Fisheries Law of the PRC

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Unofficial English translation prepared for reference only. The official Chinese text prevails.

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Adopted at the 14th Session of the Standing Committee of the 6th National People's Congress on January 20, 1986; amended in accordance with the Decision on Amending the Fisheries Law adopted at the 18th Session of the Standing Committee of the 9th National People's Congress on October 31, 2000; amended for the second time in accordance with the Decision on Amending the Fisheries Law adopted at the 11th Session of the Standing Committee of the 10th National People's Congress on August 28, 2004; amended for the third time in accordance with the Decision on Amending the Fisheries Law adopted at the 6th Session of the Standing Committee of the 11th National People's Congress on August 27, 2009; amended for the fourth time in accordance with the Decision on Amending the Fisheries Law adopted at the 6th Session of the Standing Committee of the 12th National People's Congress on December 28, 2013

Effective: July 1, 1986 (original); December 28, 2013 (latest amendment)

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of strengthening the protection, proliferation, development, and rational utilization of fishery resources, developing artificial aquaculture, safeguarding the lawful rights and interests of fishery workers, and promoting the development of fishery production, so as to meet the needs of socialist construction and the daily life of the people.

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Article 2 — This Law applies to fishery production activities such as the aquaculture and fishing of aquatic animals and plants within the inland waters, tidal flats, and territorial seas of the People's Republic of China, as well as in other sea areas under the jurisdiction of the People's Republic of China.

Article 3 — The state shall adopt a fishery development policy that gives priority to aquaculture and combines aquaculture, fishing, and processing, and shall take measures to strengthen the protection and management of fishery resources.

Chapter II — Aquaculture

Article 4 — The state shall encourage entities and individuals to make full use of water surfaces and tidal flats suitable for aquaculture to develop aquaculture. The right to use state-owned water surfaces and tidal flats for aquaculture may be determined by the local people's government at or above the county level through examination and approval, and the user shall be issued an aquaculture permit.

Article 5 — Entities and individuals that have obtained the right to use water surfaces or tidal flats for aquaculture in accordance with the law shall be protected by law. No entity or individual may infringe upon such rights.

Chapter III — Fishing

Article 6 — The state shall implement a fishing permit system. Entities and individuals engaged in fishing shall obtain fishing permits in accordance with the law and comply with the provisions on the types of fishing gear, fishing quotas, and fishing areas and periods specified in the fishing permits. Foreigners and foreign fishing vessels entering the territorial waters of the People's Republic of China for fishing shall be subject to the approval of the relevant competent department under the State Council.

Chapter IV — Enhancement and Protection of Fishery Resources

Article 7 — The state shall take measures to protect fishery resources. It is prohibited to fish by means that damage fishery resources, such as the use of explosives, poisons, or electricity. It is prohibited to fish for fry of aquatic animals of important economic value. It is prohibited to reclaim land from lakes or tidal flats without authorization.

Chapter V — Legal Liability

Article 8 — Where fish is caught by means of explosives, poisons, or electricity or in violation of the provisions on prohibited fishing areas or periods, the catch and illegal gains shall be confiscated, a fine of not more than RMB 50,000 shall be imposed, and the fishing gear may be confiscated and the fishing permit revoked.

Chapter VI — Supplementary Provisions

Article 9 — This Law shall come into force on July 1, 1986.

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