

## Wildlife Protection Law of China (1989 and 2015)

1989 version (translation from <a href="http://www.china.org.cn/english/environment/34349.htm">http://www.china.org.cn/english/environment/34349.htm</a> )	2015 1 <sup>st</sup> draft revision (EIA translation)
<b>CHAPTER I GENERAL PROVISIONS</b>	
<p><b>Article 1</b> This Law is formulated for the purpose of protecting and saving the species of wildlife which are rare or near extinction, protecting, developing and rationally utilizing wildlife resources and maintaining ecological balances.</p>	<p><b>Article 1</b> This law is formulated for the purpose of protecting wild animals and their habitats, saving species of wildlife which are rare or near extinction, maintaining biodiversity and ecological balance, regulating utilisation of wildlife resources and promoting the establishment of ecological civilization.</p>
<p><b>Article 2</b> All activities within the territory of the People's Republic of China concerning the protection, domestication, breeding, development and utilization of species of wildlife must be conducted in conformity with this Law. The wildlife protected under this Law refers to the species of terrestrial and aquatic wildlife which are rare or near extinction and the species of terrestrial wildlife which are beneficial or of important economic or scientific value. The wildlife referred to in the provisions of this Law means the wildlife which shall enjoy protection as prescribed in the preceding paragraph. As regards the protection of the species of aquatic wildlife other than those which are rare or near extinction, the provisions of the Fisheries Law shall apply.</p>	<p><b>Article 2</b> The wildlife protected under this Law refers to the species which are rare or near extinction and the species which are of important ecological, scientific and social value.</p> <p style="padding-left: 2em;">The wildlife and products thereof referred to in the provisions of this Law refers to those species which shall enjoy protection as prescribed in the preceding clause, as a whole (including eggs and spawn), and parts and derivatives thereof.</p> <p style="padding-left: 2em;">The wildlife habitat covered by this Law refers to the main areas where wild populations of wildlife live and reproduce.</p> <p style="padding-left: 2em;">All activities within the territory of the People's Republic of China and maritime areas under the jurisdiction of the People's Republic of China concerning the protection, breeding, utilization of wildlife and other activities that affect wildlife and their habitats must be conducted in conformity with this Law.</p> <p style="padding-left: 2em;">As regards the protection of the species of aquatic wildlife other than those which are rare or near extinction, the provisions of the Fisheries Law shall apply.</p>
<p><b>Article 3</b> Wildlife resources shall be owned by the state. The state protects the lawful rights and interests of units and individuals engaged in the development or utilization of wildlife resources according to law.</p>	<p><b>Article 3</b> Wildlife resources shall be owned by the state. The state safeguards the lawful rights and interests of units and individuals engaged in the protection, breeding or utilisation of wildlife according to law.</p>
<p><b>Article 4</b> The state shall pursue a policy of strengthening the protection of wildlife resources, actively domesticating and breeding the species of wildlife, and rationally developing and utilizing wildlife resources, and encourage scientific research on wildlife. Units and individuals that have made outstanding achievements in the protection of wildlife resources, in scientific research on wildlife, or in the domestication and breeding of wildlife shall be awarded by the state.</p>	<p><b>Article 4</b> The state shall pursue a policy of prioritising protection, conducting stringent monitoring and management, scientific breeding, and rational utilization, and shall encourage scientific research into wildlife and cultivation of public awareness of caring for wildlife and collective protection of the human living environment.</p>
<p><b>Article 4</b> Paragraph 1 The state shall pursue</p>	<p>Article 4: The state shall pursue a policy of</p>

<p>a policy of strengthening the protection of wildlife resources, actively domesticating and breeding the species of wildlife, and rationally developing and utilizing wildlife resources, and encourage scientific research on wildlife.</p>	<p>prioritising protection, conducting stringent monitoring and management, scientific breeding, and rational utilization, and shall encourage scientific research into wildlife and cultivation of public awareness of caring for wildlife and collective protection of the human living environment.</p>
<p><b>Article 5</b> Citizens of the People's Republic of China shall have the duty to protect wildlife resources and the right to inform the authorities of or file charges against acts of seizure or destruction of wildlife resources.</p>	<p>Article 5: Citizens of the People's Republic of China shall have the duty to protect wildlife and their habitats and the right to report to the relevant authorities or file charges against acts of seizure or destruction of wildlife and their habitats.</p>
<p><b>Article 6</b> The governments at various levels shall strengthen the administration of wildlife resources and formulate plans and measures for the protection, development and rational utilization of wildlife resources.</p>	<p>Article 6: The people's government at various levels shall strengthen the protection of wildlife and their habitats, formulate plans and measures, and incorporate costs involved with protection of wildlife into their budgets.</p> <p>The state encourages citizens, legal entities and other organisations to participate in wildlife protection activities and support wildlife protection welfare efforts through donations or establishing funds.</p>
<p><b>Article 7</b> The departments of forestry and fisheries administration under the State Council shall be respectively responsible for the nationwide administration of terrestrial and aquatic wildlife. The departments of forestry administration under the governments of provinces, autonomous regions and municipalities directly under the Central Government shall be responsible for the administration of terrestrial wildlife in their respective areas. The departments in charge of the administration of terrestrial wildlife under the governments of autonomous prefectures, counties and municipalities shall be designated by the governments of provinces, autonomous regions or municipalities directly under the Central Government. The departments of fishery administration under the local governments at or above the county level shall be responsible for the administration of aquatic wildlife in their respective areas.</p>	<p>Article 7: Departments of forestry administration under the State Council shall be responsible for the nationwide protection of terrestrial wildlife. Departments of fisheries administration under the State Council shall be responsible for the nationwide protection of aquatic wildlife.</p> <p>The departments of forestry administration under local governments at or above the county level shall be responsible for the protection of terrestrial wildlife in their respective areas; the departments of fisheries administration under local governments at or above the county level shall be responsible for the protection of aquatic wildlife in their respective areas.</p>
	<p>Article 8: The people's government at various levels shall strengthen efforts to publicise and popularise wildlife protection, and shall encourage and support autonomous grass-roots civil organisations, social organisations, businesses and volunteers in their efforts to develop and promote awareness of wildlife protection laws and regulations and to monitor illegal behaviour.</p> <p>Education administration departments and schools shall cultivate awareness of wildlife protection among students.</p>

	News media shall promote wildlife protection laws and regulations and develop awareness of wildlife protection, advocate caring for wildlife, and monitor illegal behaviour.
Article 4 Paragraph 2: Units and individuals that have made outstanding achievements in the protection of wildlife resources, in scientific research on wildlife, or in the domestication and breeding of wildlife shall be awarded by the state.	Article 9: Organisations and individuals with notable achievements in the fields of wildlife protection and scientific research shall receive rewards from the people's government at or above the county level.
<b>CHAPTER TWO: PROTECTION OF WILDLIFE</b>	
<b>Article 8</b> The state shall protect wildlife and the environment for its survival, and shall prohibit the illegal hunting, catching or destruction of wildlife by any unit or individual.	Article 10: The state shall protect wildlife and their habitats, and shall prohibit the illegal hunting, catching, utilisation or destruction of wildlife by any unit or individual.
<b>Article 9</b> The state shall give special protection to the species of wildlife which are rare or near extinction. The wildlife under special state protection shall consist of two classes: wildlife under first class protection and wildlife under second class protection. Lists or revised lists of wildlife under special state protection shall be drawn up by the department of wildlife administration under the State Council and announced after being submitted to and approved by the State Council. The wildlife under special local protection, being different from the wildlife under special state protection, refers to the wildlife specially protected by provinces, autonomous regions or municipalities directly under the Central Government. Lists of wildlife under special local protection shall be drawn up and announced by the governments of provinces, autonomous regions or municipalities directly under the Central Government and shall be submitted to the State Council for the record. Lists or revised lists of terrestrial wildlife under state protection, which are beneficial or of important economic or scientific value, shall be drawn up and announced by the department of wildlife administration under the State Council.	Article 11: The state shall carry out the classification and grading of wildlife, which shall be classified as wildlife under special state protection, wildlife under special local protection, and wildlife of important ecological, scientific or social value. The state shall give special protection to the species of wildlife which are rare or near extinction. The wildlife under special state protection shall consist of two classes: wildlife under first class protection and wildlife under second class protection. Lists of wildlife under special state protection shall be drawn up by the department of wildlife protection under the State Council following scientific evaluation, and shall be announced after being submitted to and approved by the State Council. Lists of wildlife under special state protection shall be evaluated every five years by the department of wildlife under the State Council and revised according to the results of this evaluation, and shall be announced after being submitted to and approved by the State Council. The wildlife under special local protection, being different from the wildlife under special state protection, refers to the wildlife specially protected by provinces, autonomous regions or municipalities. Lists of wildlife under special local protection shall be drawn up and announced by the people's governments of provinces, autonomous regions or municipalities. Lists or revised lists of wildlife under state protection, which are of important ecological, scientific or social value shall be drawn up and announced by the department of wildlife protection under the State Council.
<b>Article 10</b> The department of wildlife administration under the State Council and governments of provinces, autonomous regions and municipalities directly under the	Article 12: The department of wildlife protection under the State Council and the governments of provinces, autonomous regions and municipalities shall, jointly with

<p>Central Government shall, in the main districts and water areas where wildlife under special state or local protection lives and breeds, designate nature reserves and strengthen the protection and administration of wildlife under special state or local protection and the environment for its survival. The designation and administration of nature reserves shall be effected in accordance with the relevant provisions of the State Council.</p>	<p>the relevant departments and agencies under the State Council, draw up and issue a list of important wildlife habitats, based on the results of surveying, monitoring and evaluation of wildlife and their habitats.</p> <p>The people's government at the provincial level and above shall consult this list of important wildlife habitats in designating corresponding nature reserves and other protected areas. In those areas which are unsuitable for designation as nature reserves or protected areas, the people's government at the county level or above or wildlife protection departments may apply other protection measures, such as allocating areas in which hunting (or fishing) is prohibited, or stipulating periods in which hunting (or fishing) is prohibited.</p> <p>Human activities that disturb or threaten wildlife, such as cultivating monocultures, introducing non-native species or excessive use of agricultural chemicals shall be prohibited or restricted in nature reserves and other protected areas.</p> <p>The demarcation and administration of nature reserves and other protected areas shall be carried out in accordance with relevant laws and regulations.</p>
<p><b>Article 15</b> The departments of wildlife administration shall regularly carry out surveys of wildlife resources and keep records of them.</p>	<p>Article 13: Wildlife protection departments under the people's government at the county level and above shall organise regular surveying, monitoring and evaluation of wildlife and their habitats, and shall establish robust records of wildlife and their habitats.</p> <p>Surveying, monitoring and evaluation of wildlife and their habitats shall include the following:</p> <ol style="list-style-type: none"> <li>1. Distribution, numbers and structure of wildlife populations;</li> <li>2. Area and ecology of wildlife habitats;</li> <li>3. Major threats to wildlife and their habitats;</li> <li>4. Other aspects requiring surveying, monitoring or evaluation.</li> </ol>
<p><b>Article 12</b> If a construction project produces adverse effects on the environment for the survival of wildlife under special state or local protection, the construction unit shall submit a report on the environmental impact. The department of environmental protection shall, in examining and approving the report, seek the opinion of the department of wildlife administration at the same level.</p>	<p>Article 14: The people's government at the county level and above shall, when drawing up plans relating to exploitation and utilisation that affect wildlife and their habitats, give due consideration to the protection of wildlife and their habitats, and shall avoid or reduce adverse impacts resulting from the implementation of these plans.</p> <p>The siting of construction projects shall avoid nature reserves and other protected areas and wildlife migration routes. If construction is necessary, planning shall be carried out in accordance with relevant laws and regulations. Construction projects that may affect wildlife migration, such as airports, railways, roads, irrigation and hydroelectricity</p>

	<p>projects, cofferdams, land reclamation and fencing (or nets) shall also construct infrastructure to allow for wildlife migration, such as tunnels and fish passes, to eliminate or reduce adverse impacts on wildlife.</p> <p>When environmental protection departments are examining and approving environmental protection assessment documents relating to construction projects that may impact upon nature reserves or other protected areas or wildlife migration routes, they shall seek the opinion of wildlife protection departments under the State Council if wildlife under special national protection may be affected, and shall seek the opinion of wildlife protection departments under the governments of provinces, autonomous regions or municipalities if wildlife under special local protection may be affected.</p>
<p><b>Article 11</b> Departments of wildlife administration at various levels shall keep watch on and monitor the impact of the environment on wildlife. If the environmental impact causes harm to wildlife, the departments of wildlife administration shall conduct investigation and deal with the matter jointly with the departments concerned.</p>	<p>Article 15: Departments of wildlife protection at various levels shall keep watch on and monitor the impact of the environment on wildlife. When the environmental impact causes harm to wildlife, the department of wildlife protection shall conduct an investigation and deal with the matter jointly with the departments concerned.</p>
<p><b>Article 13</b> If natural disasters present threats to wildlife under special state or local protection, the local governments shall take timely measures to rescue them.</p>	<p>Article 16: The people's government at the county level and above and relevant departments shall incorporate emergency rescue measures for wildlife into emergency response plans for incidents such as natural disasters and major environmental pollution incidents. When wildlife under special state or protection are threatened by a sudden incident, the local people's government shall undertake timely rescue measures.</p> <p>Wildlife protection departments under the people's government at the county level and above shall develop wildlife shelter and rescue programmes in accordance with relevant regulations, and shall encourage and support appropriate units and individuals in carrying out wildlife sheltering and rescue.</p>
	<p>Article 17: Wildlife protection departments and veterinary departments under the people's government at the county level and above shall monitor wildlife epidemiology and organise and develop forecasting measures, dividing responsibility according to their professional duties, and shall draw up emergency response plans for wildlife epidemics in accordance with regulations, which shall be passed to the equivalent level of the people's government for approval or filing.</p>
	<p>Article 18: The state shall strengthen protection of genetic wildlife resources.</p>

	<p>Wildlife protection departments under the State Council shall draw up plans for the protection and utilisation of wildlife genetic resources in conjunction with the relevant departments under the State Council, and shall establish a national gene bank for endangered species genetic resources, thereby providing important protection for the genetic resources of China's native wildlife which is rare or close to extinction.</p>
<p><b>CHAPTER THREE: ADMINISTRATION OF WILDLIFE</b></p>	
<p><b>Article 16</b> The hunting, catching or killing of wildlife under special state protection shall be prohibited. Where the catching or fishing for wildlife under first class state protection is necessary for scientific research, domestication and breeding, exhibition or other special purposes, the unit concerned must apply to the department of wildlife administration under the State Council for a special hunting and catching license; where the catching or hunting of wildlife under second class state protection is intended, the unit concerned must apply to the relevant department of wildlife administration under the government of a province, an autonomous region or a municipality directly under the Central Government for a special hunting and catching license.</p>	<p>Article 19: The hunting, catching or killing of wildlife under special state protection shall be prohibited. Where the hunting or catching of wildlife under special state protection is necessary for scientific research, population control, captive breeding, epidemic monitoring or other special purposes, the unit concerned must apply to the department of wildlife protection under the people's government of the province, autonomous region or municipality for a special hunting and catching license, with exemption provided by special notification issued by the State Council.</p>
<p><b>Article 18</b> Anyone who intends to hunt or catch wildlife that is not under special state protection must obtain a hunting license and observe the hunting quota assigned. Anyone who intends to hunt with a gun must obtain a gun license from the public security organ of the county or municipality concerned.</p>	<p>Article 20: Anyone who intends to hunt or catch wildlife that is not under special state protection shall obtain a hunting licence according to the relevant regulations of the State Council, and shall observe the hunting quota assigned.</p>
<p><b>Article 19</b> Anyone engaged in the hunting or catching of wildlife shall observe the prescriptions in his special hunting and catching license or his hunting license with respect to the species, quantity, area and time limit.</p>	<p>Article 21: Anyone engaged in the hunting or catching of wildlife shall observe the prescriptions in his special hunting and catching license or his hunting license with respect to the species, quantity, area, implement, method and time limit. Anyone hunting with guns shall obtain a gun licence from the public security bureau in accordance with the law.</p>
<p><b>Article 20</b> In nature reserves and areas closed to hunting, and during seasons closed to hunting, the hunting and catching of wildlife and other activities which are harmful to the living and breeding of wildlife shall be prohibited. The areas and seasons closed to hunting as well as the prohibited hunting gear and methods shall be specified by governments at or above the county level or by the departments of wildlife administration under them.</p>	<p>Article 22: In nature reserves and other protected areas, in areas closed to hunting (and fishing), and during seasons closed to hunting (and fishing), the hunting and catching of wildlife and other activities which are harmful to the living and breeding of wildlife shall be prohibited. The hunting and catching of wildlife shall be prohibited and other activities which are harmful to the living and breeding of wildlife stringently restricted during periods of wildlife migration and along migration routes outside the areas defined in the preceding clause. The scope of migration routes and the nature of those activities which are harmful to the</p>

	<p>living and breeding of wildlife shall be stipulated and announced by the people's government at the county level or above, or other departments of wildlife protection.</p>
<p><b>Article 21</b> The hunting or catching of wildlife by the use of military weapons, poison or explosives shall be prohibited. Measures for the control of the production, sale and use of hunting rifles and bullets shall be formulated by the department of forestry administration under the State Council jointly with the public security department, and shall enter into force after being submitted to and approved by the State Council.</p>	<p>Article 23: Use of poisons, explosives, electric shocks or electronic trapping equipment or other hunting equipment which is not directly operated by the user such as snares, traps, ground guns and volleys shall be prohibited. Use of hunting methods such as hunting with nighttime illumination, hunting by annihilation, destroying nests or dens, fire attacks, fumigation and nets shall also be prohibited, excepting the use of nets for the purposes of scientific research.</p> <p>Hunting equipment and methods aside from those prohibited as defined in the preceding clause shall be stipulated and announced by the people's government at the county level and above or by other departments of wildlife protection.</p>
<p><b>Article 17</b> The state shall encourage the domestication and breeding of wildlife. Anyone who intends to domesticate and breed wildlife under special state protection shall obtain a license. Administrative measures for such licenses shall be formulated by the department of wildlife administration under the State Council.</p>	<p>Article 24: The state shall implement a permit system with regards to the captive breeding of wildlife under special state protection. Anyone intending to breed wildlife under special state protection shall obtain the approval of departments of wildlife protection under the people's government of the province, autonomous region or municipality, with exemption provided by special notification issued by the State Council.</p> <p>Anyone intending to breed wildlife under special state protection shall ensure that they have the necessary living space and conditions for the movement, reproduction, hygiene and health of the animal according to its habits and properties; that they are equipped with adequate premises, facilities, technology and funds in line with the purpose, type and scale of the captive breeding operation; that they can satisfy relevant technical standards; and that the wildlife is not abused.</p> <p>Anyone intending to breed wildlife under special state protection shall use captive-bred offspring as founder stock, and shall establish a species archive and records of individual data. Articles 19 and 21 shall apply in circumstances which require the use of wild founder stock.</p> <p>Captive-bred offspring as referred to in this law are those individuals born in human-controlled conditions and whose parent stock were also born under human-controlled conditions.</p>
	<p>Article 25: The people's government at the county level and above shall provide financial assistances and policy support to those engaged in captive breeding of wildlife for the purposes of public welfare, such as</p>

	protection of the species, scientific research or public education.
<p><b>Article 22</b> The sale and purchase of wildlife under special state protection or the products thereof shall be prohibited. Where the sale, purchase or utilization of wildlife under first class state protection or the products thereof is necessary for scientific research, domestication and breeding, exhibition or other special purposes, the unit concerned must apply for approval by the department of wildlife administration under the State Council or by a unit authorized by the same department. Where the sale, purchase or utilization of wildlife under second class state protection or the products thereof is necessary, the unit concerned must apply for approval by the department of wildlife administration under the government of the relevant province, autonomous region or municipality directly under the Central Government or by a unit authorized by the same department. Units and individuals that domesticate and breed wildlife under special state protection may, by presenting their domestication and breeding licenses, sell wildlife under special state protection or the products thereof, in accordance with the relevant regulations, to purchasing units designated by the government. The administrative authority for industry and commerce shall exercise supervision and control over wildlife or the products thereof that are placed on the market.</p>	<p>Article 26: The sale, purchase and utilisation of wildlife under special state protection or the products thereof shall be prohibited.</p> <p>Where the sale, purchase or utilisation of wildlife under special state protection or the products thereof is necessary for scientific research, captive breeding, public exhibition (or performances), heritage conservation or other special purposes, the unit involved shall obtain the approval of departments of wildlife protection under the people’s government of the province, autonomous region or municipality, and shall obtain and use special markings in line with regulations, with exemption provided by special notification issued by the State Council.</p> <p>Wildlife under special state protection that has been authorised for utilisation by the state and for which there exists established knowledge and techniques for captive breeding may, following scientific deliberation, be included on a list drawn up by the department of wildlife protection under the State Council of captive-bred wildlife under special state protection that is authorised for utilisation. A special label will be issued for wildlife included on this list and the products thereof which have a captive breeding permit, issued in line with annual production quotas verified by the departments of wildlife protection under the province, autonomous region or municipality or the State Council. The wildlife and products thereof with this special label may be sold and utilised.</p> <p>Management measures regarding the system of special labels for wildlife under special state protection and the products thereof shall be formulated by the department of wildlife protection under the State Council.</p> <p>The sale, purchase and utilisation of wildlife that is not under special state protection shall require provision of proof of legal origin, such as hunting, import, export or captive breeding permit.</p>
	<p>Article 27: The utilisation of wildlife and the products thereof shall abide by laws, regulations and statutes, and shall be in line with public order and good morals.</p> <p>The management and utilisation of wildlife and the products thereof as traditional Chinese medicines, healthcare products and foodstuffs shall abide by the relevant national laws, regulations and notifications relating to traditional Chinese medicine, healthcare products and foodstuffs.</p>
	Article 28: Publishing of advertisements or information relating to the illegal sale,



	purchase or utilisation and wildlife and the products thereof shall be prohibited.
	Article 29: The provision of trading platforms for the illegal sale, purchase or utilisation of wildlife and the products thereof or the illegal hunting equipment stipulated in Article 23 by internet trading platforms, goods exchange markets or any other trading space is prohibited.
Article 22 Paragraph 3: The administrative authority for industry and commerce shall exercise supervision and control over wildlife or the products thereof that are placed on the market.	Article 30: The departments of wildlife protection under the people's government at the county level and above shall conduct the supervision and administration of activities involving the management and utilisation of wildlife and the products thereof. The relevant departments of the people's government at the county level and above shall, according to their respective duties, strengthen the supervision and inspection of the sale, purchase, utilisation, transport, mailing and consumption of wildlife and the products thereof, in collaboration with departments of wildlife protection.
<b>Article 23</b> The transportation or carrying of wildlife under special state protection or the products thereof out of any county must be approved by the department of wildlife administration under the government of the relevant province, autonomous region or municipality directly under the Central Government, or by a unit authorized by the same department.	Article 31: Anyone transporting, carrying or posting wildlife under special state protection or the products thereof outside the borders of their county shall obtain a licence, a copy of an approval document or a special label as stipulated in Articles 24 and 26 of this Law. Anyone transporting wildlife that is not under special state protection outside the borders of their county shall obtain proof of legal origin, such as hunting licence, import or export permit or captive breeding permit.
<b>Article 24</b> The export of wildlife under special state protection or the products thereof, and the import or export of wildlife or the products thereof, whose import or export is restricted by international conventions to which China is a party, must be approved by the department of wildlife administration under the State Council or by the State Council, and an import or export permit must be obtained from the state administrative organ in charge of the import and export of the species which are near extinction. The Customs shall clear the imports or exports after examining the import or export permit. The export of the species of wildlife involving scientific and technological secrets shall be dealt with in accordance with relevant provisions of the State Council.	Article 32: The illegal import or export of wildlife and the products thereof, trade in which is prohibited or restricted by an international conventions to which China is a party, shall be prohibited. The import and export of wildlife and the products thereof, trade in which is restricted by an international convention to which China is a party, and the export of wildlife under special state protection and the products thereof must be approved by the department of wildlife protection under the State Council or by the State Council, and an import or export permit must be obtained from the state administrative organ in charge of the import and export of the species which are near extinction. The export of the species of wildlife involving scientific and technological secrets shall be dealt with in accordance with relevant provisions of the State Council.
	Article 33: The state shall establish cross-department coordination mechanisms to guard against and tackle the smuggling and illegal trade in wildlife, organise and develop campaigns to guard against and tackle the

	smuggling and illegal trade in wildlife, and strengthen and advance international cooperation and exchange.
	Article 34: Introductions of non-native wildlife species from outside Chinese borders shall be approved by the department of wildlife protection under the State Council, to prevent harm to ecosystems.
	Article 35: Anyone importing non-native species of wildlife shall guard against their entering natural habitats. Where is it necessary to release them into the wild, this shall be carried out in accordance with the relevant regulations of the department of wildlife protection under the State Council.
<b>Article 25</b> The forgery, sale or resale or transfer of special hunting and catching licenses, hunting licenses, domestication and breeding licenses, and import and export permits shall be prohibited.	Article 36: The forgery, modification, sale, purchase or transfer of the following certificates, documents and markings is prohibited: <ol style="list-style-type: none"> <li>1. Special hunting and catching licences</li> <li>2. Hunting licences</li> <li>3. Captive breeding permits</li> <li>4. Documents which approve the sale, purchase or utilisation of wildlife under special state protection and the products thereof</li> <li>5. Import and export permits</li> <li>6. Special labels</li> </ol>
<b>Article 26</b> Where any foreigner intends, in the territory of China, to make surveys of or to film or videotape wildlife under special state protection in the field, he must apply for approval by the department of wildlife administration under the State Council or by a unit authorized by the same department. The establishment of hunting grounds open to foreigners must be approved by the department of wildlife administration under the State Council.	Article 37: Where any foreigner intends, in the territory of China, to make surveys of or to film or videotape wildlife under special state protection in the field, he must apply for approval by the departments of wildlife protection under the government of the province, autonomous region or municipality or by a unit authorised by the same department.
<b>Article 27</b> Anyone engaged in the utilization of wildlife or the products thereof shall pay a fee for the protection and administration of wildlife resources. The schedule of the fee and the procedure for collecting it shall be formulated by the department of wildlife administration under the State Council jointly with the financial and pricing authorities and shall enter into force after being submitted to and approved by the State Council.	[Removed]
<b>Article 29</b> The local governments concerned shall take measures to prevent and control the harm caused by wildlife so as to guarantee the safety of human beings and livestock and ensure agricultural and forestry production.	Article 38: The local people's governments concerned shall take measures to prevent and control the harm caused by wildlife so as to guarantee the safety of human beings and livestock and ensure agricultural and forestry production.
<b>Article 14</b> If the protection of wildlife under special state or local protection causes losses to crops or other losses, the local governments shall make compensation for	Article 39: If protection of wildlife under special state or local protection causes injury or death to staff, losses to crops or other loss of property, the local people's governments

<p>them. Measures for such compensation shall be formulated by the governments of provinces, autonomous regions and municipalities directly under the Central Government.</p>	<p>shall make compensation for them, or shall implement relevant insurance systems, which shall be formulated by the people's governments of provinces, autonomous regions and municipalities.</p> <p>The expenditure required by measures taken by the people's government at the county level and above to prevent and control harm caused by wildlife under special state protection and the implementation of compensation and insurance policies shall be covered by the central budget, and specific measures shall be stipulated jointly by the ministry of finance under the State Council and the department of wildlife protection under the State Council.</p>
<p><b>Article 30</b> The administrative measures for wildlife under special local protection and for other wildlife that is not under special state protection shall be formulated by the standing committees of the people's congresses of provinces, autonomous regions and municipalities directly under the Central Government.</p>	<p>Article 41: The administrative measures for wildlife under special local protection and for other wildlife that is not under special state protection shall be formulated by the standing committees of the people's congresses of provinces, autonomous regions and municipalities directly under the Central Government.</p>
<p><b>CHAPTER FOUR: LEGAL RESPONSIBILITY</b></p>	
<p><b>Article 34</b> If anyone, in violation of the provisions of this Law, destroys in nature reserves or areas closed to hunting the main places where wildlife under special state or local protection lives and breeds, he shall be ordered by the department of wildlife administration to stop his destructive acts and restore these places to their original state within a prescribed time limit, and shall be fined.</p>	<p>Article 41: If anyone, in violation of Article 10 or the third clause of Article 12 of this Law, damages wildlife habitat, he shall be ordered by the department of wildlife protection under the people's government at county level or above or the relevant protected area management body to stop his destructive acts and rectify and eliminate the damage caused to wildlife within a prescribed time limit, and shall be fined an amount equivalent to between three and five times the cost of rectifying the damage caused.</p>
	<p>Article 42: If anyone, in violation of the second clause of Article 14 of this Law, does not take steps to eliminate or reduce adverse effects to wildlife caused by a construction project, he shall be ordered to cease construction by the department of environmental protection that approved the environmental impact assessment documents for the construction project and to make amendments within a prescribed time limit, and shall be fined between 100,000 yuan and 1,000,000 yuan.</p>
<p><b>Article 31</b> Anyone who illegally catches or kills wildlife under special state protection shall be prosecuted for criminal responsibility in accordance with the supplementary provisions on punishing the crimes of catching or killing the species of wildlife under special state protection which are rare or near extinction.</p>	<p>Article 43: Anyone who, in violation of Articles 19 and 21 of this Law, catches or kills wildlife under special state protection shall be prosecuted for criminal responsibility, in accordance with the relevant regulations of the Criminal Law of the People's Republic of China. Where a criminal sentence is not necessary, the department of wildlife protection or the department of maritime law enforcement shall confiscate his catch, hunting implements and all unlawful income,</p>

	and shall suspend special hunting licences. Where a catch is present, the perpetrator shall be fined up to ten times the value of the item; where catch is not present, the perpetrator shall be fined up to 50,000 yuan.
<b>Article 33</b> If anyone, in violation of the provisions of this Law, hunts or catches wildlife without a hunting license or in violation of the prescriptions of the hunting license, his catch and unlawful income shall be confiscated and he shall be fined by the department of wildlife administration and, in addition, his hunting gear may be confiscated and his hunting license revoked. If anyone, in violation of the provisions of this Law, hunts wildlife with a hunting rifle without a license for the rifle, he shall be punished by a public security organ by applying mutatis mutandis the provisions of the Regulations on Administrative Penalties for Public Security.	Article 44: Anyone who, in violation of Article 20 and the first clause of Article 21 of this Law, hunts or catches wildlife that is not under special state protection without a hunting licence or in violation of the prescriptions of the hunting licence, his catch, hunting implements and unlawful income shall be confiscated by the department of wildlife protection or the department of maritime law enforcement, and his licence shall be revoked. Where a catch is present, the perpetrator shall be fined between 10,000 and 100,000 yuan, depending on the quantity hunted; where a catch is not present, the perpetrator shall be fined up to 10,000 yuan. Anyone who, in violation of the second clause of Article 21 of this Law, hunts wildlife with a hunting rifle without a licence for the rifle, shall be prosecuted for criminal responsibility in accordance with the relevant regulations of the Criminal Law of the People's Republic of China. Where a criminal sentence is not necessary, the perpetrator shall be punished by the public security bureau in accordance with the relevant regulation in the Law of the People's Republic of China on the Control of Guns and the Regulations of the People's Republic of China on Administrative Penalties for Public Security.
<b>Article 32</b> If anyone, in violation of the provisions of this Law, hunts or catches wildlife in an area or during a season closed to hunting or uses prohibited hunting gear or methods for the purpose, his catch, hunting gear and unlawful income shall be confiscated and he shall be fined by the department of wildlife administration; if the circumstances are serious enough to constitute a crime, he shall be prosecuted for criminal responsibility in accordance with the provisions of Article 130 of the Criminal Law.	Article 45: Anyone who, in violation of the first clause of Article 22 and the first clause of Article 23 of this Law, hunts or catches wildlife in an area or during a season closed to hunting (or fishing), or using a prohibited hunting implement or method, he shall be prosecuted for criminal responsibility in accordance with the relevant regulations of the Criminal Law of the People's Republic of China. Where a criminal sentence is not necessary, he shall be punished according to Articles 43 and 44.
	Article 46: If anyone, in violation of Article 24 of this Law, breeds wildlife under special state protection without a captive breeding permit or in violation of the prescriptions of the captive breeding permit, the wildlife and products thereof and unlawful income shall be confiscated by the department of wildlife protection, and the perpetrator shall be fined up to five times the value of the wildlife. If the circumstances are serious, the perpetrator's captive breeding permit shall be revoked.
<b>Article 35</b> If anyone, in violation of the	Article 47: If anyone, in violation of the first

<p>provisions of this Law, sells, purchases, transports or carries wildlife under special state or local protection or the products thereof, such wildlife and products and his unlawful income shall be confiscated by the administrative authority for industry and commerce and he may concurrently be fined. If anyone, in violation of the provisions of this Law, sells or purchases wildlife under special state protection or the products thereof, and if the circumstances are serious enough to constitute a crime of speculation or smuggling, he shall be prosecuted for criminal responsibility according to the relevant provisions of the Criminal Law. The wildlife or the products thereof thus confiscated shall, in accordance with the relevant provisions, be disposed of by the relevant department of wildlife administration or by a unit authorized by the same department.</p>	<p>clause of Article 26, the second clause of Article 26, the third clause of Article 26, and Article 31 of this Law, sells, purchases, utilises, transports or mails wildlife under special state protection or the products thereof, he shall be prosecuted for criminal responsibility in accordance with the relevant regulations of the Criminal Law of the People's Republic of China. Where a criminal sentence is not necessary, the wildlife and products thereof shall be confiscated by the department of wildlife protection or the administrative authority for industry and commerce. According to the protection grading and quantity of the wildlife, he shall be fined up to five times the value of the wildlife. Where unlawful income was gained, the unlawful income shall be confiscated, and the perpetrator shall be fined between five and ten times the value of the unlawful income.</p> <p>If anyone, in violation of the fifth clause of Article 26 and the first clause of Article 31 of this Law, sells, purchases, utilises or transports wildlife not under state protection, the wildlife shall be confiscated by the department of wildlife protection or by the administrative authority for industry and commerce, and he shall be fined up to three times the value of the wildlife.</p>
	<p>Article 48: If anyone, in violation Article 28 of this Law, publishes an advertisement or information relating to the illegal sale, purchase or utilisation of wildlife, he shall be punished according to the Advertising Law of the People's Republic of China.</p>
	<p>Article 49: Anyone who, in violation of Article 29 of this Law, provides a trading platform for the illegal sale, purchase or utilisation of wildlife and the products thereof or illegal hunting equipment, shall be ordered by the administrative authority for industry and commerce to cease this illegal behaviour and make corrections within a prescribed time limit. Where unlawful income was gained, this unlawful income shall be confiscated, and the perpetrator shall be fined between two and five times the amount of this unlawful income.</p>
<p><b>Article 36</b> If anyone illegally imports or exports wildlife or the products thereof, he shall be punished by the Customs according to the Customs Law; if the circumstances are serious enough to constitute a crime, he shall be prosecuted for criminal responsibility in accordance with the provisions of the Criminal Law on the crimes of smuggling.</p>	<p>Article 50: If anyone, in violation of Article 32 of this Law, imports or exports wildlife or the products thereof, he shall be punished by Customs, the department of inspection and quarantine, the public security bureau or the department of maritime law enforcement in accordance with relevant laws, regulations and statutes. If the act constitutes a crime, the perpetrator shall be prosecuted for criminal responsibility according to the relevant regulations in the Criminal Law of the People's Republic of China.</p>

	<p>Article 51: If anyone, in violation of Article 34 of this Law, introduces not-native wildlife species from outside Chinese borders, the introduced wildlife shall be confiscated by the department of wildlife protection, and the perpetrator shall be fined between 50,000 and 200,000 yuan.</p>
	<p>Article 52: If anyone, in violation of Article 35 of this Law, releases introduced wildlife to the wild, they shall be ordered by the department of wildlife protection to recapture the wildlife within a prescribed time limit. If the wildlife is not recaptured within the prescribed time limit, the department of wildlife protection shall recapture the wildlife or take other measures in order to lower the impact of the act. The person ordered to recapture the wildlife within a prescribed time limit shall be held liable for the costs involved in recapture, and may be fined between 10,000 and 50,000 yuan.</p>
<p><b>Article 37</b> If anyone forges, sells or resells or transfers a special hunting and catching license, a hunting license, a domestication and breeding license, or an import or export permit, his license or permit shall be revoked and his unlawful income shall be confiscated and he may concurrently be fined by the relevant department of wildlife administration or the administrative authority for industry and commerce. If anyone who forges or sells or resells a special hunting and catching license or an import or export permit, and if the circumstances are serious enough to constitute a crime, he shall be prosecuted for criminal responsibility by applying mutatis mutandis the provisions of Article 167 of the Criminal Law.</p>	<p>Article 53: If anyone, in violation of Article 36 of this Law, forges, modifies, sells, purchases or transfers a relevant certificate, document or label, the illegal certificate, document or label shall be confiscated by the department of wildlife protection, and the perpetrator shall be fined between 50,000 and 200,000 yuan. If there unlawful income was gained, this unlawful income shall be confiscated. If the act constitutes a crime, the perpetrator shall be prosecuted for criminal responsibility according to the relevant regulations of the Criminal Law of the People's Republic of China.</p>
<p><b>Article 28</b> Anyone who has caused losses to crops or other losses while hunting or catching wildlife shall be held responsible for compensation.</p>	<p>Article 54: Anyone who has caused losses to crops or other losses while hunting or catching wildlife shall be held responsible for compensation.</p>
<p><b>Article 38</b> Any staff member of a department of wildlife administration who neglects his duty, abuses his power or engages in malpractices for personal gains shall be subject to administrative sanctions by the department to which he belongs or by the competent authority at a higher level; if the circumstances are serious enough to constitute a crime, he shall be prosecuted for criminal responsibility according to law.</p>	<p>Article 55: If any of the following behaviours occurs in a department of wildlife protection or other department, the member of staff responsible and their superior shall receive a demerit, major demerit or a demotion. If the act causes serious consequences, they shall be fired, and the person in charge should admit responsibility and resign; if the circumstances are serious and constitute a crime, the perpetrator shall be prosecuted for criminal responsibility according to the law.</p> <ol style="list-style-type: none"> <li>1. An applicant who does not meet the conditions for approval is approved for or issued with a special hunting licence, a hunting licence, a captive breeding permit, import or export permit, or a special label;</li> <li>2. An approval document or environmental impact assessment document</li> </ol>

	<p>is approved or issued for the sale, purchase or utilisation of wildlife under special state protection or the products thereof, in violation of this Law;</p> <p>3. A decision is made to issue an order cease illegal behaviour and return an environment to its former state, to revoke a certificate, or to confiscate items and unlawful income in accordance with the law, but this is not carried out;</p> <p>4. Behaviour that is in violation of this Law is discovered or reported but not investigated as required by regulations;</p> <p>5. Other illegal behaviour in violation of laws and regulations.</p>
<p><b>Article 39</b> Any party who is dissatisfied with the decision on an administrative sanction may, within 15 days of receiving the notification on the sanction, make a request for reconsideration to the authority at the level next higher to the one that made the decision on the sanction; if he is dissatisfied with the decision on reconsideration made by the authority at the next higher level, he may, within 15 days of receiving the notification on the decision on reconsideration, institute legal proceedings in the court. The party may also directly institute legal proceedings in the court within 15 days of receiving the notification on the sanction. If the party neither makes a request for reconsideration, nor institutes legal proceedings in the court, nor complies with the decision on the sanction, the authority that made the decision on the sanction shall request the court to effect a compulsory execution of the decision. If the party is dissatisfied with a customs penalty or a penalty for violation of public security, the matter shall be dealt with in accordance with the provisions of the Customs Law or the Regulations on Administrative Penalties for Public Security.</p>	<p>[Removed]</p>
<p><b>CHAPTER FIVE: SUPPLEMENTARY PROVISIONS</b></p>	
	<p>Article 56: Evaluation criteria and procedures for the valuation of wildlife and catches as stipulated in this Law shall be stipulated by the department of wildlife protection under the State Council.</p>
	<p>Article 57: The endangered wildlife species listed in international conventions to which China is a party shall be checked and approved by the department of wildlife protection under the State Council. For the purposes of this Law, these species can be treated as wildlife under special state protection.</p>
<p>Article 35 Paragraph 3: The wildlife or the products thereof thus confiscated shall, in accordance with the relevant provisions, be disposed of by the relevant department of</p>	<p>Article 58: Articles confiscated in accordance with this Law shall be dealt with by the department of wildlife protection or by a unit authorised by the same department.</p>

wildlife administration or by a unit authorized by the same department.	
<b>Article 40</b> If any international treaty concerning the protection of wildlife, concluded or acceded to by the People's Republic of China, contains provisions differing from those of this Law, the provisions of the international treaty shall apply, unless the provisions are ones on which the People's Republic of China has made reservations.	[Removed]
<b>Article 41</b> The department of wildlife administration under the State Council shall, in accordance with this Law, formulate regulations for its implementation which shall go into effect after being submitted to and approved by the State Council. The standing committees of the people's congresses of provinces, autonomous regions and municipalities directly under the Central Government may, in accordance with this Law, formulate measures for its implementation.	Article 59: The department of wildlife protection under the State Council shall, in accordance with this Law, formulate regulations for its implementation which shall go into effect after being submitted to and approved by the State Council. The standing committees of the people's congresses of provinces, autonomous regions and municipalities may, in accordance with this law, formulate measures for its implementation.
<b>Article 42</b> This Law shall come into force as of March 1, 1989.	Article 60: This Law shall come into force on XXX