

Content

Title :	Wildlife Conservation Act <b>Ch</b>
Date :	2009.07.08
Legislative :	<ol style="list-style-type: none"><li>1.Promulgated on June 23, 1989</li><li>2.Amendment to Article 57 promulgated on October 29, 1994</li><li>3.Amendment to Article 2 promulgated on April 24, 2002</li><li>4.Amendment to Articles 21, 22, and addition of Articles 21-1, 51-1 promulgated on February 4, 2004</li><li>5.Amendment to Articles 40, 41, and 57 promulgated on May 30, 2006</li><li>6.Amendment to Articles 21, 24, 25, and 51 promulgated on July 11, 2007</li><li>7.Amendment to Articles 35, 40 promulgated on July 8, 2009</li></ol>
Content :	<p>CHAPTER 1 General Principles</p> <p>Article 1 This act has been enacted to conserve wildlife, protect species diversity and maintain the balance of natural ecosystems. Whatever is not regulated by this act may be regulated by other compatible legislation.</p> <p>Article 2 Responsible government authorities for the purpose of this act: Central government level: the Council of Agriculture, Executive Yuan, henceforth referred to as the National Principal Authority (NPA). Municipal level: the municipal governments. County/city level: the county and city governments.</p> <p>Article 3 Definition of terms: <ol style="list-style-type: none"><li>1.Wildlife: in common circumstances, any animal living in a natural habitat, including mammals, birds, reptiles, amphibians, fish, insects and other kinds of animals;</li><li>2.Population size: the number of the same species of wildlife living in a particular space at a particular time;</li><li>3.Endangered Species: those wildlife species whose population size is at or below a critical level so that their survival is in jeopardy;</li><li>4.Rare and Valuable Species: endemic species or those species with a very low total population;</li><li>5.Other Conservation-Deserving Wildlife: species which do not necessarily have a very low total population, but their survival remains in jeopardy;</li><li>6.Wildlife products: animal carcasses, bones, horns, teeth, skin, hair, eggs or internal organs in whole, partial or processed form;</li><li>7.Habitat: the natural living environment necessary for the survival of plants and animals;</li><li>8.Conservation: any protection, restoration or management of wildlife based on the principles of species diversity and natural ecological balance;</li></ol></p>

- 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 equipment 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 areas 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 animals which belong in the first category. The NPA is responsible for compilation and announcement of the Schedule of Protected Species.

#### Article 5

The NPA 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 determined by the NPA. Academic experts, private conservation organization members, aborigines and other non-governmental representatives should comprise not less than two-thirds of the total committee membership.

#### Article 6

To strengthen wildlife conservation, the NPA should establish a Wildlife Research Institute. The NPA may also invite academic institutions or private organizations to conduct wildlife surveys, studies, conservation, utilization, education or promotion, etc.

#### Article 7

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

The NPA 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 utilization; mine exploration, earth or rock removal or related works; repair or construction of railroads, public roads 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 NPA. Only then can an application for such development be made to the relevant target business authorities.

Existing facilities, land utilization or development activities have a significant impact on the wildlife in the area, the NPA may require the relevant person or target business authority to put forth a plan for improvements within a certain time limit.

The type and area of the Major Wildlife Habitats referred to above shall be determined and announced by the NPA, 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 responsible government agencies to halt the project. If destruction of the wildlife habitat has taken place, the Authorities and other appropriate government agencies 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 authorized and announced by the NPA 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 NPA 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:

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 or expropriated by the Authorities according to the law, and subsequently managed by them.

For land not purchased or expropriated 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 NPA. The Authorities shall compensate the owner or user of the land for any losses resulting from the above paragraph.

#### Article 12

To carry out wildlife resource inventories or conservation planning, the Authorities or commissioned organizations may send 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 avoid, refuse or hinder, 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.

After the investigation, conservation authorities or personnel shall keep secret any industrial or military secrets they 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 and if negotiations fail, higher-level Authorities shall set the amount.

The above-mentioned regulation for carrying out investigations or conservation measures shall be determined by the NPA.

#### Article 13

In areas which have received utilization approval per 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 NPA 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 or related legislation. Protected Wildlife products shall not be traded, exhibited, displayed, owned, imported, exported or processed, unless under special circumstances recognized in this or related legislation.

#### 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 above-mentioned hunting areas and species and shall submit this plan to the NPA for final approval, after which it shall be announced publicly.

The application fee, process and other related matters for the permit mentioned in Paragraph 1 shall be set by the NPA.

#### 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 from the NPA.

The first condition 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 NPA.

The application process, fee and other related matters for the second condition shall be set by the NPA.

#### 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 rifle;
6. Use of traps, snares or other hunting equipment;
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 avoid, refuse or hinder 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 set by the NPA.

#### 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. (Abolished)
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 Taiwan aborigines, regardless of Article 17, Paragraph 1; Article 18, Paragraph 1; and Article 19, Paragraph 1.

Hunting, killing or utilizing wildlife in the condition listed above shall be approved by authorities. The application process, hunting method, hunted species, bag limit, hunting season, location, and other regulations shall be announced by the NPA and the national aborigine 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 called in to cooperate with 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 announced 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

No import or export of live wildlife or Protected Wildlife products is allowed without prior approval from the NPA.

The import or export of live specimens of Protected Wildlife is limited to academic research institutes, colleges or universities, public or licensed private zoos for education or academic research.

#### Article 25

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

#### Article 26

The NPA may for cultural, hygiene, ecological protection or policy reasons ask trade authorities to announce a list 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 NPA 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 NPA.

The municipal city or county (city) authorities of the areas where the above-mentioned wildlife is located shall investigate and monitor these imported wildlife regularly. If it is found that their importation has had an impact on the habitat of native fauna or flora, the 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 NPA 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 issue a report to the NPA within one year of import or export of the wildlife or product.

#### Article 29

The import or export of wildlife or wildlife products shall be inspected by customs and the products 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 NPA 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 NPA's Schedule of Protected Wildlife shall fill out a data card and keep records with their municipal or county (city) authorities and within a certain time limit update these records after any change in status.

After the NPA announcement, those who have legally imported, received through transfer or other legal means any of the above wildlife or wildlife products, shall take their documents to municipal or county (city) authorities to register within a certain time limit. Any changes in status shall also be registered in a similar manner.

Those who have registered according to the above two 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 purchase of wildlife shall be done in an appropriate and safe manner and any wildlife 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 Paragraph 1 and Paragraph 2. In addition, they may conduct regular or random investigations. The owner or keeper shall not avoid, refuse or hinder such investigations.

The NPA is responsible for announcing the wildlife or wildlife products which shall be marked.

Article 32

Wildlife raisers who do not have the permission of the Authorities shall not set their animals free.

The NPA shall announce a list of species which are regulated by the above paragraph.

Article 33

The Authorities may send a representative to investigate raised or bred Protected Wildlife or dangerous wildlife. The owner or keeper of the wildlife shall not avoid, refuse or hinder 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 NPA shall determine regulations for the captive care area, facility and care standards.

Article 35

Protected Wildlife and its products shall not be traded or displayed or exhibited in public areas without the permission of the Authorities.

The NPA shall release a list of the types of Protected Wildlife and products regulated by the above paragraph.

Article 36

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

The NPA shall set regulations for the raising, breeding and management of wildlife.

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 send the autopsy report to municipal or county (city) 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 species 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 punished with imprisonment for not less than six months and not more than five years, and/or a fine of not less than NT\$300,000 and not more than NT\$1,500,000:

1. Violation of Article 24, Paragraph 1, unapproved import or export of live Protected Wildlife Species or 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 punished with imprisonment for not less than six months and not more than five years, and/or a fine of not less than NT\$200,000 and not more than NT\$1,000,000:

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 NPA;
3. Violation of Article 19, Paragraph 1, use of prohibited methods to hunt or kill Protected Wildlife;

If any of the above offenses 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 the above Subparagraph 1 is punishable.

##### Article 42

The following offenses shall be punished with imprisonment for not more than one year; detention; and/or a fine of not less than NT\$60,000 and not more than NT\$300,000; if the conducts cause the death of protected species, the offender shall be punished with imprisonment for not more than two years, detention, and/or a fine of not less than NT\$100,000 and not more than NT\$500,000:

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 NPA.

If any of the above offenses 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 projects shall be subjected to a fine of not less than

NT\$300,000 and not more than NT\$1,500,000.

In violation of Article 8, Paragraph 3, Article 9 or 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 not less than NT\$400,000 and not more than NT\$2,000,000.

If the above offenses have caused habitat destruction and the habitat has become inhabitable for wildlife, the offender shall be punished with imprisonment for not less than six months and not more than five years and/or a fine of not less than NT\$300,000 and not more than NT\$1,500,000.

#### Article 44

In discharging his duty, if the representative of an artificial person, artificial person, the agent of natural person, employee or other staff violation any one of Articles 40, 41, 42, or Article 43, Paragraph 3, both the violators and their artificial person or natural person shall be subjected to the fine set out in relevant Articles.

#### Article 45

In violation of Article 7, Paragraph 2, anyone who uses the title of wildlife conservation stamps, uses its logo, or issues wildlife conservation stamps, the offender shall be subjected to a fine of not less than NT\$500,000 and not more than NT\$2,500,000. The unauthorized issue, sale or distribution of wildlife conservation stamps shall be prohibited. Illegal stamps which have been issued, sold or distributed shall be confiscated.

#### Article 46

In violation of Article 32, Paragraph 1, the violator shall be subjected to a fine of not less than NT\$50,000 and not more than NT\$250,000. If the violation resulted in damage to the ecosystem, violators shall be subjected to a fine of not less than NT\$500,000 and not more than NT\$2,500,000.

#### 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 not less than NT\$300,000 and not more than NT\$1,500,00.

In violation of Article 26, the offender shall be subjected to a fine of not less than NT\$200,000 and not more than NT\$1,000,000.

#### Article 48

A person who falsely labels merchandise as containing Protected Wildlife or its products shall be subjected to a fine of not less than NT\$150,000 and not more than NT\$750,000.

#### Article 49

Anyone who violates one of the following Articles shall be subjected to a fine of not less than NT\$60,000 and not more than NT\$300,000:

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 avoiding, refusing or hindering 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 the proper permits or approval.
- In the case of the violation of one of Article 17, Paragraph 1 or Paragraph 2, or Article 19, Paragraph 1, the proper municipal or county (city) authorities may suspend the permits of concerned parties.

#### Article 50

Anyone who violates one of the following Articles shall be subjected to a fine of not less than NT\$50,000 and not more than NT\$250,000:

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

In violation of Article 10, Paragraph 4, Subparagraph 1, disturbing or abusing General Wildlife, the offender shall be subjected to a fine of not less than NT\$20,000 and not more than NT\$100,000.

#### Article 51

Anyone who violates one of the following Articles shall be subjected to a fine of not less than NT\$10,000 and not more than NT\$50,000:

1. Violation of Article 12, Paragraph 1 by avoiding, refusing or hindering 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 NPA;
4. (Abolished)
5. Violation of Article 28;
6. Violation of Article 31, Paragraphs 1, 2, 3 or 6;
7. Violation of Article 35, Paragraph 1 by display or exhibition in a public area of Protected Wildlife, Endangered or Rare and Valuable Species products with no intent to sell but lacking the proper permission;
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

Taiwan aborigines, 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 not less than NT\$1,000 and not more than NT\$10,000. However, a pardon shall be given to the first offender.

#### Article 52

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

Beside the punitive actions specified in Article 52, Paragraph 1, in the case of the violation of this act, the subject Protected Wildlife or products, hunting equipment, drugs or other devices may be confiscated.

If necessary, Authorities may publicly release, repatriate, keep or destroy the above-mentioned confiscated wildlife/items. The Authorities may request the violator to pay all the expenses incurred therefrom.

For lawfully confiscated or otherwise acted upon Protected Wildlife or products, customs or other law enforcement agencies may ask Authorities to take necessary measure according to the above paragraph.

#### Article 53

The administrative fines or confiscation described by this act shall be handled by authorities at all levels.

#### Article 54

If the administrative fines authorized herein are not paid in a timely manner after official notice, the Authorities shall initiate court proceedings.

### CHAPTER 6 Supplementary Provisions

#### Article 55

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

#### Article 56

Enforcement rules shall be set by the NPA.

Article 57 This act takes effect upon promulgation.

The amendment of May 30, 2006 takes effect on July 1, 2006.