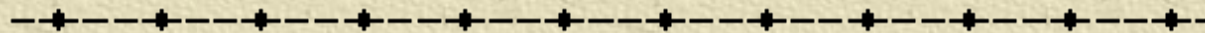


CDM 项目国内要求和审批程序

National Requirements and Approving
Procedures of CDM Projects in China

SYNERGY PROGRAMME, PHASE II
Hangzhou Training, April 19-21, 2005



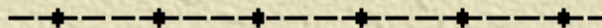
欧盟SYNERGY PROGRAMME第二阶段

杭州培训, 2005年4月19日—21日

林伟 Lin, Wei (Toni)

中国资源综合利用协会可再生能源专委会

Chinese Renewable Energy Industries Association



主要内容 Outline

👉 管理办法简介

Brief introduction of the CDM regulations

👉 参与企业应该注意的其它问题

Other issues to be addressed

👉 CDM国内审批需递交的申请材料

Required documents for CDM host country approval

👉 中国CDM项目官方受理申请最新进展

Updates of Chinese CDM projects approving status

清洁发展机制项目运行管理暂行办法

Interim Measures for Operation and Management of CDM Projects in China

👉 发改委、科技部和外交部联合发布

Issued by the State Development and Reform Commission, the Ministry of Science and Technology (MSOT) and the Ministry of Foreign Affairs (MFA)

👉 2004年6月30日生效

Effective from June 30, 2004.

👉 目前仅是暂行规定，将根据实施的实际情况进行修改

Interim Measures at the moment, which will be revised soon according to the needs from real practice.

中华人民共和国国家发展和改革委员会
中华人民共和国科学技术部 令
中华人民共和国外交部

第10号

为加强中国政府对清洁发展机制项目活动的有效管理,保证清洁发展机制项目有序进行,特制定《清洁发展机制项目运行管理暂行办法》,现予以发布,自2004年6月30日起施行。

国家发展和改革委员会主任:

马凯

科技部部长:

徐冠华

外交部部长:

李肇星

二〇〇四年五月三十一日

总则: General Provisions

👉 清洁发展机制项目运行管理暂行办法

Interim Measures for Operation and Management of CDM Projects

👉 清洁发展机制项目合作须经国务院有关部门批准

CDM project activities must be approved by relevant authorities under the State Council

👉 重点领域是以提高能源效率、开发利用新能源和可再生能源及回收利用甲烷和煤层气为主

Priorities are energy efficiency improvement, development and utilization of new and renewable energy, as well as recovery and utilization of methane

👉 清洁发展机制项目的实施应保证透明、高效和可追究的责任

Implementation of CDM project activities shall ensure transparent, efficient and traceable responsibilities

许可条件： Permission Requirements

- 符合中国的法律法规和可持续发展战略、政策，以及国民经济和社会发展规划的总体要求

CDM project activities shall conform to China's laws and regulations, sustainability development strategy and policy, as well as the general requirements of national economic and social development

- 不能使中国承担《公约》和《议定书》规定之外的任何新的义务
- No new obligation shall be resulted for China other than those under the Convention and the Protocol

- 发达国家缔约方用于项目的资金，应额外于现有的官方发展援助资金和其在《公约》下承担的资金义务

Funds from developed country Parties shall be additional to the current ODA and their funding obligations under the Convention

许可条件(续):

Permission Requirements (contd.)

- 👉 项目活动应促进有益于环境的技术转让

Project activity should promote the transfer of environmentally sound technology

- 👉 中国境内的中资、中资控股企业可以对外开展CDM项目

Project developer shall be Chinese funded or Chinese-holding enterprises within the territory of China

- 👉 实施企业必须提交项目设计文件、企业资质状况证明文件及工程项目概况和筹资情况相关说明

The CDM project developer shall submit to the Designated National CDM Authority the CDM PDD, certificate of enterprise status, as well as general information of the construction and descriptions of project financing

管理和实施机构

Institutional Arrangement for Project Management and Implementation

- ☞ 国家气候变化对策协调小组下设立国家清洁发展机制项目审核理事会,其下设一个国家清洁发展机制项目管理机构

National CDM Project Board (the Board) is established under the National Coordination Committee on Climate Change (the Committee), and a national CDM project management authority will be established under the Board

- ☞ 审核理事会联合组长单位为国家发展和改革委员会、科学技术部, 副组长单位为外交部, 成员单位为国家环境保护总局、中国气象局、财政部和农业部

NDRC and Ministry of Science and Technology (MOST) serve as co-chairs of, and Ministry of Foreign Affairs (MOFA) serves as vice chair of the Board, which also includes:

- The State Environmental Protection Administration,
- The China Meteorological Administration, and
- The Ministry of Finance and Ministry of Agriculture

管理和实施机构（续）

Institutional Arrangement for Project Management and Implementation (contd.)

国家发展改革委是中国政府开展CDM项目活动的主管机构

NDRC is China's Designated National CDM Authority

- ☞ 受理清洁发展机制项目的申请：Receive project application;
- ☞ 依据项目审核理事会的审核结果，会同科技部和外交部批准CDM项目
Approve CDM project activities jointly with MOST and MOFA, according to the review result of the Board;
- ☞ 代表中国政府出具清洁发展机制项目批准文件
Present written approval on behalf of the Chinese Government;
- ☞ 对清洁发展机制项目实施监督管理
Supervise the implementation of project activities;
- ☞ 与有关部门协商成立清洁发展机制项目管理机构
Establish CDM project management authority consulting with other agencies;
- ☞ 处理其它涉外相关事务
Deal with other foreign issues.

管理和实施机构（续）

Institutional Arrangement for Project Management and Implementation (contd.)

项目实施机构的义务： Project developer shall:

- 负责项目的工程建设，并定期向国家发改委报告

Be responsible for construction of the project and report periodically to NDRC on the progress;

- 在国家发改委的监督下实施项目

Implement the project activity with supervision of the NDRC;

- 将与项目合格性有关的资料和项目监测记录报国家发改委备案

Submit material related to the validation and verification to NDRC for record;

- 在信息交换过程中，依法保护国家秘密和正当商业秘密

Protect state and business secrets during information exchange;

- 向国家发改委报告项目产生的CERs

Report to NDRC on CERs issuance;

实施程序

Implementation Procedures

项目申请及审批程序： Application and approval procedures:

- 项目实施单位以及国外合作方向国家发改委提出申请，并提交相关文件

Project developer and foreign partner submit to NDRC project application and relevant documents

- 国家发改委组织对申请项目进行评审，时间不超过三十日

NDRC organize experts to review the project activity, to be completed within 30 days;

- 国家发改委将专家审评合格的项目提交项目审核理事会

NDRC submit to the Board application of project which has passed expert review;

- 对项目审核理事会审核通过的项目，由国家发展和改革委员会会同科技部和外交部办理批准手续

NDRC approves, jointly with MOST and MOFA

实施程序（续）

Implementation Procedures (contd.)

项目申请及审批程序： Application and approval procedures:

- ☞ 从项目受理之日起，国家发展和改革委员会、在二十日之内（不含专家评审的时间）作出是否予以批准的决定

NDRC will make a decision on whether or not to approve the project activity within 20 days (expert review time not included) as of the date of receiving the application

- ☞ 实施机构邀请经营实体对项目进行独立评估，并将评估合格的项目报清洁发展机制执行理事会登记注册

Project developer invites DOE to validate the project activity and applies for registration;

- ☞ 实施机构在接到清洁发展机制执行理事会批准通知后，应在十日内向国家发展和改革委员会报告执行理事会的批准状况

Project developer shall report to NDRC the decision of the Executive Board within 10 days as of the date of receiving the notice of EB

实施程序（续）

Implementation Procedures (contd.)

- ☞ 具体建设工程项目的审批程序和审批权限，按国家有关规定办理

Rules and procedures for the approval of the CDM project activity as a construction project shall conform to the current prescriptions;

- ☞ 项目的实施和监督程序：Implementation and monitoring of the project activity

- ☞ 实施机构按照有关规定向国家发改委提交项目实施和监测报告

Project developer shall submit to NDRC implementation and monitoring reports

- ☞ 为保证项目实施质量，国家发改委对项目的实施进行管理和监督

NDRC supervises the implementation of the project activity

- ☞ 国家发改委或受其委托机构将执行理事会签发的减排量登记

NDRC will make a record of the CERs issued by the Executive Board

其它:Others

- 项目因转让减排量所获得的收益归中国政府和实施项目的企业所有。分配比例由中国政府确定。确定前归该企业所有

Benefits from the transfer of CERs will be owned jointly by the Chinese Government and project developer, with allocation ratio to be determined by the Chinese Government. Before the determination, the benefits will be owned by project developer.

- 本办法由国家发展和改革委员会商科学技术部、外交部解释

These rule will be interpreted by NDRC, in consultation with MOST and MOFA

参与企业应该注意的其它问题

Other issues to be addressed

- 👉 特别要求参与CDM项目的企业必须是中资控股(不少于51%)

Ownership issue, Chinese enterprises should take the majority (51%)

- 👉 常规项目的审批: 包括土地利用审查、环境和社会影响评价可研审批等必要的项目审查和批准程序不能少

Normal project approval processing requirements, such as land use, environment & social assessment, feasibility study and other necessary approval procedures are still required

- 👉 保留必需的原始记录和相关证据

Keep the original record for monitoring

CDM国内审批需递交的申请材料

Required documents for CDM host country approval

1. 清洁发展机制项目申请书

CDM Application Letter

2. 清洁发展机制项目行政许可申请表

CDM Application Form

3. 项目设计文件

Project Design Document(PDD)

4. 工程项目概况和筹资情况相关说明

General information on the construction project and financing

中国CDM项目官方受理申请最新进展

Updates of Chinese CDM projects approving status

状况	项目名称	项目业主	国外合作方
已批准	北京安定填埋场填埋气收集利用项目	北京市二清环卫工程集团有限公司	荷兰国际能源系统公司
	内蒙辉腾锡勒风电场项目	内蒙古龙源风能开发有限责任公司	荷兰政府代表 SenterNovem
受理之中	南京天井洼垃圾填埋气发电项目	南京绿色资源再生工程有限公司	Ecosecurities Group Ltd
已经出具反对函	梅州垃圾填埋场沼气回收与能源利用	深圳相控科技有限公司	奥地利政府CDM/JI计划(德国KFW)
	云南省大梁子水电站项目	马关大梁子发电有限公司	奥地利政府CDM/JI计划
	吉林洮南风电场项目	吉林名门风力发电股份有限公司	奥地利政府CDM/JI计划
	淮南矿业集团瓦斯综合利用工程项目	淮南矿业集团有限责任公司	英国ICECAP

相关网址 Relevant websites

中国清洁发展机制网

<http://cdm.ccchina.gov.cn>

联合国气候变化框架公约网

<http://cdm.unfccc.int>

可再生能源专委会网

<http://www.creia.net>

谢谢!

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