

State Council Notification regarding strict control of management and utilisation of rhinoceroses, tigers and the products thereof

Notification No. 36 (2018)

The People's Government of each province, autonomous region and municipality; ministries and commissions and all subordinate institutions under the State Council:

Rhinoceroses and tigers are rare and endangered wild animals which receive a great deal of attention in China and abroad. In accordance with legislation such as the Wildlife Protection Law of the People's Republic of China, and the provisions of international conventions such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora, and in order to strengthen protection of rhinoceroses and tigers, robustly crack down on illegal trade of rhinoceroses, tigers and the products thereof, and to strictly control the trade in and utilisation of rhinoceroses, tigers and the products thereof, are hereby notified of the following relevant matters:

- 1) The sale, purchase, utilisation, import and export of rhinoceroses, tigers and the products thereof (including whole specimens, parts and derivatives, similarly hereinafter) are strictly prohibited, except in special circumstances stipulated by the law. All products which claim to contain rhinoceros, tiger or the products thereof on their packaging or labels shall be treated as rhinoceros or tiger products.
- 2) Effectively strengthen supervision of rhinoceroses, tigers and the products thereof in special circumstances. Where the sale, purchase, utilisation, import or export of rhinoceroses, tigers and the products thereof [is necessary] due to special circumstances, in all cases administrative permits shall be applied for in accordance with the law, which shall be implemented after approval. In some special circumstances, strict control of quantities is required and the following requirements shall be met:
 - i) The sale, purchase, utilisation, import or export of rhinoceroses, tigers and the products thereof to conduct scientific research (including collection of genetic resources), and collection of rhinoceroses and tiger samples for resource surveys, shall require evaluation from permitting bodies, and following approval shall be carried out in strict accordance with the declared plan, with any other use strictly prohibited.
 - ii) The sale, purchase, utilisation, import and export of rhinoceros and tiger skins or other tissues and organs for production of taxidermy shall be restricted to the purposes of public exhibition at relevant institutions, such as for publicising conservation and scientific education.
 - iii) Where use of rhinoceros horn or tiger bone is necessary for medical research or clinical treatment of critical, acute or complex illnesses, this shall be restricted to ground rhinoceros horn and the bones of tigers which have died naturally, derived from captive-bred rhinoceroses and tigers, other than those kept and bred at zoos, by eligible prescribing physicians at eligible hospitals. Eligible hospitals and physicians shall be

determined by the State Administration of Traditional Chinese Medicine. measures relating to quantities, methods of supply and management of labelling shall be researched and formulated by the National Forestry and Grasslands Administration along with the Ministry of Industry and Information Technology and State Administration of Traditional Chinese Medicine, in order to strictly prevent misuse.

- iv) The sale, purchase, import or export of rhinoceros and tiger products which are cultural artefacts, along with temporary import of rhinoceros or tiger products for cultural exchange, shall be carried out with the approval of the Ministry of Culture and Tourism and the National Cultural Heritage Administration, according to their respective professional duties, and shall be restricted to activities for the purposes of cultural artefact preservation, public exhibition and cultural exchange. Trade through physical markets or online shall be prohibited. In addition, where it is necessary to conduct testing and appraisal of rhinoceroses, tigers and the products thereof for law enforcement or judicial work, which do not fall under permitting mechanisms, certification must be issued by law enforcement or judicial agencies, and shall be carried out at specialist testing and appraisal institutions.
- 3) Appropriately manage rhinoceros and tiger products held in stockpiles or in personal collections. Continue the work of inventorying and recording rhinoceros and tiger products held in stockpiles or personal collections, and confiscating in accordance with the law rhinoceros and tiger products of illegal origin; strictly carry out the duties of sealing up and safeguarding rhinoceros and tiger products of legal origin, to prevent any loss; having affixed special markings in accordance with regulations, rhinoceros and tiger products of legal origin in personal collections may be gifted or inherited, but may not be sold, purchased or used for any commercial purpose. If an institution with items in stockpiles needs to change the location of the stock or seeks to voluntarily destroy the rhinoceros and tiger products in their possession, they shall inform the department of wildlife protection at the provincial level in advance, and this shall be carried out under their on-site supervision; materials such as images and text records shall be retained for future reference.
- 4) Strictly crack down on illegal trade of rhinoceroses, tigers and the products thereof. Proactively realise the mechanisms of the Inter-Ministerial Joint Conference on Combating Illegal Wildlife Trade, and prioritise investigation and handling of illegal sale, purchase, utilisation, import, export, transport, carrying and mailing of rhinoceroses, tigers and the products thereof. Each law enforcement agency shall, while clearly dividing professional duties, strictly inspect administrative permit documents, import and export certificates and special markings relating to the legal sale, purchase, utilisation, import or export of rhinoceroses, tigers and the products thereof; shall intensify law enforcement and inspection of markets, the internet and ports, to intercept illegal trade channels; and shall especially prioritise investigation of illegal production of

tiger skin apparel and tiger meat foodstuffs and use of rhinoceros horn or tiger bone in medicine, to track down criminal sources and chains, and destroy crime hubs and networks.

- 5) Conscientiously strengthen awareness and education of rhinoceros and tiger conservation. Strengthen awareness raising of conservation and public education, vigorously advocate for the concept of ecological civilization, and guide the public in consciously rejecting illegal purchase and illegal transport, carrying or mailing into the country of rhinoceroses, tigers and the products thereof, building a positive social environment beneficial to the conservation of rhinoceros and tigers.

This notification is in effect from the date of publication. The "State Council Notification on Prohibition of Trade in Rhinoceros Horn and Tiger Bone" is simultaneously repealed. If any previous relevant regulations are inconsistent with this notification, this notification shall prevail.

State Council

6 October 2018