



ANNEX: TABLE OF RELEVANT LAWS IN CHINA

	Date	Title	Summary	Source
1.	Mar. 1, 1989 (amended 2004)	Law of the People's Republic of China on the Protection of Wildlife	The Law regulates activities concerning the “protection, domestication, breeding, development and utilization of species of wildlife” (Article 2). Article 4 provides the policy of the State which is to <i>inter alia</i> , pursue active domestication and breeding of wildlife and rationally developing and utilizing wildlife resources. Article 17 specifically provides that the State shall “encourage the domestication and breeding of wildlife” and that “anyone who intends to domesticate and breed wildlife under special state protection shall obtain a license.” Article 22 provides that “[u]nits and individuals that domesticate and breed wildlife under special state protection may, by presenting their domestication and breeding licenses, sell wildlife under special state protection or the products thereof, in accordance with the relevant regulations, to purchasing units designated by the government.”	http://www.forestry.gov.cn/portal/slga/s/2569/content-467595.html
2.	Mar. 1, 1992	Regulations for the Implementation of the People's Republic of China on the Protection of Terrestrial Wildlife	The regulations provide the procedures and rules concerning domestication and breeding operations. A domestication and breeding license is required for the domestication and breeding of wildlife under special protection by the State (Article 22). Captive-bred wildlife or the products thereof can be purchased by “units” proposed by the SFA.	http://www.forestry.gov.cn/portal/wlmq/s/3579/content-565450.html
3.	May 29, 1993	State Council Circular Concerning the Ban on Trade in Rhinoceros Horns and Tiger Bones	Forbids all trade of tiger bone and rhino horn, including selling, buying, and transport. Products produced before the ban went into effect are also required to be sealed and banned from trade.	http://www.china.com.cn/chinese/zhuanti/chunlei/313829.htm

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				http://www.asianlii.org/cn/legis/cen/laws/cotscobttorhatb696/
4.	Nov. 25, 1993	Ministry of Health directive on the implementation of the 1993 State Council ban.	Provides details on implementation of the State Council ban such as changing the name of products containing the words 'rhino horn' and 'tiger bone'.	http://law.people.com.cn/showdetail.action?id=2569859
5.	Jan.2, 2003	Forestry Protection Notice [2003] no 3 by the State Forestry Administration, State Administration of Industries and Commerce launching a "pilot marking scheme" applying to the enterprises utilising wildlife and its products.	<p>This notice establishes a 'pilot marking' scheme for utilisation of wildlife products. Such "markings" are given to approved enterprises and/or their wildlife products, which will then be allowed for transportation and trade. Under this pilot scheme, the following circulars/notices have been issued:</p> <ul style="list-style-type: none"> • 10 more notices were issued under the same scheme during 2003 - January 2013, expanding the list of "pilot" entities with the marking from the initial 3 to over 400. • From May 1, 2004, ivory production and retail outlets are included under the scheme, only outlets with the special mark can legally operate. • From January 1, 2005, the scheme starts to include production and individual possession of taxidermy. Xionsen's "bone strengthening wines" are granted a marking. • From July 1, 2005, the scheme starts to include processing and trade of pelt products made of nationally protected species. • From January 1, 2006, the scheme starts to include production and trade of traditional Chinese medicine containing leopard bones, as well as certain species of living captive bred animals, including tigers and leopards. • From January 1 2008, the scheme starts to include tiger skins, leopard skins and their products; Siberian Tiger Park's "bone-strengthening wines" are granted a marking. 	http://www.forestry.gov.cn/portal/main/govfile/13/govfile_1076.html http://www.forestry.gov.cn/portal/main/govfile/13/govfile_1077.html http://www.forestry.gov.cn/portal/main/govfile/13/govfile_1081.html http://www.forestry.gov.cn/portal/main/govfile/13/govfile_1082.html http://www.forestry.gov.cn/portal/main/govfile/13/govfile_1103.html http://www.forestry.gov.cn/portal/main/govfile/13/govfile_1104.html http://www.forestry.gov.cn/portal/main/govfile/13/govfile_1102.html http://www.forestry.gov.cn/portal/main/govfile/13/govfile_1694.html http://www.forestry.gov.cn/portal/main/govfile/13/govfile_1787.htm http://www.forestry.gov.cn/portal/main/govfile/13/govfile_1893.htm

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6.	2005	Forestry Protection [2005] no 139 by State Forestry Administration, Department of Health, State Administration of Industry and Commerce, State Food and Drug Administration Inspection Bureau, State Administration of Traditional Chinese Medicine Management Bureau concerning a pilot project to enable the use of captive-bred tiger bone in medicine and the gradual reduction of use of leopard bones.	N/A [Note: While EIA has not been able to access this notification, its title indicates that it concerns “a pilot project to enable the use of captive-bred tiger bone in medicine”.]	Document not available. Citation found here: <ul style="list-style-type: none"> • http://lhsr.sh.gov.cn/Front/BanshiDT/index.html?par1=3&par2=295&applyType=0285&businessFlag=2 • public.tzhospital.com/dagl/2005年文书档案.xls • http://www.2003doc.com/excel/22460.html • http://www.gsj-kf.gov.cn/index.aspx?menuid=4&type=articleinfo&lanmuid=146&infoid=1075&language=cn
7.	Mar. 21, 2006	State Food and Drug Administration notice [2006] no 118: Notice on matters concerning the use of leopard bones	States that since January 1, 2006 the hunting of wild leopards and purchase of leopard bones have been prohibited, however it is permissible to use up the existing inventory of leopard bones. Externally applied medicine containing leopard bones are no longer permitted; however orally administered medicines containing leopard bones are still permitted subject to registration with authorities and audits by the State Pharmacopoeia Commission.	http://former.sfda.gov.cn/cmsweb/webportal/W945325/A64008195.html
8.	Sept. 1, 2006	Regulation on the administration of the import and export of endangered wild animals and plants	Regulations adopted at the 131st executive meeting of the State Council on April 12, 2006 which came into force on September 1, 2006. The regulations describe the rules and procedures concerning import and export of endangered wild fauna and flora and compliance with CITES.	http://www.gov.cn/filfg/2006-05/17/content_283018.htm
9.	Sept. 29, 2007	2007 Notice No. 206 issued by State Forestry Administration and State Ethnic Affairs Commission regarding registration and trade of	Notice requests “investigation, verification and registration” of the origin of tiger and leopard pelts and the products thereof. It defines “legal origin” as “owned prior to the implementation of Wildlife Protection Law of China, legally bred, or sourced via other	http://www.forestry.gov.cn/portal/main/govfile/13/govfile_1092.html

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		tiger and leopard pelts and products thereof.	legal means". It also introduces tiger and leopard pelts and the products thereof to the "Wildlife Management and Utilization Marking Scheme" (launched in 2003). From January 1 2008, those registered to be from legal origin are allowed to apply for a "marking" to enter trade.	
10.	Dec. 25, 2009	State Forestry Notice 2009 no 298: Notice to strengthen the protection and management of wild tigers through stringent combating smuggling and illegal trade in tiger products	Recognizes the need for increasing the population of wild tigers and protecting their habitats; calls for stringent targeting of smuggling of and illegal trade in tiger products and regulation of the tiger domestication and breeding activities. The notice states that facilities must have a comprehensive record system of tracking all dead tigers. Tiger parts that have been separated into bones and skins have to be sealed and stored as per the 1993 ban to prevent any unauthorised use.	http://bhs.forestry.gov.cn/portal/main/govfile/13/govfile_1719.htm
11.	Dec. 26, 2010	Housing and Urban-Rural Development Department's opinion 2010 no 172: Regarding strengthening zoo management	The notice prohibits using animals for performance and states that illegal sales of wild animal products in zoos and parks are prohibited.	http://news.qq.com/a/20101027/000514.htm
12.	Jan. 6, 2012	Emergency notice issued by China Auction Association: Prohibition of the illegal auction of rhino horn, tiger bones and elephant ivory	Reminded auction houses of laws prohibiting the sale, purchase, transportation, postage, import and export of rhinoceros horns and tiger bones, unless with the prior approval by authorities.	http://www.forestry.gov.cn/portal/zrbh/s/1492/content-521905.html
13.		Approval Guideline for the Sale, Purchase and Utilization of Terrestrial Wildlife under First Class Protection or the Products Derived thereof	Describes the application and approval procedures for sale, purchase and utilization of terrestrial wildlife under special State protection (including tigers). An application is required to be submitted to the provincial SFA for preliminary examination however the final approval will be issued by the SFA at the central level (Articles 6 and 7). The entire review and approval procedure is expected to be completed within 20 work days and may be extended by another 10 work days under exceptional circumstances. The guidelines describe the documents that are	http://www.forestry.gov.cn/XxgkQuickPathPortalAction.do?dispatch=getWorkDetail&scope=bszn&serverid=20

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			required to be submitted in the application (Article 4).	



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