


Content

Title :	Act on Wildlife Conservation 
Date :	2013.01.23
Legislative :	<p>1.The 45 articles are promulgated by the President on June 23, 1989 by the Order of (78) Hua-Tsung-(1)-Yi-Tze-No.3266</p> <p>2.The 87 articles are amended and promulgated by the President on October 29, 1994 by the Order of (83) Hua-Tsung-(1)-Yi-Tze-No.6525.</p> <p>3.Article 2 is amended and promulgated by the President on April 24, 2002 by the Order of Hua-Tsung-1-Yi-Tze-No.09100075690.</p> <p>4.Article 21-1, 51-1 added. Article 21,22 amended and promulgated by the President on February 4, 2004 by the Order of Hua-Tsung-1-Yi-Tze-No.09300116551.</p> <p>5.Article 40,41,57 amended and promulgated by the President on July 1, 2006 by the Order of Hua-Tsung-1-Yi-Tze-No.0950075891.</p> <p>6.Article 21,24,25,51 amended and promulgated by the President on July 11, 2007 by the Order of Hua-Tsung-1-Yi-Tze-No.09600088041.</p> <p>7.Article 35,40 amended and promulgated by the President on July 8, 2009 by the Order of Hua-Tsung-1-Yi-Tze-No.09800166561.</p> <p>8.Article 24,36 amended and promulgated by the President on January 23, 2013 by the Order of Hua-Tsung-1-Yi-Tze-No.09600088041.</p> <p>The Executive Yuan issued Order No. Tai-Guei-1070172574, dated April 27, 2008, to declare that the matters subject to the jurisdiction of the Council of Agriculture, Executive Yuan, as set forth in Article 2, Article 4 Paragraph 2, Article 5 to 9, Article 10 Paragraph 2, 3 and 4, Article 11, Article 12 Paragraph 1,2,4,5, Article 13 to 15, Article 17 Paragraph 2,3, Article 18 Paragraph 1, Section 2, Paragraph 2,3, Article 19 Paragraph 1, section 7, Paragraph 2, Article 20, Article 21 Paragraph 1, Section 6, Paragraph 2, Article 21-1 Paragraph 2, Article 22 Paragraph 2, 3, Article 23,Article 24 Paragraph 1,3,6, Article 25 to 28, Article 31 to 35, Article 36 Paragraph 2, Article 38, Article 40, Article 41 Paragraph 1 Section 2, Article 42 Paragraph 1 Section 2, Article 50 Paragraph 1 Section 3, Article 51 Paragraph 3, 7, Article 51-1, Article 52 Paragraph 3,4, Article 53, Article 55, Article 56 shall be subject to the jurisdiction of Ocean Affairs Council as of April 28, 2008.</p> <p>The Executive Yuan issued Order No. Tai-Guei-1125014346, dated July 27, 2023, to declare that the matters subject to the jurisdiction of the Council of Agriculture, Executive Yuan, as set forth in Article 2, Article 4 Paragraph 2, Article 5 to 9, Article 10 Paragraph 2 to 4, Article 11 to 15, Article 17 Paragraph 2, 3, Article 18 Paragraph 1 Section 2, Paragraph 2,3, Article 19 Paragraph 1 Section 7, Paragraph 2, Article 20, Article 21 Paragraph 1, Section 6, Paragraph 2, Article 21-1 Paragraph 2, Article 22 Paragraph 2, 3, Article 23, Article 24 Paragraph 1, Article 25 to 28, Article 31 to 35, Article 36 Paragraph 2, Article 37, Article 38, Article 40 Section 1,2, Article 41 Paragraph 1 Section 2, Article 42 Paragraph 1 Section 2, Article 50 Paragraph 1 Section 3, Article 51 Section 3,7, Article 51-1, Article 52 Paragraph 3,4 Article 53, Article 55, Article 56 shall be subject to the jurisdiction of Ministry of Agriculture as of August 1, 2023.</p> <p>Article 29 and 30, the matters subject to the jurisdiction of Animal and Plant Health Inspection, shall be subject to the</p>

Content : CHAPTER 1: GENERAL PRINCIPLES

Article 1

This act is enacted to conserve wildlife, protect species diversity and maintain the balance of natural ecosystems. Any matters not covered by this Act shall be governed by other applicable legislation.

Article 2

Competent authorities as referred to in this Act: At the central government level: the Council of Agriculture, Executive Yuan, hereinafter referred to as the Central Competent Authority (CCA); at the special municipal level: the government of the special municipality; and at the county/city level: the government of the county/city.

Article 3

The terms used in the Act are defined as follows:Definition of terms:

- 1.Wildlife: in common circumstances, any animal living in a natural habitat, including mammals, birds, reptiles, amphibians, fish, insects and other kinds of animals;
- 2.Population size: the number of the same species of wildlife living in a particular space at a particular time;
- 3.Endangered Species: those wildlife species whose population size is at or below a critical level so that their survival is in jeopardy;
- 4.Rare and Valuable Species: endemic species or those species with a very low total population size;
- 5.Other Conservation-Deserving Wildlife: species which do not necessarily have a very low total population size, but their survival remains in jeopardy;
- 6.Wildlife products: animal carcasses, bones, horns, teeth, skin, hair, eggs, or internal organs in whole, partial or processed form;
- 7.Habitat: the natural living environment necessary for the survival of plants and animals;
- 8.Conservation: any protection, restoration or management of wildlife based on the principles of species diversity and natural ecological balance;
- 9.Utilization: the use of wildlife for cultural, educational, academic, or economic benefit in such a way or form scientifically determined not to be detrimental to the natural ecological balance;
- 10.Disturbance: any behavior involving the use of drugs, tools, or any other means so as to interfere with wildlife;
- 11.Abuse: the use of violence, unsuitable drugs or other methods to harm wildlife so they cannot maintain their normal physiological condition;
- 12.Hunting: the use of drugs, hunting devices, or other tools or methods to catch or kill wildlife;
- 13.Processing: the use of wildlife carcasses, bones, horns, teeth, skins, hair, eggs, or organs in their whole or partial form as or to make other products;
- 14.Display: placement of wildlife or wildlife products in public reas for people to view.

Article 4

Wildlife shall be classified in two categories:

- 1.Protected Species: Endangered Species, Rare and Valuable Species, and Other Conservation-Deserving Wildlife;

2.General Wildlife: all other wildlife not included in the previous category.

The Wildlife Conservation Advisory Committee is responsible for the determination of wildlife which belong in the first category. The CCA is responsible for compilation and announcement of the Schedule of Protected Species.

Article 5

The CCA shall establish a Wildlife Conservation Advisory Committee to assist with wildlife conservation.

Members of the advisory committee will not be paid. The regulations of establishing the committee will be prescribed by the CCA. Academic experts, private conservation organization members, indigenous people, and other non-governmental representatives should comprise not less than two-thirds of the total committee membership.

Article 6

To strengthen wildlife conservation, the CCA shall establish a Wildlife Research Institute. The CCA may also invite academic institutions or private organizations to conduct wildlife surveys, studies, conservation, utilization, education, promotion, and other matters.

Article 7

To bring together society's resources to help conserve wildlife, the CCA may establish a conservation donation account and accept private or artificial person donations. In addition, the CCA may issue wildlife conservation stamps.

The CCA shall determine the establishment of the donation account, the usage of the name and logo of the conservation stamps, and their management and issue regulation.

CHAPTER 2: CONSERVATION OF WILDLIFE

Article 8

Any construction and land use in Major Wildlife Habitats should be carried out in ways and areas which least affects the habitat, and the original ecological functions of the habitat should not be harmed. If necessary, the Authorities shall ask the owners, users, or occupants of a land use project to conduct an Environmental Impact Assessment.

Any farming, forestry, fishery, or animal husbandry development or utilization; mine exploration, sand and gravel excavation or related works and facilities; repair or construction of railroads, highway or other roads; construction; establishment of parks or cemeteries; utilization of land for recreation, sporting or forest recreation areas, waste disposal or other utilization of Major Wildlife Habitats may begin only after application to the proper local authorities and after approval by the CCA. Only then can an application for such development be made to the relevant competent authorities.

Existing facilities, land utilization, or development activities have a significant impact on the wildlife in the area, the CCA may require the relevant person or target competent authority to put forth a plan for improvements within a certain time limit. The type and area of the Major Wildlife Habitats referred to in the preceding Paragraph shall be prescribed and announced by the CCA, as shall any changes in designation.

Article 9

If land use proceeds before the Environmental Impact Assessment referred to in Article 8, Paragraph 1, the Authorities shall inform and consult immediately with other appropriate competent authority to halt the project.

If destruction of the wildlife habitat has taken place, the Authorities shall request the responsible parties to put forward a rehabilitation plan within a certain time limit and should monitor this process. If the responsible parties do not put forward a rehabilitation plan, or in case of emergency, the Authorities may require that any resultant costs of necessary rehabilitation procedures be borne by the responsible parties.

Article 10

Local authorities may establish Wildlife Refuges for Major Wildlife Habitats with special conservation needs, as well as formulate and carry out conservation plans in those areas. If necessary, they may commission other agencies or organizations to carry out the plans. Establishment of a Wildlife Refuge, its modification or elimination shall be prescribed and announced by the CCA after an on-site public hearing on the plan is held and the opinions of local residents have been heard and approval from the Wildlife Conservation Advisory Committee.

In emergency or necessary situations, the CCA may, with the approval of the Wildlife Conservation Advisory Committee, designate or modify Wildlife Refuges.

In the conservation plan for the Wildlife Refuge, the Authorities may announce restrictive measures regarding the following behaviors:

1. Disturbance, abuse, hunting, or killing of General Wildlife, etc.
2. Collection or cutting of plants, etc.
3. Pollution or destruction of the environment, etc.
4. Other prohibited or approved actions, etc.

Article 11

Upon announcement of the establishment of a Wildlife Refuge, land inside its boundaries may be purchased, expropriated, or allocated by the Authorities according to the law, and subsequently managed by them.

For land not purchased, expropriated, or allocated by the Authorities, the owner, user or occupant shall provide a suitable habitat for wildlife according to stipulations announced by the Authorities. Before the Authorities announce the stipulations, if the land in question is used or profited from in a way that is found to harm wildlife conservation, they may order the modification or elimination of such behavior. Important national construction works are exempt from the stipulations if they are based on the principle of not affecting the survival of wildlife and have received the approval of the Wildlife Conservation Advisory Committee and the CCA.

The Authorities shall compensate the owner or user of the land for any losses resulting from the preceding Paragraph.

Article 12

To carry out wildlife resource inventories or conservation planning, the Authorities or commissioned organizations may dispatch people with proper identification into public and private areas for investigation and application of conservation measures. The owners, users, or managers of the public or private land shall not evade, refuse, or obstruct, except when involving possible military secrets, then the investigation shall be

carried out with the accompaniment of military authorities. If the investigation runs into any obstructions, or before the application of conservation measures, the Authorities shall first inform the public or private owner, user, or manager of the land. If there is no way of passing on the information, the Authorities may use a public announcement. Authorities, commission organizations, or personnel shall keep any industrial or military secrets may have come across in the course of the investigation. To carry out the investigation or conservation measures detailed in Paragraph 1, the owners or users of the public or private land shall be compensated for any losses. The amount of compensation shall be decided by negotiation. If negotiations fail, the Authority shall ask higher-level Authorities to set the amount. The regulation mentioned in the preceding Paragraph for carrying out investigations or conservation measures shall be prescribed by the CCA.

Article 13

In areas which have received utilization approval under Article 8, Paragraph 2, but still experience damage to wildlife habitats, the Authorities shall order the developer to put forth a plan for rehabilitation within a certain time limit and monitor this process. If the damage occurs in areas where utilization approval was not granted, in addition to measures in the above paragraph, the Authorities may use emergency methods, which are to be paid for by the party responsible for the damage.

Article 14

Lost or wild animals which are not endemic to Taiwan may be dealt with by the Authorities if found to be damaging Taiwan's plant or animal habitats. The CCA shall determine which animals are not endemic to Taiwan.

Article 15

Protected Wildlife which has no owner or is vagrant, or Protected Wildlife products which are ownerless shall be dealt with by the Authorities. The Authorities may commission a related agency or organization to take in, temporarily care for, administer first-aid to, protect or destroy the animals or products.

Article 16

Protected Wildlife shall not be disturbed, abused, hunted, killed, traded, exhibited, displayed, owned, imported, exported, raised, or bred, unless under special circumstances recognized in this Act or other related regulations. Protected Wildlife products shall not be traded, exhibited, displayed, owned, imported, exported or processed, unless under special circumstances recognized in this Act or other related regulations.

Article 17

With the exception of academic research or educational purposes, hunting of General Wildlife, including mammals, birds, reptiles, and amphibians, shall be conducted in areas designated by the local authorities and only after obtaining the proper permit issued by local authorities or contracted organizations or groups.

The local authorities shall design a system for the designation, modification, elimination, and control measures of hunting areas and species as mentioned in the preceding Paragraph and shall submit this plan to the CCA for final approval, after which it shall be announced publicly.

The permit mentioned in Paragraph 1 may charge the application fee.

Application process and other related matters shall be prescribed by the CCA.

Article 18

Protected Wildlife should be conserved and shall not be disturbed, abused, hunted, killed or otherwise utilized, except in the following cases:

1. When population size exceeds the carrying capacity of the area; or

2. for academic research or educational purposes and with proper approval of the CCA.

The first case for utilization listed above shall be approved by the local authorities and the species, location and range, as well as utilization number, season and method shall be announced by the CCA.

The application process, fee, and other related matters shall be set by the CCA.

Article 19

Hunting shall not be undertaken by the following methods:

1. Use of dynamite or explosives;

2. Use of poisons;

3. Use of electricity, narcotics, or other paralysis methods;

4. Use of nets set up on land;

5. Use of firearms other than an authorized hunting guns;

6. Use of traps, snares, or other hunting devices; and

7. Use of other prohibited items or methods announced by the Authorities.

The Authorities may tear down or destroy any unapproved nets, snares, traps, or other hunting devices. The owners, users, or managers of the land on which such devices are located shall not evade, refuse, or obstruct such actions.

Article 20

Those parties who wish to hunt General Wildlife or fish within the areas defined

in Article 17 shall register with the commissioned management organization or group when entering the area and shall always carry their permit. Upon exiting, the hunters shall report the species and number hunted and pay a corresponding fee.

The fees shall be prescribed by the CCA.

Article 21

Wildlife may be hunted or killed under one of the following circumstances, regardless of Article 17, Paragraph 1; Article 18, Paragraph 1; and Article 19, Paragraph 1; however, any such action taken against Protected Wildlife shall be first reported to the Authorities for handling, except in the case of emergency:

1. Danger to public safety or human life;

2. Damage to crops, poultry, livestock, or aquaculture;

3. Being a disease vector of zoonoses or other pathogens;

4. Danger to the safety of air transportation;

5. (Deleted)

6. Other reasons approved by the Authorities.

When Protected Wildlife causes damage to crops, poultry, livestock, or aquaculture, and prior reporting to the Authorities for handling has not been made in case of emergency, Protected Wildlife may be hunted or killed using humane methods approved by the Authorities to prevent above-mentioned damage.

Article 21-1

Wildlife may be hunted or killed for traditional cultural or ritual hunting, killing, or utilization needs of indigenous people, regardless of Article 17, Paragraph 1; Article 18, Paragraph 1; and Article 19, Paragraph 1.

Hunting, killing, or utilizing wildlife in the condition listed in the preceding Paragraph shall be approved by Authorities. The application process, hunting method, hunted species, bag limit, hunting season, location, and other regulations shall be prescribed by the CCA in conjunction with the national indigenous people's authority.

Article 22

A Conservation Police Force shall be established to help conserve wildlife.

Authorities or commissioned organizations or groups may use wildlife conservation or investigation personnel to conduct investigations, crackdowns, or other conservation work in Wildlife Refuges. If necessary, local police may be requested to assist in the conservation work.

Authorities may give awards to law enforcement official, the common people, or organizations that actively participate or assist authorities to crack down outlaw activities or report an offence to the authorities. The awards-related regulation shall be prescribed by the Authorities.

Article 23

The Authorities may assist or encourage any non-government organization or individual to join or attend international wildlife conservation meetings or other related activities.

CHAPTER 3: IMPORT AND EXPORT OF WILDLIFE

Article 24

Live wild animals and products made from Protected Wildlife may not be imported or exported without prior approval from the CCA. The import or export of live specimens of Protected Wildlife is limited to academic research institutes, colleges or universities, public or government licensed private zoos for education or academic research.

Live marine mammalian wildlife or products thereof may not be imported or exported without prior approval from the CCA.

The import or export of live marine mammalian wildlife or products thereof is limited to those hunted by indigenous people for their subsistence within their traditional territories from the country of origin.

To import live marine mammalian wildlife or products thereof, a relevant certificate, mentioned in the preceding Paragraph, must be submitted.

The management and penal provisions of this Act shall apply to the import, export, trade, display, or exhibit of live General marine mammalian wildlife or products thereof that unauthorized by the CCA. The subject live specimens or products may be confiscated.

Article 25

Academic research institutes, colleges and universities, public or licensed private zoos, museums, or other wildlife exhibits shall receive the approval of the CCA for import or export of Protected Wildlife or their products.

Article 26

The CCA may ask trade authorities to announce for cultural, hygiene, ecological protection or policy reasons of wildlife or wildlife products which are forbidden from import or export under the Foreign Trade Act.

Article 27

In the case of exotic wildlife which is not endemic to Taiwan imported for the first time, the applicant shall provide the CCA with all relevant information concerning that species and an Impact Assessment Report to address that animal's effect upon native fauna and flora. Such wildlife may be imported only after the approval of the CCA. The special municipal city or county (city) competent authorities of the areas where the wildlife mentioned in the preceding Paragraph is located shall investigate and monitor these the imported wildlife regularly. If it is found that their importation has had an impact on the habitat of native fauna or flora, the competent authorities shall order the owners or users to put forth a plan for prevention or rehabilitation within a certain time limit and shall monitor this process. In addition, the situation shall be referred to the CCA for handling.

Article 28

Any academic research institute which cooperates with a foreign research institute and uses Protected Wildlife or their products for research, exchange, donation, or display shall submit a report to the CCA within one year of import or export of the Protected Wildlife or their products.

Article 29

The import or export of wildlife or wildlife products shall be inspected by Customs and they must match their customs declaration, and shall be inspected and quarantined according to inspection and quarantine regulations by inspection or quarantine authorities or their commissioned organizations.

Article 30

Wildlife epidemic disease prevention and follow-up examinations shall be conducted by plant and animal epidemic disease authorities and according to relevant legislation.

CHAPTER 4 MANAGEMENT OF WILDLIFE

Article 31

Before the CCA announcement, all persons engaged in raising or breeding Protected Wildlife or exotic wildlife dangerous to the environment, people or animals, or those possessing Protected Wildlife products as determined by the CCA's Schedule of Protected Wildlife shall fill out a data card to their special municipal or county (city) competent authorities within a certain time limit for future reference. Any changes in status shall be updated registered in a similar manner.

After the CCA announcement, those who have legally imported, received through transfer or other legal means of any of the wildlife or wildlife products mentioned in the preceding

Paragraph, shall take their documents to special municipal or county (city) competent authorities to register within a certain time limit for future reference. Any changes in status shall also be registered in a similar manner.

Those who have registered according to the preceding 2

Paragraphs may be allowed to continue to raise or hold their wildlife or wildlife products, but no breeding shall be allowed except for academic research or educational purposes and with the approval of the Authorities.

Those who are engaged in raising or breeding any of the wildlife listed in Paragraph 1 before promulgation of these amendments shall be assisted by the Authorities to cease raising or breeding the animals and change occupations within three years of the date of promulgation. If necessary, the animals may be purchased by the Authorities.

The purchased wildlife shall be treated in an appropriate and safe manner and may be sent to domestic or foreign educational or academic institutes and zoos or taken in and cared for by an organization considered appropriate by the Authorities and commissioned by them.

If necessary, the Authorities, or a commissioned organization or group, may mark the wildlife or wildlife products listed in Paragraphs 1 and 2. In addition, they may conduct regular or random inspections.

The owner or keeper shall not evade, refuse, or obstruct such inspections.

The CCA is responsible for announcing the wildlife or wildlife products which shall be marked as mentioned in the preceding Paragraph.

Article 32

Wildlife kept in captivity may not be released without the approval of the Authorities.

A list of species mentioned in the preceding Paragraph shall be announced by the CCA.

Article 33

The Authorities may dispatch a representative to examine raised or bred Protected Wildlife or dangerous wildlife. The owner or keeper of the wildlife shall not evade, refuse, or obstruct the investigation.

Article 34

Raising or breeding of Protected Wildlife or dangerous wildlife shall be cared for with appropriate husbandry, with attention given to safety and sanitation, and the proper area and facilities. The regulations for captive care areas, facilities, and care standards shall be prescribed by the CCA.

Article 35

Protected Wildlife or their products shall not be traded or displayed or exhibited in public areas without the approval of the Authorities.

The types of Protected Wildlife or their products mentioned in the preceding Paragraph shall be announced by the CCA.

Article 36

The for-profit raising, breeding, trading, processing, import, or export of wildlife shall be approved by special municipal or county (city) competent authorities and shall obtain a business license according to the legislation.

The CCA shall determine regulations regarding the conditions, application process, permit contents, and other measures governing the for-profit raising, breeding, trading, or processing of wildlife as mentioned in the preceding Paragraph.

Article 37

Endangered Species and Rare and Valuable Species shall be well managed during raising or breeding and shall not escape. If an escape occurs, the owner or keeper shall either themselves or with the assistance of local authorities recover the animal.

Article 38

Whenever an Endangered or Rare and Valuable Species dies of illness or for an unknown reason, the owner or keeper shall have a veterinarian prepare an autopsy report determining the cause of death and within 30 days after death and send the autopsy report to special municipal or county (city) competent authorities for reference. If the reason for death was not a contagious disease, then any academic research institute, public or licensed private zoo, museum, wildlife owner or keeper that wishes to use the carcass to make a specimen, after approval by the Authorities, may get a veterinarian to sign a death certificate in place of an autopsy report.

Article 39

If the carcass of a Protected Wildlife is valuable for academic research or exhibition, then academic or scientific research institutions, public or licensed private zoos, or museums may purchase it in priority from the owner or keeper.

CHAPTER 5: PENAL PROVISIONS

Article 40

The following offenses shall be sentenced to imprisonment for more than six months but less than five years, and a fine of more than 300,000 New Taiwan Dollars and but less than 1,500,000 New Taiwan Dollars may be imposed:

1. Violation of Article 24, Paragraph 1, unapproved import or export of live Protected Wildlife or their products.
2. Violation of Article 35, Paragraph 1, trading, display or exhibiting with the intent to sell Protected Wildlife and its products.

Article 41

The following offenses shall be sentenced to imprisonment for more than six months but less more than five years, and a fine of more than 200,000 New Taiwan Dollars but less than 1,000,000 New Taiwan Dollars may be imposed:

1. Violation of Article 18, Paragraph 1, Subparagraph 1, hunting or killing of a Protected Wildlife species;
2. Violation of Article 18, Paragraph 1, Subparagraph 2, hunting or killing of a Protected Wildlife species without the approval of the CCA;
3. Violation of Article 19, Paragraph 1, use of prohibited methods to hunt or kill Protected Wildlife;

If any of the offenses mentioned in the preceding Paragraph are committed in designated Wildlife Refuges, the offender shall be subjected to the penalty prescribed for such offense up to 1/3. Any unsuccessful attempt to commit an offense specified in

Paragraph 1 is subjected to penalty.

Article 42

The following offenses shall be sentenced to imprisonment for less than one year; detention; and/or a fine of more than 60,000 New Taiwan Dollars but less than 300,000 New Taiwan Dollars; if the conducts cause the death of protected species, the offender shall be sentenced with imprisonment for less than two years, detention, and/or a fine of more than 100,000 New Taiwan Dollars but less than 500,000 New Taiwan Dollars:

1. Disturbance or abuse of Protected Wildlife as prohibited by Article 18, Paragraph 1, Subparagraph 1;
2. Violation of Article 18, Paragraph 1, Subparagraph 2, by disturbance or abuse of the Protected Wildlife without proper approval by the CCA.

If any of the offenses mentioned in the preceding Paragraph are committed in a designated Wildlife Refuge, the offender shall be subjected to the penalty prescribed for such offense up to 1/3.

Article 43

In violation of Article 8, Paragraph 2, anyone who conducts unauthorized development or utilization projects shall be subjected to a fine of more than 300,000 New Taiwan Dollars but less than 1,500,000 New Taiwan Dollars.

In violation of Article 8, Paragraph 3, Article 9, and Article 13, anyone who fails to submit a rehabilitation plan within a set time limit, or fails to carry out the rehabilitation plan shall be subjected to a fine of more than 400,000 New Taiwan Dollars but less than 2,000,000 New Taiwan Dollars.

If the offenses mentioned in the preceding 2 Paragraphs have caused habitat destruction and the habitat has become inhabitable for wildlife, the offender shall be sentenced to imprisonment for more than six months but less than five years and a fine of more than 300,000 New Taiwan Dollars but less than 1,500,000 New Taiwan Dollars may be imposed.

Article 44

In the case that a representative of a juridical person, or an agent, employee, or other person engaged in the relevant business activities of a juridical or natural person commits the violations as stipulated in Articles 40, 41, 42, or Article 43, Paragraph 3 in the performance of their duties, in addition to punishing the offender(s), a criminal fine as referred to in the respective Articles shall also be imposed upon the juridical or natural person concerned.

Article 45

In violation of Article 7, Paragraph 2, anyone who uses the title of wild life conservation stamps, uses its logo, or issues wildlife conservation stamps, the offender shall be subjected to a fine of more than 500,000 New Taiwan Dollars but less than 2,500,000 New Taiwan Dollars. The unauthorized issue, sale, or distribution of wildlife conservation stamps shall be prohibited.

Illegal stamps which have been issued, sold, or distributed as mentioned in the preceding Paragraph shall be confiscated.

Article 46

In violation of Article 32, Paragraph 1, the violator shall be subjected to a fine of more than 50,000 New Taiwan Dollars but less than 250,000 New Taiwan Dollars. If the violation resulted

in damage to the ecosystem, the offender shall be subjected to a fine of more than 500,000 New Taiwan Dollars but less than 2,500,000 New Taiwan Dollar.

Article 47

In violation of Article 27, Paragraph 2, the owner or keeper of wildlife who fails to submit a prevention or rehabilitation plan or who fails to carry out the plans, the offender shall be subjected to a fine of more than 300,000 New Taiwan Dollars but less than 1,500,000 New Taiwan Dollars.

In violation of Article 26, the offender shall be subjected to a fine of more than 200,000 New Taiwan Dollars but less than 1,000,000 New Taiwan Dollars

Article 48

A person who falsely labels merchandise as containing Protected Wildlife or its products shall be subjected to a fine of more than 150,000 New Taiwan Dollars but less than 750,000 New Taiwan Dollars.

Article 49

Anyone who violates one of the following provisions shall be subjected to a fine of more than 60,000 New Taiwan Dollars but less than 300,000 New Taiwan Dollars

1. Violation of regulations detailed in Article 17, Paragraph 1 or Paragraph 2;
2. Violation of Article 19, Paragraph 1 by the use of prohibited items or methods in hunting General Wildlife;
3. Violation of Article 19, Paragraph 2, or Article 33 by evading, refusing, or obstructing searches, seizures, or destruction;
4. Violation of Article 27, Paragraph 1;
5. Violation of Article 34 by failing to meet proper care area, facility, and care standards;
6. Violation of Article 18, Paragraph 2 or Article 36 by not applying for proper permits or approval.

In the case of the violation of Article 17, Paragraphs 1 or 2, or Article 19, Paragraph 1, the special municipal or county (city) competent authority may revoke the permits of concerned parties.

Article 50

Anyone who violates one of the following provisions shall be subjected to a fine of more than 50,000 New Taiwan Dollars but less than 250,000 New Taiwan Dollar:

1. Violation of Article 10, Paragraph 4, Subparagraph 1 by hunting or killing General Wildlife;
2. Violation of Article 10, Paragraph 4, Subparagraphs 2, 3, or 4 regarding Authorities' announced restricted items;
3. Violation of Article 11, Paragraph 2 by not adhering to Authorities' orders to modify or eliminate certain behavior.

In violation of Article 10, Paragraph 4, Subparagraph 1, by disturbing or abusing General Wildlife, the offender shall be subjected to a fine of more than 20,000 New Taiwan Dollars but less than 100,000 New Taiwan Dollars.

Article 51

Anyone who violates one of the following provisions shall be subjected to a fine of more than 10,000 New Taiwan Dollars but less than 50,000 New Taiwan Dollars:

1. Violation of Article 12, Paragraph 1 by evading, refusing, or

- obstructing a wildlife resource investigation or the application of conservation plan measures;
2. Violation of Article 20, Paragraph 1;
 3. Violation of Article 24, Paragraph 1 by import or export of General Wildlife without the approval of the CCA;
 4. (Deleted)
 5. Violation of Article 28;
 6. Violation of Article 31, Paragraphs 1, 2, 3 or 6;
 7. Violation of Article 35, Paragraph 1 by displaying or exhibiting in a public area of Protected Wildlife, Endangered or Rare, and Valuable Species products with no intent to sell but without the permission from the Authority;
 8. Violation of Article 37;
 9. Violation of Article 38;
 10. Any owner or keeper who refuses to sell their wildlife carcass according to Article 39.

Article 51-1

Indigenous people, in violation of Article 21-1, Paragraph 2 without obtaining approval from the Authorities, hunting, killing or utilizing of General Wildlife for traditional cultural or ritual hunting, killing or utilization needs, or not for trading purposes shall be subjected to a fine of more than 1,000 New Taiwan Dollars but less than 10,000 New Taiwan Dollars. However, a pardon shall be given to the first offender.

Article 52

In the case of the violation of Articles 40, 41, 42, or Article 43, Paragraph 3, the subject Protected Wildlife may be confiscated; the subject wildlife products, hunting devices, drugs, or other devices shall be confiscated.

Beside the punitive actions specified in the preceding Paragraph, in the case of the violation of this Act, the subject Protected Wildlife or their products, hunting devices, drugs or other devices may be confiscated.

If necessary, Authorities may publicly release, repatriate, collect, or destroy the Confiscated wildlife/items mentioned in the preceding Paragraph. The Authorities may request the violator to pay all the expenses incurred therefrom.

For lawfully confiscated or otherwise acted upon Protected Wildlife or their products, Customs or other law enforcement agencies may entrust Authorities to take necessary measure according to the preceding paragraph.

Article 53

The administrative fines or confiscation described by this Act shall be imposed by competent authorities at all levels.

Article 54

If the administrative fines authorized herein are not paid in a timely manner after official notice, the matter shall be referred to the court for compulsory enforcement.

CHAPTER 6: SUPPLEMENTARY PROVISIONS

Article 55

Captive-raised or bred wildlife governed by this act shall be prescribed and announced by the CCA.

Article 56

The Enforcement Rules of this Act shall be prescribed by the

CCA.

Article 57

This Act takes effect on the date of its promulgation.

The provisions of this Act as amended on May 5, 2006, takes effect on July 1, 2006.

Data Source : MONISTRY OF AGRICULTURE Laws and Regulations Retrieving System