

**【Title】 Regulation for the Implementation of the People's Republic of China on the
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【法规标题】 陆生野生动物保护实施条例 ^[Effective]

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the Protection of Terrestrial Wildlife
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陆生野生动物保护实施条例
(1992年2月12日国务院批准 1992
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Chapter I General Provisions

第一章 总则

Article 1 These Regulations are formulated in accordance with the
provisions of the "[Law of the People's Republic of China on the Protection
of Wildlife](#)" (hereinafter referred to as the [Law on Protection of Wildlife](#)).

Article 2 The term "terrestrial wildlife" (hereinafter referred to as the
wildlife) mentioned in these Regulations refers to the species of terrestrial
wildlife which are precious or being endangered and the species which
are beneficial or of important economic and scientific research value;
whereas the "products of wildlife" refers to any part of wildlife and their
derivatives.

第一条 根据《[中华人民共和国野
生动物保护法](#)》（以下简称《[野生动物
保护法](#)》）的规定，制定本条例。

Article 3 The competent department of forestry administration under the
State Council shall be responsible for the nationwide administration of
terrestrial wildlife. The competent departments of forestry administration
under the people's governments of provinces, autonomous regions and
municipalities directly under the Central Government shall be responsible
for the administration of the terrestrial wildlife in their respective
administrative areas. The competent departments of the administration of
terrestrial wildlife under the people's governments of the autonomous
prefectures, counties and cities shall be designated by the people's
governments of the relevant provinces, autonomous regions or
municipalities directly under the Central Government.

Article 4 The relevant governmental authorities at or above the county

第二条 本条例所称陆生野生动

level shall encourage and support to undertake scientific research on wildlife by the relevant research or teaching units.

Article 5 The competent department of wildlife administration shall have the right to supervise and inspect the implementation of the [Law on the Protection of Wildlife](#) and these Regulations, whereas all units and individuals inspected shall have the obligation to be prepared for such inspection.

Chapter II Protection of Wildlife

Article 6 Local people's governments at or above the county level shall develop public education for the protection of wildlife, and may fix an appropriate time as the "Month for Protection of Wildlife" or the "Bird-loving Week," etc, in order to enhance the public consciousness of the protection of wildlife.

Article 7 The competent department of forestry administration under the State Council and the competent departments of forestry administration under the people's governments of the relevant provinces, autonomous regions and municipalities directly under the Central Government shall regularly carry out surveys of wildlife resources and keep records of them so as to provide the basis for the planning of the protection and development of wildlife resources and the preparation of the list or revised list of wildlife species under special protection by the State or local authorities.

General surveys of the wildlife resources shall be conducted once every ten years, the survey plan shall be approved by the competent department of forestry administration under the State Council or the competent department of forestry administration under the people's government of the relevant province, autonomous region or municipality directly under the Central Government.

Article 8 The competent departments of wildlife administration of the people's governments at or above the county level shall bring coordinate all possible social forces and adopt biological engineering, and technical engineering measures to maintain and improve the living environment of

物，是指依法受保护的珍贵、濒危、有益的和有重要经济、科学研究价值的陆生野生动物（以下简称野生动物）；所称野生动物产品，是指陆生野生动物的任何部分及其衍生物。

第三条 国务院林业行政主管部门主管全国陆生野生动物管理工作。省、自治区、直辖市人民政府林业行政主管部门主管本行政区域内陆生野生动物管理工作。自治州、县和市人民政府陆生野生动物管理工作的行政主管部门，由省、自治区、直辖市人民政府确定。

第四条 县级以上各级人民政府有关主管部门应当鼓励、支持有关科研、教学单位开展野生动物科学研究工作。

wildlife, to protect and develop wildlife resources.

Any damage to the living and breeding areas or the living conditions of wildlife under special protection by the State or local authorities by any unit or individual shall be prohibited.

Article 9 If any injured, sick, hungry, straitened or lost wildlife under special protection by the State or local authorities is found by any unit or individual, same should be promptly reported to the local department of wildlife administration, and the local department of wildlife administration shall take timely measures to rescue. Alternately, such wildlife can be sent to the nearby unit which is capable of rendering rescue thereto. The salvaging unit shall immediately report the case to the competent department of the wildlife administration thereof, and the matter shall be dealt with in accordance with the provisions of the competent department of forestry administration under the State Council.

Article 10 All units or individuals shall have an obligation to take precautionary measures against any danger potential threatening wildlife under special protection by the State or local authorities. If the protection of wildlife under special protection by the State or local authorities causes losses, compensation may be claimed to the department of wildlife administration under the local people's government. If after investigation, it has been proved that the loss has actually happened and the compensation is necessary, such compensation shall be made by the local people's government in accordance with the relevant provisions of the people's government of the relevant province, autonomous region or municipality directly under the Central Government.

Chapter III Administration of Hunting and Catching of Wildlife

Article 11 The hunting, catching or killing of wildlife under special protection by the State shall be prohibited.

If, under any of the following cases, the hunting and catching of wildlife under special protection by the State is necessary, the organization concerned must apply for a special hunting and catching license:

(1)Where the wildlife has to be hunted and caught for the purpose of scientific exploration and survey of resources;

(2)Where the origin of the wildlife has to be obtained from nature for the purpose of domestication and breeding thereof under special protection by the State;

第五条 野生动物行政主管部门有权对《野生动物保护法》和本条例的实施情况进行监督检查，被检查的单位和个人应当给予配合。

第二章 野生动物保护

第六条 县级以上地方各级人民政府应当开展保护野生动物的宣传教育，可以确定适当时间为保护野生动物宣传月、爱鸟周等，提高公民保护野生动物的意识。

第七条 国务院林业行政主管部门和省、自治区、直辖市人民政府林业行政主管部门，应当定期组织野生动物资源调查，建立资源档案，为制定野生动物资源保护发展方案、制定和调整国家和地方重点保护野生动物名录提供依据。

野生动物资源普查每十年进行一次，普查方案由国务院林业行政主管部门或者省、自治区、直辖市人民政府林业行政主管部门批准。

(3)Where the wildlife under special protection by the State has to be obtained from nature for the purpose of undertaking scientific research above the provincial level or the production of medicine by the State;

(4)Where the wildlife under special protection by the State has to be obtained from nature for the purpose of popularization of knowledge about wildlife or for the purpose of education or exhibition;

(5)Where the wildlife under special protection by the State has to be obtained from nature for the purpose of the requirement of State affairs;

(6)Where, on the basis of sound judgement, the wildlife has to be hunted or caught for the purpose of adjusting or controlling the population or structure of wildlife under special protection by the State;

(7)Where the wildlife under special protection by the State has to be caught or hunted for other special reasons.

Article 12 The procedures for the application for special license for hunting or catching wildlife are as follows:

(1)Where the catching of wildlife under first class State protection is necessary, the application must be made to the competent department of forestry administration under the State Council for a special hunting or catching license, and attached with the views of the competent

第八条 县级以上各级人民政府野生动物行政主管部门，应当组织社会各方面力量，采取生物技术措施和工程技术措施，维护和改善野生动物生存环境，保护和发展野生动物资源。禁止任何单位和个人破坏国家和地方重点保护野生动物的生息繁衍场所和生存条件。

第九条 任何单位和个人发现受伤、病弱、饥饿、受困、迷途的国家和地方重点保护野生动物时，应当及时报告当地野生动物行政主管部门，由其采取救护措施；也可以就近送具备救护条件的单位救护。救护单位应当立即报告野生动物行政主管部门，并按照国务院林业行政主管部门的规定办理。

第十条 有关单位和个人对国家和地方重点保护野生动物可能造成的危害，应当采取防范措施。因保护国家和地方重点保护野生动物受到损失的，可以向当地人民政府野生动物行政主管部门提出补偿要求。经调查属实并确实需要补偿的，由当地人民政府按照省、自治区、直辖市人民政府的有关规定给予补偿。

第三章 野生动物猎捕管理

department of forestry administration under the people's government of the province, autonomous region or municipality directly under the Central Government where the applicant's place of residence is located and where the catching is to be carried out,

(2)Where the catching of wildlife under second class State protection is to be carried out in the applicant's own province, autonomous region or municipality directly under the Central Government, the applicant must apply to the competent department of forestry administration under the people's government of the province, autonomous region or municipality directly under the Central Government for a special hunting or catching license, and attached with the views of the competent department of wildlife administration under the people's government at or above the county level, where the applicant's residence is located,

(3)Where the catching of wildlife under second class State protection is to be carried out across the borders of different provinces, autonomous regions or municipalities directly under the Central Government, the applicant must apply to the competent departments of forestry administration under the people's governments of the provinces, autonomous regions or municipalities directly under the Central Government where the catching is to be carried out for a special hunting or catching license, the application shall be attached with the views of the competent department of forestry administration under the people's government of the province, autonomous region or municipality directly under the Central Government where the applicant's residence is located. Any zoo applying for the catching of the wildlife under first class State protection shall have the application examined and approved by the competent department of construction administration under the State Council before it is submitted to the competent department of forestry administration under the State Council for a special hunting or catching license. Where the catching of wildlife under second class State protection is to be carried out, the application shall be examined and approved by the competent department of construction administration under the government at the same level with the competent department of forestry administration before it is submitted to the competent department of forestry administration under the people's government of the relevant province, autonomous region or municipality directly under the Central Government where the applicant's residence is located for a special hunting or catching license.

The department responsible for issuing the special hunting or catching license shall decide to approve or disapprove the application within three months from the receipt of the application.

Article 13 No special hunting or catching license shall be issued under any of the following circumstances:

第十一条 禁止猎捕、杀害国家重点保护野生动物。

有下列情形之一的，需要猎捕国家重点保护野生动物的，必须申请特许猎捕证：

（一）为进行野生动物科学考察、资源调查，必须猎捕的；

(1)Where there are legal and non-catching or non-hunting method available to the applicant to obtain the species of wildlife under special protection by the State or the products thereof or to fulfil the applicant's purpose;

(2)The application made is not in conformity with the relevant provisions of the State, or the applicant's hunting gear or hunting method is inappropriate, or the season or location for hunting or catching not suitable;

(3)The catching or hunting is not justified taking into consideration the situation of wildlife resources;

Article 14 The unit or individual that has obtained the special hunting or catching license shall observe the stipulations contained therein with respect to the species, quantity, area, time limit, gear and method of hunting or catching, in order to prevent the wildlife from accidental injury and their living environment from accidental damage. After the completion of hunting or catching, an application for examination shall be made within ten days to the competent department of wildlife administration under the relevant people's government at county level. The competent department of wildlife administration under the people's government at county level shall exercise supervision and inspection over the hunting and catching of wildlife under special protection by the State within their respective administrative area, and timely report the results of supervision and inspection to the department by which the hunting and catching application had been approved.

Article 15 Those engaging in the hunting or catching of wildlife not under special protection by the State must have the hunting license, and shall observe the stipulations contained therein with respect to the species, quantity, area, time limit, gear and method of hunting.

The hunting license shall be made by the competent department of forestry administration under the relevant people's government of the province, autonomous region or municipality directly under the Central Government in accordance with the stipulations formulated by the competent department of forestry administration under the State Council, and shall be issued by the competent department of wildlife administration under local people's government at or above the county level or by a department authorized thereby. The hunting license shall be examined once a year.

Article 16 The competent departments of forestry administration under the people's governments of provinces, autonomous regions or municipalities directly under the Central Government shall, on the basis of the current

(二)为驯养繁殖国家重点保护野生动物，必须从野外获取种源的；

(三)为承担省级以上科学研究项目或者国家医药生产任务，必须从野外获取国家重点保护野生动物的；

(四)为宣传、普及野生动物知识或者教学、展览的需要，必须从野外获取国家重点保护野生动物的；

(五)因国事活动的需要，必须从野外获取国家重点保护野生动物的；

(六)为调控国家重点保护野生动物种群数量和结构，经科学论证必须猎捕的；

(七)因其他特殊情况，必须捕捉、猎捕国家重点保护野生动物的。

situation of non-protected species of wildlife resources within their respective administrative areas, decide the species of wildlife for hunting, and control the annual quota of hunting and catching of wildlife species. The species of wildlife for hunting and the annual quota of hunting and catching shall be drawn up by the competent department of wildlife administration under the people's government at the county level in the light of the principles of preserving resources and sustainable utilization, and approved by the competent department of forestry administration under the people's government of the relevant province, autonomous region or municipality directly under the Central Government, and submitted to the competent department of forestry administration under the State Council for the record.

Article 17 The hunting activities shall be planned and organized by the competent department of wildlife administration under the local people's government at or above the county level.

The establishment of hunting sites in the appropriate areas shall be approved by the competent department of forestry administration under the people's government of the relevant province, autonomous region or municipality directly under the Central Government.

Article 18 The utilization of military weapons, air guns, poison, explosives, ground guns, rifles in group, hunting devices not directly operated by man and threatening the safety of livestock or human beings, illuminated hunting at night, annihilation hunting by means of encirclement, fire attack, smoke attack and other hunting gears and methods prohibited by the stipulations of the people's government at or above the county level or its competent department of wildlife administration shall be prohibited.

Article 19 Field survey or scientific research on wildlife under special protection by the State undertaken by scientific research bodies or educational institutions shall be arranged by the competent department of forestry administration under the State Council if the wildlife species involved are those under first class protection by the State, whereas similar arrangement shall be made by the competent department of forestry administration under the people's government of the relevant province, autonomous region or municipality directly under the Central Government if the wildlife species involved are under second class protection by the State, and the local competent department of wildlife administration shall give support to such survey or research.

Article 20 Any foreigner intending to make field surveys or to collect specimens or to make film or videos of wildlife under special protection by the State in the territory of China must apply to the competent department of forestry administration under the people's government of the relevant province, autonomous region or municipality directly under the Central

第十二条 申请特许猎捕证的程序如下：

（一）需要捕捉国家一级保护野生动物的，必须附具申请人所在地和捕捉地的省、自治区、直辖市人民政府林业行政主管部门签署的意见，向国务院林业行政主管部门申请特许猎捕证；

（二）需要在本省、自治区、直辖市猎捕国家二级保护野生动物的，必须附具申请人所在地的县级人民政府野生动物行政主管部门签署的意见，向省、自治区、直辖市人民政府林业行政主管部门

Government where the relevant species of wildlife under special protection by the State exist. After such application has been examined by the above said department, it shall be submitted to and approved by the competent department of forestry administration under the State Council or by a body authorized thereby.

Article 21 Any foreigner engaging in hunting in the territory of China must observe the relevant provisions of laws and regulations of China, and hunt in the hunting sites open to foreigners that have been approved by the competent department of forestry administration under the State Council.

申请特许猎捕证：

（三）需要跨省、自治区、直辖市猎捕国家二级保护野生动物的，必须附具申请人所在地的省、自治区、直辖市人民政府林业行政主管部门签署的意见，向猎捕地的省、自治区、直辖市人民政府林业行政主管部门申请特许猎捕证。动物园需要申请捕捉国家一级保护野生动物的，在向国务院林业行政主管部门申请特许猎捕证前，须经国务院建设行政主管部门审核同意；需要申请捕捉国家二级保护野生动物的，在向申请人所在地的省、自治区、直辖市人民政府林业行政主管部门申请特许猎捕证前，须经同级政府建设行政主管部门审核同意。负责核发特许猎捕证的部门接到申请后，应当在三个月内作出批准或者不批准的决定。

Chapter IV Administration of Domestication and Breeding of Wildlife

Article 22 A domestication and breeding license is required for the domestication and breeding of wildlife under special protection by the State. Where production and economic results are the major objectives of the domestication and breeding of wildlife under special protection by the State, an application must be made to the administrative authorities for industry and commerce for record and registration by presenting the domestication and breeding licenses thereto.

The competent department of forestry administration under the State Council and the competent departments of forestry administration under the people's governments of the relevant provinces, autonomous regions or municipalities directly under the Central Government may, in light of the circumstances of the case, entrust the departments concerned at same level to approve or issue the domestication and breeding licenses of wildlife under special protection by the State. The competent department of forestry administration may entrust the competent department of construction administration at the same level to issue the domestication and breeding licenses if any zoo intends to domesticate and breed wildlife under special protection by the State.

The domestication and breeding licenses shall be made by the competent

第十三条 有下列情形之一的，不予发放特许猎捕证：

department of forestry administration under the State Council.

Article 23 With respect to the species of wildlife imported or introduced from abroad or from other provinces, autonomous regions or municipalities directly under the Central Government for the purposes of domestication and breeding, appropriate measures shall be adopted to prevent the wildlife from escaping; if it is necessary to release the species of wildlife, the unit concerned shall apply to the local competent department of forestry administration under the people's government of the relevant province, autonomous region or municipality directly under the Central Government, and such an application shall be submitted to and approved by the competent department of forestry administration under the State Council or by a department authorized thereby, after being proved by the research institute designated by the competent department of forestry administration under the people's government at or above the provincial level.

If the imported wildlife has been released without authorization or has escaped owing to improper handling, same shall be recaptured within a prescribed time limit or other remedial measures must be taken, as ordered by the competent department of wildlife administration.

Article 24 The precious and endangered species of wildlife imported from abroad may, after the examination and identification by the competent department of forestry administration under the State Council, be considered as the species of wildlife under special protection by the State. While other species of wildlife imported from abroad may, after the examination and identification by the competent department of forestry administration under the people's government of the relevant province, autonomous region or municipality directly under the Central Government, be considered as the wildlife under local special protection.

Chapter V Administration of Business Operation and Utilization of Wildlife

Article 25 Any unit purchasing wildlife of domestication and breeding under special protection by the State or the products thereof shall be proposed by the competent department of forestry administration under the people's government of the relevant province, autonomous region or municipality directly under the Central Government with consultation with the parties concerned, and approved by the people's government at the same level or the department authorized thereby, and an application, with the documents of approval attached, shall be made to the administrative authorities for industry and commerce for record and registration. No unit approved for registration according to the preceding paragraph may purchase the wildlife under special protection by the State or the products thereof that is not permitted to be sold.

（一）申请猎捕者有条件以合法的非猎捕方式获得国家重点保护野生动物的种源、产品或者达到所需目的的；

（二）猎捕申请不符合国家有关规定或者申请使用的猎捕工具、方法以及猎捕时间、地点不当的；

（三）根据野生动物资源现状不宜捕捉、猎捕的。

Article 26 Anyone engaged in the business operation or utilization of wildlife not under special protection by the State or the products thereof shall apply to the administrative authorities for industry and commerce for record and registration.

Units or individuals approved and registered to be engaged in the business operation or utilization of wildlife not under special protection by the State or the products thereof shall engage in the business operation or utilization thereof within the limitation of the annual quota approved by the competent department of forestry administration under the people's government of the relevant province, autonomous region or municipality directly under the Central Government or by a department authorized thereby.

Article 27 The sale and purchase of species of wildlife under special protection by the State or the products thereof in the market place shall be prohibited.

If any unit or individual with hunting license intends to sell the lawfully obtained wildlife not under special protection by the State or the products thereof, the sale shall be made in conformity with the species and quantity specified in the hunting license to the unit which has been approved for registration or in the market place designated by the department concerned under the local people's government.

Article 28 The competent department of wildlife administration and the administrative authorities for industry and commerce under the people's government at or above the county level shall establish a system of supervision and inspection over the business operation and utilization of wildlife or the products thereof, and to enhance the supervision and control over the business operation and utilization of wildlife or the products thereof.

Transactions of wildlife or their products inside fair markets shall be supervised and managed by the administration authorities for industry and commerce; while those outside fair markets shall be supervised and managed by the departments of wildlife administration, the administration authorities for industry and commerce or units authorized by them.

Article 29 An application shall be made to the competent department of wildlife administration under the people's government at the county level by attached with the special hunting and catching license and the domestication and breeding license, if transportation or carrying of wildlife under special protection by the State or the products thereof is to be made out of a county. The application shall be submitted to and approved by the competent department of forestry administration under the people's government of the relevant province, autonomous region or municipality directly under the Central Government or by a department authorized thereby. If the transportation of wildlife under special protection by the

第十四条 取得特许猎捕证的单位和个人，必须按照特许猎捕证规定的种类、数量、地点、期限、工具和方法进行猎捕，防止误伤野生动物或者破坏其生存环境。猎捕作业完成后，应当在十日内向猎捕地的县级人民政府野生动物行政主管部门申请查验。

县级人民政府野生动物行政主管部门对在本行政区域内猎捕国家重点保护野生动物的活动，应当进行监督检查，并及时向批准猎捕的机关报告监督检查结果。

第十五条 猎捕非国家重点保护野生动物的，必须持有狩猎证，并按照狩猎证规定的种类、数量、地点、期限、工具和方法进行猎捕。

狩猎证由省、自治区、直辖市人民政府林业行政主管部门按照国务院林业行政主管部门的规定印制，县级以上地方人民政府野生动物行政主管部门或者其授权的单位核发。

狩猎证每年验证一次。

State is necessary for the breeding of wildlife among different zoos, the application for the transportation shall be approved by the competent department of construction administration under the people's government of the relevant province, autonomous region or municipality directly under the Central Government authorized by the competent department of forestry administration at the same level.

Article 30 With respect to the export of wildlife under special protection by the State or the products thereof, and the import or export of wildlife or the products thereof which are restricted by international conventions to which China is a party, an application for examination shall be made to the competent department of forestry administration under the people's government of the relevant province, autonomous region or municipality directly under the Central Government where the unit or individual concerned is located. Such application shall be submitted to and approved by the competent department of forestry administration under the State Council or by the State Council. Where the import or export is made for trade purposes, same must be undertaken by the unit which has the right to be engaged in import and export trade. Where any zoo intends to import or export wildlife described in the preceding paragraph for the purpose of mutual exchanges, same shall be examined and approved by the competent department of construction administration under the State Council, before the application thereof has been approved by the competent department of forestry administration under the State Council or submitted to the State Council for the approval by the competent department of forestry administration under the State Council.

Article 31 The economic benefits derived from the exhibition of wildlife or the products thereof in foreign countries and from other activities shall be mainly used for the purpose of wildlife protection.

Chapter VI Awards and Penalties

Article 32 Any unit or individual that has achieved any of the following deeds shall be awarded by the people's government at or above the county level or by the competent department of wildlife administration thereunder:

(1) Where outstanding contribution has been made in the survey of wildlife resources and protection and maintenance, public education, development and utilization;

第十六条 省、自治区、直辖市人民政府林业行政主管部门，应当根据本行政区域内非国家重点保护野生动物的资源现状，确定狩猎动物种类，并实行年度猎捕量限额管理。狩猎动物种类和年度猎捕量限额，由县级人民政府野生动物行政主管部门按照保护资源、永续利用的原则提出，经省、自治区、直辖市人民政府林业行政主管部门批准，报国务院林业行政主管部门备案。

第十七条 县级以上地方各级人民政府野生动物行政主管部门应当组织狩猎者有计划地开展狩猎活动。在适合狩猎的区域建立固定狩猎场所的，必须经省、自治区、直辖市人民政府林业行政主管部门批准。

第十八条 禁止使用军用武器、汽枪、毒药、炸药、地枪、排铳、非人为直接操作并危害人畜安全的狩猎装置、

夜间照明行猎、歼灭性围猎、火攻、烟熏以及县级以上各级人民政府或者其野生动物行政主管部门规定禁止使用的其他狩猎工具和方法狩猎。

(2)Where outstanding achievements have been made in the implementation of laws and regulations on wildlife protection;

(3)Where outstanding achievements have been made in the rescue, protection, domestication and breeding of precious and endangered species of wildlife;

(4)Where any act of violation of laws and regulations on wildlife protection has been stopped in time or has been honoured for the prosecution thereof;

(5)Where outstanding contribution has been made in the handling of cases of damage to wildlife resources;

(6)Where great achievements have been made in the scientific research of wildlife or remarkable benefits have been gained in the application of the results of scientific research;

(7)Where five years or more have been worked continuously in the grass-roots unit on the protection and maintenance of wildlife and outstanding achievements have been made;

(8)Where other special contribution has been made in the protection and maintenance of wildlife.

第十九条 科研、教学单位对国家重点保护野生动物进行野外考察、科学研究，涉及国家一级保护野生动物的，由国务院林业行政主管部门统一安排；涉及国家二级保护野生动物的，由省、自治区、直辖市人民政府林业行政主管部门统一安排。当地野生动物行政主管部门应当给予支持。

第二十条 外国人在中国境内对国家重点保护野生动物进行野外考察、标本采集或者在野外拍摄电影、录像的，必须向国家重点保护野生动物所在地的省、自治区、直辖市人民政府林业行政主管部门提出申请，经其审核后，报国务院林业行政主管部门或者其授权的单位批准。

第二十一条 外国人在中国境内狩猎，必须在国务院林业行政主管部门批准的对外国人开放的狩猎场所内进行，并遵守中国有关法律、法规的规定。

第四章 野生动物驯养繁殖管理

Article 33 Illegal catching or killing of wildlife under special protection by the State shall be liable to be prosecuted in accordance with the [Supplementary Provisions on the Punishment of Crimes for Catching or Killing Precious or Endangered Species of Wildlife Under Special](#)

[Protection](#) by the State promulgated by the Standing Committee of the National People's Congress of the People's Republic of China, if the case is obviously not serious and the damage is a minor one, or the circumstances of the offence are to slight to be punished, the department of wildlife administration shall confiscate the capture quarries, hunting and catching gears and the illegal income obtained therefrom, and revoke the special hunting and catching license, besides a fine of below ten times the value of the capture quarries or, in case there is no capture quarry, a fine below 10,000 yuan (RMB) shall be imposed.

Article 34 Anyone, in violation of the provisions of the laws and regulations on wildlife protection, hunting or catching wildlife in non-hunting area or during a season closed to hunting, or using prohibited hunting gear or methods for the hunting and catching of wildlife which are not under special protection by the State, shall be imposed a fine in accordance with the provisions of [Article 32](#) of the [Law on the Protection of Wildlife](#), and the fine shall be imposed according to the following stipulations:

(1) In case there are capture quarries, a fine below eight times the value of the capture quarries shall be imposed;

(2) In case there is no capture quarry, a fine below 2,000 yuan (RMB) shall be imposed.

Article 35 Anyone, in violation of the provisions of the laws and

第二十二條 馴養繁殖国家重点保护野生动物的，应当持有驯养繁殖许可证。以生产经营为主要目的驯养繁殖国家重点保护野生动物的，必须凭驯养繁殖许可证向工商行政管理部门申请登记注册。

国务院林业行政主管部门和省、自治区、直辖市人民政府林业行政主管部门可以根据实际情况和工作需要，委托同级有关部门审批或者核发国家重点保护野生动物驯养繁殖许可证。动物园驯养繁殖国家重点保护野生动物的，林业行政主管部门可以委托同级建设行政主管部门核发驯养繁殖许可证。驯养繁殖许可证由国务院林业行政主管部门印制。

第二十三條 从国外或者外省、自治区、直辖市引进野生动物进行驯养繁殖的，应当采取适当措施，防止其逃至野外；需要将其放生于野外的，放生单位应当向所在省、自治区、直辖市人民政府林业行政主管部门提出申请，经省级以上人民政府林业行政主管部门指定的科研机构进行科学论证后，报国务院林业行政主管部门或者其授权的单位批准。

擅自将引进的野生动物放生于野外或者因管理不当使其逃至野外的，由野生动物行政主管部门责令限期捕回或者采取其他补救措施。

regulations on wildlife protection, hunting or catching wildlife which are not under the special protection by the State without a hunting license or in violation of the stipulations of the hunting license, shall be imposed a fine in accordance with provisions of [Article 33](#) of the [Law on the Protection of Wildlife](#), and the fine shall be imposed according to the following stipulations:

(1) In case there are capture quarries, a fine below five times the value of the capture quarries shall be imposed;

(2) In case there is no capture quarry, a fine below 1,000 yuan (RMB) shall be imposed.

Article 36 Anyone, in violation of the provisions of the laws and regulations on wildlife protection, destroying the main areas where wildlife under special protection by the State or local authorities lives and breeds in nature reserves or areas closed to hunting, shall be imposed a fine in accordance with the provisions of [Article 34](#) of the [Law on the Protection of Wildlife](#), and the fine shall be imposed below three times the cost for the restoration thereof.

Where the main areas in which wildlife not under special protection by the State or local authorities lives and breeds in nature reserves or areas closed to hunting are destroyed, the competent department of wildlife administration shall order to stop the destructive action and to restore these areas to their original state within a prescribed time limit, besides, a fine below two times the cost for restoration thereof shall be imposed.

Article 37 Where anyone in violation of the provisions of the laws and regulations on wildlife protection, sells, purchases, transports or carries wildlife under special protection by the State or local authorities or the products thereof, such wildlife and products and his unlawful income obtained therefrom shall be confiscated by the administrative authorities for industry and commerce or by the competent department of wildlife administration authorized thereby, and a fine below ten times the value thereof shall be imposed.

Article 38 Anyone forging, selling or transferring a hunting license or a domestication or breeding license shall be imposed a fine below 5,000

第二十四条 从国外引进的珍贵、濒危野生动物，经国务院林业行政主管部门核准，可以视为国家重点保护野生动物；从国外引进的其他野生动物，经省、自治区、直辖市人民政府林业行政主管部门核准，可以视为地方重点保护野生动物。

第五章 野生动物经营利用管理

第二十五条 收购驯养繁殖的国家重点保护野生动物或者其产品的单位，由省、自治区、直辖市人民政府林业行政主管部门商有关部门提出，经同级人民政府或者其授权的单位批准，凭批准文件向工商行政管理部门申请登记注册。依照前款规定经核准登记的单位，不得收购未经批准出售的国家重点保护野生动物或者其产品。

yuan (RMB) in accordance with the provisions of [Article 37](#) of the [Law on the Protection of Wildlife](#). Anyone forging, selling or transferring special hunting and catching license or an import or export permit shall be imposed a fine below 50,000 yuan (RMB) in accordance with the provisions of [Article 37](#) of the [Law on the Protection of Wildlife](#).

Article 39 Where anyone, in violation of the provisions of the laws and regulations on wildlife protection, domesticates or breeds wildlife under special protection by the State without domestication or breeding license or domesticates or breeds the wildlife under special protection by the State beyond those specified in the domestication or breeding license, his unlawful income shall be confiscated by the competent department of wildlife administration, and a fine below 3,000 yuan (RMB) shall be imposed; besides, the species of wildlife may be concurrently confiscated and the domestication and breeding license may be revoked.

Article 40 Where any foreigner makes surveys, collects specimens or makes films or videos of wildlife under special protection by the State in the field within the territory of China without being approved, the data of survey and shooting and the specimens collected by him shall be confiscated by the competent department of wildlife administration, and he may concurrently be imposed a fine below 50,000 yuan (RMB).

Article 41 Anyone who has committed any of the following acts being not so serious as to constitute a crime shall, in accordance with the provisions on [Penalties for Violation of Public Security Regulations](#), be punished by the public security organs:

(1)Refusing or impeding the staff of wildlife administration to carry out their duty;

(2)Stealing, robbing or intentionally damaging instruments, devices or facilities for protection of wildlife;

第二十六条 经营利用非国家重点保护野生动物或者其产品的，应当向工商行政管理部门申请登记注册。

经核准登记经营利用非国家重点保护野生动物或者其产品的单位和个人，必须在省、自治区、直辖市人民政府林业行政主管部门或者其授权单位核定的年度经营利用限额指标内，从事经营利用活动。

第二十七条 禁止在集贸市场出售、收购国家重点保护野生动物或者其产品。

持有狩猎证的单位和个人需要出售依法获得的非国家重点保护野生动物或者其产品的，应当按照狩猎证规定的种类、数量向经核准登记的单位出售，或者在当地人民政府有关部门指定的集贸市场出售。

第二十八条 县级以上各级人民政府野生动物行政主管部门和工商行政管理部门，应当对野生动物或者其产品的经营利用建立监督检查制度，加强对经营利用野生动物或者其产品的监督管理。

对进入集贸市场的野生动物或者其产品，由工商行政管理部门进行监督管理；在集贸市场以外经营野生动物或者其产品，由野生动物行政主管部门、工

商行政管理部门或者其授权的单位进行监督管理。

(3)Stealing, robbing or snatching the species of wildlife that are not under special protection by the State or the products thereof;

(4)Hunting or catching without being approved a small number of wildlife that are not under special protection by the State.

第二十九条 运输、携带国家重点保护野生动物或者其产品出县境的，应当凭特许猎捕证、驯养繁殖许可证，向县级人民政府野生动物行政主管部门提出申请，报省、自治区、直辖市人民政府林业行政主管部门或者其授权的单位批准。动物园之间因繁殖动物，需要运输国家重点保护野生动物的，可以由省、自治区、直辖市人民政府林业行政主管部门授权同级建设行政主管部门审批。

Article 42 Where anyone has violated the provisions of the laws and regulations on wildlife protection and has been ordered to recapture the wildlife or to carry out the restoration within a prescribed time limit but has failed to do so, the recapture or restoration may be carried out by the competent department of wildlife administration or the department authorized thereby, and the total cost for recapture or restoration shall be borne by the violator that has been ordered to do the recapture or restoration.

Article 43 Anyone who has violated the provisions of the laws and regulations on wildlife protection, if the case is so serious as to constitute a crime, shall be liable to be prosecuted.

第三十条 出口国家重点保护野生动物或者其产品的，以及进出口中国参加的国际公约所限制进出口的野生动物或者其产品的，必须经进出口单位或者个人所在地的省、自治区、直辖市人民政府林业行政主管部门审核，报国务院林业行政主管部门或者国务院批准；属于贸易性进出口活动的，必须由具有有关商品进出口权的单位承担。动物园因交换动物需要进出口前款所称野生动物的，国务院林业行政主管部门批准前或者国务院林业行政主管部门报请国务院批准前，应当经国务院建设行政主管部门审核同意。

Article 44 The wildlife or the products thereof confiscated in accordance with the provisions of the laws and regulations on wildlife protection shall be dealt with according to the provisions made by the competent department of forestry administration under the State Council.

Chapter VII Supplementary Provisions

Article 45 The competent department of forestry administration under the State Council shall be responsible for the interpretation of these Regulations.

Article 46 These Regulations shall come into force as of the date of promulgation.

第三十一条 利用野生动物或者其产品举办出国展览等活动的经济收益，主要用于野生动物保护事业。

第六章 奖励和惩罚

第三十二条 有下列事迹之一的单位和个人，由县级以上人民政府或者其野生动物行政主管部门给予奖励：

（一）在野生动物资源调查、保护管理、宣传教育、开发利用方面有突出贡献的；

（二）严格执行野生动物保护法规，成绩显著的；

（三）拯救、保护和驯养繁殖珍贵、濒危野生动物取得显著成效的；

（四）发现违反野生动物保护法规行为，及时制止或者检举有功的；

（五）在查处破坏野生动物资源案件中有重要贡献的；

（六）在野生动物科学研究中取得重大成果或者在应用推广科研成果中取得显著效益的；

（七）在基层从事野生动物保护管理工作五年以上并取得显著成绩的；

（八）在野生动物保护管理工作中有其他特殊贡献的。

第三十三条 非法捕杀国家重点保护野生动物的，依照[全国人民代表大会常务委员会关于惩治捕杀国家重点保护的珍贵、濒危野生动物犯罪的补充规定](#)追究刑事责任；情节显著轻微危害不大

的，或者犯罪情节轻微不需要判处刑罚的，由野生动物行政主管部门没收猎获物、猎捕工具和违法所得，吊销特许猎捕证，并处以相当于猎获物价值十倍以下的罚款，没有猎获物的处一万元以下罚款。

第三十四条 违反野生动物保护法规，在禁猎区、禁猎期或者使用禁用的工具、方法猎捕非国家重点保护野生动物，依照《野生动物保护法》第三十二条的规定处以罚款的，按照下列规定执行：

（一）有猎获物的，处以相当于猎获物价值八倍以下的罚款；

（二）没有猎获物的，处二千元以下罚款。

第三十五条 违反野生动物保护法规，未取得狩猎证或者未按照狩猎证规定猎捕非国家重点保护野生动物，依照《野生动物保护法》第三十三条的规定处以罚款的，按照下列规定执行：

（一）有猎获物的，处以相当于猎获物价值五倍以下的罚款；

（二）没有猎获物的，处一千元以下罚款。

第三十六条 违反野生动物保护法规，在自然保护区、禁猎区破坏国家或者地方重点保护野生动物主要生息繁衍场所，依照《野生动物保护法》第三十四条的规定处以罚款的，按照相当于恢复原状所需费用三倍以下的标准执行。在自然保护区、禁猎区破坏非国家或者地方重点保护野生动物主要生息繁衍场所的，由野生动物行政主管部门责令停

止破坏行为，限期恢复原状，并处以恢复原状所需费用二倍以下的罚款。

第三十七条 违反野生动物保护法规，出售、收购、运输、携带国家或者地方重点保护野生动物或者其产品的，由工商行政管理部门或者其授权的野生动物行政主管部门没收实物和违法所得，可以并处相当于实物价值十倍以下的罚款。

第三十八条 伪造、倒卖、转让狩猎证或者驯养繁殖许可证，依照 [《野生动物保护法》第三十七条](#) 的规定处以罚款的，按照五千元以下的标准执行。伪造、倒卖、转让特许猎捕证或者允许进出口证明书，依照 [《野生动物保护法》第三十七条](#) 的规定处以罚款的，按照五万元以下的标准执行。

第三十九条 违反野生动物保护法规，未取得驯养繁殖许可证或者超越驯养繁殖许可证规定范围驯养繁殖国家重点保护野生动物的，由野生动物行政主管部门没收违法所得，处三千元以下罚款，可以并处没收野生动物、吊销驯养繁殖许可证。

第四十条 外国人未经批准在中国境内对国家重点保护野生动物进行野外考察、标本采集或者在野外拍摄电影、录像的，由野生动物行政主管部门没收考察、拍摄的资料以及所获标本，可以并处五万元以下罚款。

第四十一条 有下列行为之一，尚不构成犯罪的，由公安机关依照 [《中华](#)

[《中华人民共和国治安管理处罚条例》](#)的规定处罚：

（一）拒绝、阻碍野生动物行政管理人员依法执行职务的；

（二）偷窃、哄抢或者故意损坏野生动物保护仪器设备或者设施的；

（三）偷窃、哄抢、抢夺非国家重点保护野生动物或者其产品的；

（四）未经批准猎捕少量非国家重点保护野生动物的。

第四十二条 违反野生动物保护法规，被责令限期捕回而不捕的，被责令限期恢复原状而不恢复的，野生动物行政主管部门或者其授权的单位可以代为捕回或者恢复原状，由被责令限期捕回者或者被责令限期恢复原状者承担全部捕回或者恢复原状所需的费用。

第四十三条 违反野生动物保护法规，构成犯罪的，依法追究刑事责任。

第四十四条 依照野生动物保护法规没收的实物，按照国务院林业行政主管部门的规定处理。

第七章 附则

第四十五条 本条例由国务院林业行政主管部门负责解释。

第四十六条 本条例自发布之日起

施行。

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database@chinalawinfo.com
