

Administration regulations for the shelter and rescue of terrestrial wildlife (consultation draft)

Article 1. These regulations are formulated for the purposes of strengthening administration of protection of terrestrial wildlife and regulating sheltering and rescue of terrestrial wildlife, in accordance with relevant laws and regulations, such as the Wildlife Protection Law of the People's Republic of China and Implementation Regulations for Protection of Terrestrial Wildlife in the People's Republic of China.

Article 2. Terrestrial wildlife as referred to in these regulations includes terrestrial wildlife included on the 'List of Wildlife Species Under Special State Protection', 'List of Wildlife Under Special Local Protection', 'List of Nationally Protected Species of Special Ecological, Scientific or Social Value', and wildlife that is not native to China.

Shelter and rescue as referred to in these regulations refers to checks, quarantine, medical care and reasonable accommodation provided by places with appropriate conditions upon receiving terrestrial wildlife that is transferred by enforcement agencies following seizures and terrestrial wildlife found injured, ill, starving, trapped or confused in the wild.

Article 3. Sheltering and rescue of terrestrial wildlife should be conducted in accordance with the principles of being timely, proximate, scientific and coordinated. Terrestrial wildlife shall be dealt with according to the law following shelter and rescue.

Article 4. Forestry departments at various levels shall be responsible for shelter and rescue of terrestrial wildlife in the area under their jurisdiction in accordance with these regulations, shall establish and improve grassroots-level shelter and rescue systems, and shall conduct work relating to the shelter and rescue of terrestrial wildlife.

Forestry departments under the people's government of the province, autonomous region or municipality shall announce the names, addresses and telephone numbers of those agencies within their area of jurisdiction which are to undertake the shelter and rescue of wildlife.

Captive breeding facilities and related entities may volunteer to act as temporary shelter and rescue points according to their conditions. Temporary shelter and rescue points and their subjects of shelter and rescue shall be announced by the forestry department under the county-level people's government, and filed with the forestry departments under the people's government of the province, autonomous region or municipality.

Shelter and rescue of terrestrial wildlife within nature reserves shall be conducted by the administration of the nature reserve.

Article 5. When forestry departments at various levels or the shelter and rescue institutions they announce receive a report of terrestrial wildlife that is injured, ill, starving, trapped or confused from any work unit or member of the public, they shall immediately dispatch a professional to verify the situation, and conduct the rescue and shelter of any terrestrial wildlife that requires it.

Article 6. Wildlife shelter and rescue institutions shall receive terrestrial wildlife brought by members of the public or transferred by enforcement agencies following seizures, and shall provide the giver with a proof of receipt.

The State Forestry Administration shall exclusively supervise the production of proof of receipt of terrestrial wildlife.

Article 7. Once the giving or transferring party has signed the proof of receipt, the shelter, treatment, release into the wild, allocation of, and other work relating to terrestrial wildlife received by the wildlife shelter and rescue institution becomes the responsibility of the forestry department in that jurisdiction.

After the wildlife shelter and rescue institution or temporary shelter and rescue points has received the wildlife, they should report to the local forestry department in a timely manner, and shall undertake rescue, shelter, transfer and release into the wild in accordance with the forestry department's plans.

Article 8. When terrestrial wildlife is received from a member of the public or transferred by an enforcement agency, they shall be inspected in isolation and quarantined, and depending on the outcome of the inspection and quarantine, dealt with as follows:

1. Animals in good condition, which do not require any rescue measures or treatment, or have recovered following rescue and treatment and are able to survive in the wild, shall be released into the wild. Terrestrial wildlife species that are not naturally distributed in China may not be released into the wild.

2. Forestry departments shall, in accordance with their statutory authority, make arrangements for animals that are recovered following rescue and treatment but which are unable to survive in the wild or for which release into the wild is inappropriate.

3. Terrestrial wildlife for which measures are required according to epidemic prevention regulations shall be dealt with in collaboration with departments of health and epidemic prevention.—

4. Animals that die in shelter or which do not meet quarantine standards should be processed for bio-safe disposal. Forestry departments shall, in accordance with their statutory authority, make arrangements for animals that meet quarantine standards.

Article 9. When terrestrial wildlife that has been sheltered or rescued is released into the wild, it should be released where it came from or in its

natural range of distribution. This should be organized and conducted by the forestry department under the people's government of the province, autonomous region or municipality or a unit designated by said department. When rescued wildlife must be released in another province, the forestry department under the people's government in the province, autonomous region or municipality where wildlife has been sheltered or rescued shall submit an application to the forestry department under the people's government of the province, autonomous region or municipality where the wildlife occurs naturally. The forestry department under the people's government of the province, autonomous region or municipality where the wildlife occurs naturally shall make timely arrangements in accordance with national regulations.

Article 10. Forestry departments shall exclusively allocate terrestrial wildlife that cannot be released into the wild, wildlife that has died or wildlife products, with priority given to scientific research, public education, preservation of genetic resources and optimization of captive breeding population structures.

Where the allocation activities as mentioned in the preceding paragraph are subject to administrative licensing as prescribed by laws and regulations, the relevant administrative licensing provisions shall apply.

Article 11. Forestry departments under the people's government at county level and above and wildlife shelter and rescue institutions shall establish records of wildlife that is sheltered, rescued or released into the wild. These records shall include the species, quantity, measures taken and status of the terrestrial wildlife under their care, and shall be reported to the provincial forestry department in a timely manner. The forestry department under the people's government of the province, autonomous region or municipality shall regularly report to the State Forestry Administration on the rescue and shelter of terrestrial wildlife.

Article 12. Wildlife shelter and rescue institutions or temporary shelter and rescue points shall unconditionally receive and treat terrestrial wildlife. If they refuse to do so without reason, the forestry department shall take responsibility for redressing this, or shall revoke their qualifications for sheltering and rescuing wildlife, according to circumstances. If institutions do not provide proof of receipt after receiving terrestrial wildlife, or do not report to the forestry department in a timely manner, or wrongfully claim the received wildlife was already in their possession, or transfer it without permission, the forestry department shall investigate and deal with this in accordance with the law.

Article 13. These regulations shall come into force on XX 2017.