

Wildlife Protection Law of the PRC

Dan Young Business Consultancy — www.danyoungcpa.com
Unofficial English translation prepared for reference only. The official Chinese text prevails.

Contents

Table of Contents	1
Chapter I — General Provisions	1
Chapter II — Protection of Wild Animals and Their Habitats	2
Chapter III — Administration of Wild Animals	2
Chapter IV — Legal Liability	3
Chapter V — Supplementary Provisions	3

Adopted at the Fourth Session of the Standing Committee of the Seventh National People's Congress on November 8, 1988; revised at the Tenth Session of the Standing Committee of the Tenth National People's Congress on August 28, 2004; amended in 2009 and 2016; revised at the Thirty-Eighth Session of the Standing Committee of the Thirteenth National People's Congress on December 30, 2022
Effective: May 1, 2023

Table of Contents

- Chapter I — General Provisions
- Chapter II — Protection of Wild Animals and Their Habitats
- Chapter III — Administration of Wild Animals
- Chapter IV — Legal Liability
- Chapter V — Supplementary Provisions

Chapter I — General Provisions

Article 1 — This Law is enacted for the purpose of protecting wild animals, saving rare and endangered wild animals, maintaining biodiversity and ecological balance, promoting ecological conservation, and advancing the construction of an ecological civilization.

Article 2 — This Law applies to the protection of wild animals and their habitats, and related conservation, breeding, raising, hunting, and utilization activities conducted within the territory of the People's Republic of China. The wild animals protected under this Law refer to rare and endangered terrestrial and aquatic wild animals, and terrestrial wild animals of important ecological, scientific, or social value. Aquatic wild animals other than those specified in the preceding paragraph shall be governed by the provisions of the Fisheries Law and other relevant laws.

Article 3 — Wild animal resources shall be owned by the state. The state shall protect the lawful rights and interests of organizations and individuals engaged in the scientific research, artificial breeding, and other lawful utilization of wild animals and their products in accordance with the law.

Article 4 — The state shall implement the policy of giving priority to protection, combining protection with restoration, regulating utilization, and exercising strict supervision in respect of wild animals.

Article 5 — The competent departments of forestry and grassland, and fishery under the State Council shall be responsible for the work of wild animal protection nationwide. The departments in charge of wild animal protection under local people's governments at or above the county level shall be responsible for the work of wild animal protection within their respective administrative areas.

Article 6 — All organizations and individuals shall have the obligation to protect wild animals and their habitats. Any organization or individual shall have the right to report or file a complaint against any violation of this Law.

Chapter II — Protection of Wild Animals and Their Habitats

Article 7 — The state shall implement a categorized and graded protection system for wild animals. Wild animals are classified into the following categories: (1) wild animals under Class I state protection; (2) wild animals under Class II state protection; and (3) terrestrial wild animals of important ecological, scientific, or social value. The lists of wild animals under Class I and Class II state protection shall be formulated and published by the competent department of wildlife protection under the State Council.

Article 8 — The state shall protect wildlife habitats. People's governments at or above the county level shall delineate and publish wildlife habitats in accordance with the law. No organization or individual may destroy wildlife habitats.

Article 9 — Construction projects that may affect wildlife habitats shall avoid wildlife habitats. Where avoidance is not possible, measures shall be taken to minimize the impact, and ecological restoration or compensation shall be carried out.

Article 10 — People's governments at or above the county level shall carry out the work of wildlife epidemic source and disease monitoring, and shall formulate emergency plans for wildlife epidemic outbreaks.

Chapter III — Administration of Wild Animals

Article 11 — The hunting, capturing, or killing of wild animals under state protection is prohibited. Where it is necessary to hunt, capture, or kill wild animals under Class I state protection for purposes such as scientific research, population regulation, monitoring of epidemic diseases, or other special circumstances, an application shall be filed with the competent department of wildlife protection under the State Council for a special hunting and capture permit. Where it is necessary to hunt or capture wild animals under Class II state protection, an application shall be filed with the competent department of wildlife protection under the people's government of the relevant province, autonomous region, or municipality directly under the Central Government for a special hunting and capture permit.

Article 12 — Artificial breeding of wild animals under state protection shall be subject to the approval of the competent department of wildlife protection under the people's government of the relevant province, autonomous region, or municipality directly under the Central Government, and a license for the artificial breeding of wild animals shall be obtained.

Article 13 — The sale, purchase, or utilization of wild animals under state protection and their products is prohibited. Where it is necessary to sell, purchase, or utilize wild animals under state protection or their products for purposes such as scientific research, artificial breeding, or public exhibition, an application for approval shall be filed with the competent department of wildlife protection.

Article 14 — The consumption of wild animals under state protection, terrestrial wild animals of important ecological, scientific, or social value, and other terrestrial wild animals is prohibited. The hunting, trading, or transportation for the purpose of consumption of wild animals specified in the preceding paragraph is

prohibited.

Article 15 — The transportation, carrying, mailing, or otherwise bringing into or out of China of wild animals under state protection or their products shall be subject to the approval of the competent department of wildlife protection.

Article 16 — The import and export of wild animals and their products shall be governed by the provisions of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and other relevant laws and administrative regulations. The export of wild animals under state protection or their products, or the import and export of wild animals or their products restricted by international conventions to which China is a party, shall be subject to the approval of the competent department of wildlife protection under the State Council or the State Council, and the import and export permit shall be obtained.

Chapter IV — Legal Liability

Article 17 — Where any organization or individual illegally hunts or kills wild animals under state protection, the competent department of wildlife protection shall confiscate the animals hunted or killed, the hunting tools, and the illegal proceeds, and revoke the special hunting and capture permit, and shall impose a fine of not less than two times but not more than ten times the value of the animals hunted or killed. Where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 18 — Where any organization or individual destroys wildlife habitats, the competent department of wildlife protection shall order it or him or her to cease the illegal act and restore the habitat to its original state within a prescribed time limit, and shall impose a fine.

Article 19 — Where any organization or individual illegally sells, purchases, transports, or carries wild animals under state protection or their products, the market regulation authority or the competent department of wildlife protection shall confiscate the wild animals, their products, and the illegal proceeds, and shall impose a fine of not less than two times but not more than ten times the value of the wild animals and their products.

Article 20 — Where any organization or individual illegally imports or exports wild animals or their products, the customs authority shall impose penalties in accordance with the provisions of laws and administrative regulations on customs. Where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 21 — Where any organization or individual consumes wild animals in violation of the provisions of this Law, the relevant authority shall confiscate the wild animals and impose a fine. Where a business operator provides consumers with wild animals in violation of the provisions, the market regulation authority shall impose heavier penalties.

Chapter V — Supplementary Provisions

Article 22 — The specific measures for the implementation of this Law shall be formulated by the State Council.

Article 23 — This Law shall come into effect on May 1, 2023.

Disclaimer: This is an unofficial English translation prepared for reference and informational purposes only. It is not an official translation and has no legal effect. While every effort has been made to ensure accuracy, the Chinese original text shall prevail in the event of any discrepancy. This translation is provided without warranty of any kind, express or implied. Users should consult qualified legal professionals in China for advice on specific matters. This translation does not constitute legal advice.