# Forest Law of the PRC

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## Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of protecting, cultivating, and rationally utilizing forest resources, accelerating land greening, giving full play to the functions of forests in conserving water and soil, regulating climate, improving the environment, maintaining ecological security, and providing forest products, and meeting the needs of socialist construction and people's lives.

Article 2 — This Law shall apply to activities of forest protection, cultivation, logging, utilization, and operation and management of forests, trees, and forest land within the territory of the People's Republic of China.

Article 3 — The protection, cultivation, and utilization of forest resources shall respect nature, follow the laws of nature, and adhere to the principle of prioritizing ecological protection, combining conservation with development, and pursuing sustainable development.

Article 4 — The state shall implement the goal responsibility system and evaluation mechanism for the protection and development of forest resources. The people's governments at higher levels shall evaluate the completion of forest resource protection and development goals and the improvement of the forest ecological environment by the people's governments at lower levels.

Article 5 — The state shall adopt the following measures for the protection of forest resources:

(1) implementing a quota system for forest logging;

(2) encouraging afforestation and closing hillsides to facilitate afforestation;

(3) improving the system for ecological public benefit forests;

(4) establishing a compensation system for forest ecological benefits.

Article 6 — The forestry administrative department of the State Council shall be responsible for the supervision and administration of forestry work nationwide. The forestry administrative departments of local people's governments at or above the county level shall be responsible for the supervision and administration of forestry work within their respective administrative regions.

Article 7 — The state shall encourage forestry scientific research and technological innovation, popularize advanced and applicable forestry technologies, and improve the level of forestry science and technology.

Article 8 — All organizations and individuals shall have the obligation to protect forest resources. Organizations and individuals that have made outstanding contributions in afforestation, forest protection, forest management, and other forestry work shall be commended and rewarded by the state.

## Chapter II — Forest Rights and Interests

Article 9 — Forests, trees, and forest land shall be owned by the state, except for those owned by collectives as provided by law and those owned by individuals.

The state shall protect the lawful rights and interests of owners and users of forests, trees, and forest land. No entity or individual may infringe upon the lawful ownership and use rights of forests, trees, and forest land.

Article 10 — The ownership and use rights of forests, trees, and forest land shall be registered by the real property registration authority, and a certificate of forest right shall be issued.

Article 11 — The use rights of state-owned forests, trees, and forest land may be lawfully transferred, leased, contributed as capital, or used as a pledge. Collectively owned forests, trees, and forest land may also be subject to circulation in accordance with the law.

Article 12 — Disputes over forest rights and interests shall be resolved through negotiation between the parties. Where negotiation fails, the relevant people's government shall handle the matter; where a party

refuses to accept the handling decision, it may bring a lawsuit in a people's court.

## Chapter III — Forest Protection

Article 13 — The state shall implement a system of classified management of public ecological forests and commercial forests. Public ecological forests shall be strictly protected, while commercial forests shall be managed in accordance with the law by operators.

Article 14 — The people's governments at all levels shall organize fire prevention and control in forests and grasslands and shall establish a responsibility system for forest fire prevention.

Article 15 — The competent forestry authorities shall be responsible for the prevention and control of forest diseases and pests and shall organize monitoring and quarantine work.

Article 16 — Forest plant and animal germplasm resources shall be protected in accordance with the law, and the hunting and collection of wildlife under state key protection is prohibited.

Article 17 — It is prohibited to destroy forests for land reclamation, quarrying, sand excavation, soil extraction, and other activities that destroy forests.

Article 18 — It is prohibited to cut firewood or graze livestock in young forest land and special-purpose forests.

Article 19 — When conducting exploration and mining of mineral resources and various types of construction projects, forest land should not be occupied or should be occupied as little as possible. Where forest land must be occupied or requisitioned, the matter shall be handled in accordance with the provisions on the administration of land, and a forest vegetation restoration fee shall be paid.

## Chapter IV — Afforestation

Article 20 — The state shall formulate a national greening plan and organize the participation of the entire population in voluntary tree planting activities.

Article 21 — The people's governments at all levels shall organize all sectors of society to carry out afforestation activities and increase forest coverage.

Article 22 — State-owned and collectively owned barren hills and wasteland suitable for afforestation shall be organized by the relevant entities for tree planting.

Article 23 — The state shall encourage individuals and economic organizations to contract barren hills and wasteland suitable for afforestation for the purpose of tree planting.

Article 24 — The ownership of newly planted trees on state-owned barren hills and wasteland shall belong to the state; on collectively owned barren hills and wasteland, ownership shall be stipulated by contract.

Article 25 — The people's governments at all levels shall organize the closing of hillsides to facilitate afforestation in areas with afforestation conditions.

## Chapter V — Forest Management and Utilization

Article 26 — Forest operators shall formulate forest management plans in accordance with the provisions of the forestry administrative departments.

Article 27 — The utilization of timber forests and economic forests shall follow the principle of keeping the consumption below the growth volume.

Article 28 — The state shall encourage the development and utilization of substitute materials for timber and promote the comprehensive utilization and conservation of timber.



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Article 29 — Survey and design, construction, and acceptance inspection of forestry construction projects shall be carried out in accordance with applicable regulations and standards.

Article 30 — The state shall support the development of the forestry seed industry and promote the use of improved tree varieties.

## Chapter VI — Logging and Transportation Management

Article 31 — The state shall implement a quota system for forest logging, and the total annual logging volume shall not exceed the annual growth volume approved.

Article 32 — Logging of forests and trees shall be subject to the application for a logging permit, except for the logging of trees around rural residents' houses and sporadic trees on private plots of land.

Article 33 — When applying for a logging permit, documents indicating the ownership or use right and a survey and design document for the logging area shall be submitted.

Article 34 — Units undertaking logging shall complete reforestation tasks in accordance with the area, number of trees, tree species, and time limit specified in the logging permit.

Article 35 — Transportation of timber out of a forest area shall be accompanied by the relevant certificates and shall comply with transportation management provisions.

## Chapter VII — Legal Liability

Article 36 — Whoever engages in illegal logging of forests or other trees in violation of this Law shall compensate for the losses in accordance with the law and shall be ordered by the forestry administrative department to replant trees at a multiple of the number of trees illegally logged, confiscate the illegally logged trees or the proceeds from their sale, and impose a fine of three to ten times the value of the illegally logged trees.

Article 37 — Whoever cuts trees without a logging permit or in excess of the permitted amount shall be ordered to cease the illegal act and to replant trees, and shall be fined in accordance with the law.

Article 38 — Whoever sells or transports timber without lawful certificates in violation of this Law shall have the timber confiscated and be fined.

Article 39 — Whoever, in violation of this Law, reoccupies forest land or changes the use of forest land without authorization shall be ordered to restore the forest land to its original condition within a specified period and be fined.

Article 40 — Whoever, in violation of this Law, destroys forests for land reclamation, quarrying, sand excavation, soil extraction, or seed collection shall compensate for the losses in accordance with the law and shall be ordered to cease the illegal act and replant trees.

Article 41 — Where a forestry administrative department or any of its staff members violates this Law by abusing authority, neglecting duties, or engaging in malpractices for personal gain, sanctions shall be imposed in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

## Chapter VIII — Supplementary Provisions

Article 42 — This Law shall enter into force on July 1, 2020.



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