("MOFCOM") promulgated the *Administrative Measures on the Circulation of Used Electrical and Electronic Products* (the "Measures"), effective as of May 1, 2013. The Measures clarify the definition of used electrical and electronic products, operation principles, operators' rights and obligations and other aspects.

According to the Measures, when selling used electrical and electronic products, operators shall expressly explain to purchasers about product quality and performance, the repair and retreading of major components, as well as other aspects. Operators are prohibited from selling retreaded products as new products. Operators shall issue sales vouchers or invoices to purchasers and provide at least three months of free repair services unless otherwise agreed by both parties. Operators shall perform their "three guarantees" obligations according to law before the expiry of the "three guarantees" period of used electrical and electronic products. The Measures are also applicable to the online sale and purchase of used electrical and electronic products.

MEP: 4 Supporting Documents of Measures on Registration of the Environmental Management of Hazardous Chemicals

环保部：《危险化学品环境管理登记办法（试行）》四项配套文件发布

On 22nd March, Ministry of Environmental Protection promulgated 4 supporting documents of the *Measures on Registration of the Environmental Management of Hazardous Chemicals*, including:

- Application Form for the Registration of Environmental Management in Production and Use of Hazardous Chemicals
- Application Form of the Change of Certificate for the Registration of Environmental Management in Production and Use of Hazardous Chemicals
- Example of the Certificate of Environmental Management in Production and Use of Hazardous Chemicals
- Guideline of Hazardous Chemical Environmental risk assessment reporting for the Critical Environmental-managed Hazardous Chemicals

MEP: 3 GB standards for the Discharge of Pollutants

环保部：关于发布《合成氨工业水污染物排放标准》等三项国家污染物排放标准的公告

On 14th March, Ministry of Environmental Protection published three GB standards for the discharge of pollutants as follows, effective on July 1st, 2013

- Ammonia industrial water pollutant discharge standards, GB
- Citric acid industrial water pollutant discharge standards
- Electronic glass industrial air pollutants emission standards

MOHURD: Guiding Opinions on the Appraisal on the Standardization of Work Safety of Building Operations

住建部：关于开展建筑施工安全生产标准化考评工作的指导意见

On March 11, 2013, the Ministry of Housing and Urban-Rural Development ("MOHURD") promulgated the Guiding Opinions of the General Office of the Ministry of Housing and Urban-Rural Development on the Appraisal on the Standardization of Work Safety of Building Operations (the "Opinions"), deciding to carry out the appraisal on the standardization of work safety of building operations.

The Opinions require that the construction enterprises shall establish a working organization for the standardization of work safety with its legal representative acting as the primary responsible person, define the work objectives, prepare working plans, and organize to carry out their work safety standardization.

MOT: Announcement on the Coming into Effect of the Amendments to IMO Mandatory Documents including MARPOL 73/78

交通运输部：国际海事组织《〈1973年国际防止船舶造成污染公约〉1978年议定书》等强制性文件修正案生效公告

On March 7, 2013, the Ministry of Transport ("MOT") promulgated the announcement on the coming into effect of the amendments to mandatory documents of the International Maritime Organization ("IMO") including the International Convention for the Prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978 (the "Announcement").

According to the Announcement, the amendments to the annexes of the International Convention for the Prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978 (MARPOL 73/78) (in relation to the Regional Arrangements for the Port Reception Facilities in Annexes I, II, IV and V of MARPOL 73/78) and the amendments to the annexes of Protocol of 1997 of MARPOL 73/78 (in relation to the Regional Arrangements for the Port Reception Facilities in Annex VI and the Issuance of Certificates for the Certification of Marine Diesel Engines Fitted with Selective Catalytic Reduction Systems under the NOx Technical Code 2008) were accepted by implication on February 1, 2013, and will take effect on August 1, 2013 with legal binding force in China.

MIIT: Action Plan for the Special Campaign of Industrial Energy Conservation and Green Development in 2013

工业和信息化部：2013 年工业节能与绿色发展专项行动实施方案

On March 21, 2013, the Ministry of Industry and Information Technology ("MIIT") promulgated the Action Plan for the Special Campaign of Industrial Energy-saving and Green Development in 2013 (the "Plan").

According to the Plan, efforts shall be made to promote, eliminate and conduct energy-saving transformation for 100 million kw of electrical machine and electrical machine systems, to increase the market share of efficient electrical machine, to promote the upgrading of electrical machine and the industry, and to improve the energy-efficiency of electrical machine, so as to save 1 percent industrial electricity (about 30 billion kwh) throughout China. We should strengthen the industrial access administration, reverse the chaos and industrial decentralization, as well as improve the smelting of primary lead, the production of lead-acid battery and the industrial concentration of secondary lead to accelerate standard production, orderly recovery and reasonable recycling of lead-acid batteries.

Shanghai: Minimum Wage Standard Raised

上海：月最低工资标准从 1450 元调整为 1620 元，自 4 月 1 日期施行

Effective Apr 1st 2013, Shanghai raised the minimum wage standard from RMB 1,450 to RMB 1,620 per month, which excludes below items:

- Over-time salary
- Allowance of night shift, high temperature, low temperature, under the well working, hazardous working positions
- Social securities submitted by individuals and the house fund (Gongjijin)
- Meal allowance, transportation allowance and house allowance.

Meanwhile, the minimum hourly rate is increased from RMB 12.5 to 14 excluding the social securities.

Legislation Draft 立法动态

SAWS: Confined Space Directory of Industry and Trade Enterprises (public for comment)

安监总局：关于征求工贸企业有限空间目录（征求意见稿）修改意见的函

On 4th March, State Administration of Work Safety published the Confined Space Directory of Industry and Trade Enterprises (draft) to collect public comments.

MOH: Use Standards of Food Additives (Draft)

卫生部：关于征求《食品添加剂使用标准》（征求意见稿）意见的函

On 15th March Ministry of Health published the Use Standards of Food Additives (draft), seeking for opinions from the public.

The domestic waterway transport management qualification management regulations (Draft)**交通运输部：国内水路运输经营资质管理规定（征求意见稿）**

On 27th March, Ministry of Transport published The domestic waterway transport management qualification management regulations (Draft).in order to enhance the domestic waterway transport qualification management, Ministry of Transport seeks for opinion from the public and the deadline is 27th, April, 2013.

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