Forestry Law of the PRC

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Chapter I — General Provisions

Article 1 — This Law is enacted in accordance with the Constitution for the purposes of protecting, cultivating, and rationally utilizing forest resources, accelerating land greening, giving full play to the role of forests in conserving water and soil, regulating the climate, improving the environment, and supplying forest products, meeting the needs of the socialist modernization drive and the people’s livelihood, and promoting ecological civilization.

Article 2 — Forest resources include forests, woods, and forest land, as well as wild animals, plants, and microorganisms that depend on forests, woods, and forest land for survival. Forests include arbor forests and bamboo forests. Woods include sparse forests, shrubs, and trees along roads, canals, and around villages and houses. Forest land includes arbor forest land with a canopy density of 0.2 or greater, bamboo forest land, sparse forest land, unstocked forest land, shrub land, and land suitable for forestry, among others.

Article 3 — The protection, cultivation, and utilization of forest resources shall respect the laws of nature, shall be based on the principles of combining protection with utilization, maintaining ecological balance, and prioritizing ecological benefits, and shall give full play to the multiple functions of forests in terms of ecology, society, and economy.

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Article 4 — The State shall implement a forest protection and development target responsibility system and an assessment and evaluation system. The people's governments at higher levels shall assess the completion of the forest protection and development targets and the forest fire prevention and major forest pest control targets of the people's governments at lower levels, and shall disclose the assessment results to the public.

Chapter II — Forest Management and Protection

Article 5 — The people's governments at all levels shall formulate forestry development plans. Forestry development plans shall be adapted to the territorial spatial plans and shall be coordinated with environmental protection, soil and water conservation, and other plans.

Article 6 — The State shall implement a classified management system for forests. Public welfare forests shall be strictly protected, and their main purpose shall be to bring into play their ecological benefits. The felling of trees in public welfare forests shall be approved in accordance with the law. Commercial forests shall be managed independently by their operators in accordance with the law, and their economic benefits shall be protected.

Article 7 — The State shall implement a forest right system. The ownership and use rights of forests, woods, and forest land shall be protected by law, and no organization or individual shall infringe upon them. The ownership of forests, woods, and forest land shall be registered by the competent forestry authority of the people's government at or above the county level, and a certificate shall be issued to confirm the ownership or use right.

Article 8 — The State shall implement a system of protection of forest ecological benefits compensation. The central and local governments shall arrange funds to compensate forest right holders for the restrictions on the use of their forests.

Article 9 — The competent forestry authorities of the people's governments at or above the county level shall be responsible for organizing forest resource inventories, establishing a forest resource inventory and monitoring system, and keeping abreast of the changes in forest resources.

Chapter III — Afforestation

Article 10 — The State shall organize the entire population to voluntarily plant trees and carry out afforestation activities. The people's governments at all levels shall organize relevant departments and units to complete afforestation tasks.

Article 11 — The State shall encourage all sectors of society to participate in afforestation and shall protect the lawful rights and interests of afforestation participants. Organizations and individuals that have made outstanding contributions to afforestation, forest protection, and forest management shall be commended and rewarded by the people's governments at all levels.

Article 12 — The State shall implement a system of closing hillsides to facilitate afforestation. Areas such as newly planted young forest land, sparse forest land, shrub land, and other areas requiring the restoration of forest vegetation may be designated as closed areas for afforestation.

Chapter IV — Forest Felling

Article 13 — The State shall strictly control the annual forest felling volume. The total annual felling volume shall be formulated by the competent forestry authority of the State Council and shall be implemented after approval. The annual forest felling volume shall not exceed the approved annual felling quota.

Article 14 — Felling of forests and woods must comply with the following provisions: (1) mature timber forests shall be subject to selective felling, clear felling, or shelterwood felling in accordance with the

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circumstances; (2) for shelter forests, national defense forests, mother-tree forests, environmental protection forests, and scenic beauty forests, only regeneration felling and nurturing felling may be conducted; and (3) trees at places of historic interest and scenic beauty, revolutionary memorial sites, and forests in nature reserves are strictly prohibited from felling.

Article 15 — A felling license must be obtained for the felling of forests and woods, except for the felling of scattered trees around rural villagers' houses and on their private plots. The examination and approval authorities for felling licenses shall strictly follow the approved annual felling quota when issuing licenses.

Article 16 — State-owned forestry enterprises, public institutions, government organs, organizations, armed forces, schools, and other State-owned enterprises and public institutions that fell trees shall be under the jurisdiction of the competent forestry authorities at or above the county level at the place where they are located.

Chapter V — Legal Liability

Article 17 — Any person who engages in deforestation or other acts that destroy forests shall compensate for the losses in accordance with the law; where the circumstances constitute a crime, criminal liability shall be pursued in accordance with the law.

Article 18 — Any person who fells forests or other woods without a felling license shall be ordered by the competent forestry authority to stop the illegal act, shall plant trees at a rate of several times the number of trees illegally felled, and shall be fined not less than three times but not more than ten times the value of the illegally felled trees; where the circumstances constitute a crime, criminal liability shall be pursued in accordance with the law.

Article 19 — Any person who, in the course of forest felling, fails to complete the reforestation task within the prescribed time limit shall no longer be issued a felling license, and shall be ordered by the competent forestry authority to complete the reforestation task; where a felling license has been issued, the license may be revoked.

Article 20 — Any person who engages in reclamation, quarrying, sand excavation, soil extraction, seed collection, resin tapping, and other activities in forest land, causing damage to forests and woods, shall compensate for the losses in accordance with the law; the competent forestry authority shall order the person to stop the illegal act, to replant trees at a rate of not less than one time but not more than three times the number of trees damaged, and may impose a fine of not less than one time but not more than five times the value of the trees damaged.

Article 21 — Where a staff member of the competent forestry authority or any other relevant State organ violates the provisions of this Law by issuing a felling license in excess of the approved annual felling quota, granting approval in violation of the prescribed procedures, or engaging in other acts of abuse of power, neglect of duty, or malpractice for personal gain, sanctions shall be imposed in accordance with the law; where the circumstances constitute a crime, criminal liability shall be pursued in accordance with the law.

Chapter VI — Supplementary Provisions

Article 22 — The people's congresses of ethnic autonomous areas may formulate adaptable or supplementary provisions in accordance with the principles of this Law and in light of the characteristics of the local ethnic groups.

Article 23 — The State Council may formulate implementation regulations in accordance with this Law.

Article 24 — This Law shall go into effect as of July 1, 2020.

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