Regulations of the PRC on Nature Reserves

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Chapter I — General Provisions

Article 1 — These Regulations are formulated for the purpose of strengthening the construction and administration of nature reserves and protecting the natural environment and natural resources.

Article 2 — For the purposes of these Regulations, "nature reserves" means the areas delimited for special protection and administration, which represent the natural ecosystems of various types, or are the natural concentrated habitats of rare and endangered wild animal and plant species, or the areas where the remains of species of special scientific and cultural value, or other natural historic sites are located, on the land, inland waters or sea areas within the jurisdiction of the People's Republic of China.

Article 3 — All entities and individuals within the territory of the People's Republic of China and within other sea areas under the jurisdiction of the People's Republic of China shall comply with these Regulations.

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Article 4 — The State shall adopt the policy of giving priority to protection and combining active protection with scientific restoration and rational utilization in respect of nature reserves.

Article 5 — The construction and administration of nature reserves shall be handled properly in relation to local economic construction and the production and life of the local residents.

Article 6 — The administrative department in charge of environmental protection under the State Council shall be responsible for the comprehensive administration of nature reserves throughout the country.

The administrative departments in charge of forestry, agriculture, land and resources, water resources, oceans and other relevant departments shall be responsible for the relevant nature reserves within their respective functions and duties.

Article 7 — The State shall encourage and support scientific research, education and publicity in relation to nature reserves, and reward entities and individuals that have made outstanding contributions to the protection and administration of nature reserves.

Chapter II — Establishment of Nature Reserves

Article 8 — The State shall establish nature reserves for the following areas:

(1) typical natural ecosystem areas, or natural ecosystem areas that have been damaged but can be restored through protection;

(2) natural concentrated habitats of rare and endangered wild animal and plant species;

(3) sea areas, coasts, islands, wetlands, inland waters, forests, grasslands, deserts and other areas with special conservation value;

(4) geological remains and other natural historic sites of major scientific and cultural value; and

(5) other natural areas that need special protection.

Article 9 — Nature reserves shall be divided into national nature reserves, local nature reserves, and prefectural and county nature reserves.

The establishment of national nature reserves shall be proposed by the relevant departments under the State Council or the people's governments at the provincial level, reviewed by the nature reserve evaluation committee under the State Council, and submitted to the State Council for approval.

The establishment of local nature reserves shall be proposed by the relevant departments under the people's governments at the county level or above or by the relevant people's governments, and submitted to the people's governments at the provincial level for approval.

Article 10 — Nature reserves shall be divided into core zones, buffer zones and experimental zones. The core zone shall be the best-preserved natural ecosystem and the concentrated habitat of rare and endangered animal and plant species; entry into the core zone is prohibited unless approved for scientific research.

Article 11 — The establishment of nature reserves shall give consideration to the needs of local economic construction and the production and life of the local residents, and the areas to be designated shall be determined in a reasonable manner.

Chapter III — Administration of Nature Reserves

Article 12 — The administrative departments in charge of environmental protection under the people's governments at or above the county level shall have the right to conduct supervision and inspection of the administration of the nature reserves within their respective administrative regions.

Article 13 — Each nature reserve shall have an administrative body responsible for the specific administration of the nature reserve. The funds required for the administration of a nature reserve shall be arranged by the local people's government at or above the county level at the place where the nature reserve is located.

Article 14 — In the core zone and buffer zone of a nature reserve, no production facilities may be constructed. In the experimental zone, no production facilities that pollute the environment or damage the resources or landscape may be constructed.

Article 15 — It is prohibited to conduct logging, grazing, hunting, fishing, collecting medicinal herbs, reclamation, burning wasteland, mining, quarrying, sand quarrying and other activities within the nature reserve, unless otherwise provided for by laws and administrative regulations.

Article 16 — No entity or individual may move into a nature reserve without authorization. Persons who have already resided in the core zone of a nature reserve shall move out in a planned manner and be properly resettled.

Article 17 — Where it is necessary to carry out tourism activities within the experimental zone of a nature reserve, such activities shall be subject to the approval of the relevant administrative department of the nature reserve and shall comply with the approved plan.

Article 18 — Where foreigners wish to enter a nature reserve, they shall submit an application to the relevant administrative department and obtain approval in accordance with the provisions.

Article 19 — The administrative body of a nature reserve shall establish and improve the management system and strengthen the routine patrol, protection and monitoring of the nature reserve.

Chapter IV — Legal Liability

Article 20 — Whoever, in violation of the provisions of these Regulations, commits any of the following acts shall be ordered to make corrections by the administrative body of the nature reserve and may be fined not less than RMB 100 yuan but not more than RMB 5,000 yuan in accordance with the law:

(1) moving into or residing in the nature reserve without authorization;

(2) conducting tourism and other activities within the nature reserve without approval; or

(3) entering the nature reserve without authorization.

Article 21 — Whoever, in violation of the provisions of these Regulations, constructs production facilities within the nature reserve shall be ordered by the relevant administrative department to stop the violation, dismantle the facilities within a prescribed time limit, and may be fined in accordance with the law.

Article 22 — Whoever, in violation of the provisions of these Regulations, causes damage to the nature reserve shall be ordered by the relevant administrative department to make corrections, and may be fined in accordance with the law; where losses are caused, compensation shall be paid in accordance with the law.

Article 23 — Whoever obstructs the administrative personnel of a nature reserve from performing their official duties in accordance with the law shall be given a public security administration punishment in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 24 — Where the administrative personnel of a nature reserve abuse their powers, neglect their duties, or engage in malpractices for personal gain, they shall be given administrative sanctions in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Chapter V — Supplementary Provisions

Article 25 — These Regulations shall be subject to interpretation by the administrative department in charge of environmental protection under the State Council.

Article 26 — These Regulations shall come into force as of December 1, 1994.

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