

天津市人民政府令

Decree of Tianjin Municipal People's Government

第 17 号

No. 17

《天津市加强野生动物管理若干规定》已于 2020 年 2 月 17 日经市人民政府第 92 次常务会议通过，现予公布，自公布之日起施行。

The “Provisions of Tianjin Municipality on Strengthening the Administration of Wild Animals Management”, which were adopted at the 92th executive meeting of the municipal people's government on February 17, 2020, are hereby promulgated and shall come into force as of the date of promulgation.

天津市市长 张国清

Zhang Guoqing

Mayor of Tianjin

2020 年 2 月 19 日

February 19, 2020

天津市加强野生动物管理若干规定

The Provisions of Tianjin Municipality on Strengthening the Administration of Wild Animals Management

第一条 为加强对野生动物管理，防止野生动物传播疾病，保障公众身体健康和社会公共安全，根据有关法律法规规定，结合本市实际，制定本规定。

Article 1 These provisions are formulated in accordance with relevant laws and regulations and in light of the actual conditions of this municipality, for purposes of strengthening wild animals management, preventing wild animals from spreading diseases, and protecting public health and safety.

第二条 本市各级人民政府及有关部门应当将野生动物管理工作纳入重要议事日程，进一步提高本市野生动物管理水平，确保野外无非法猎捕、人工无非法繁育、市场无非法交易、路上无非法运输、餐馆无非法食用。

Article 2 People's governments at all levels and relevant departments of this municipality shall put wild animals administration on important agenda, further improve the level of wild animals administration in this municipality, and ensure that there should be no illegal hunting in the wild, no illegal artificial breeding, no illegal trading in the market, no illegal transportation on the road, no illegal

consumption in the restaurants.

第三条 市人民政府加强对野生动物管理工作的领导，成立由分管副市长担任组长的天津市野生动物保护工作领导小组，贯彻落实中央决策部署和市委部署要求，统筹协调、督促指导区人民政府、有关部门做好野生动物管理工作，解决野生动物管理工作中的重大问题。

Article 3 The Municipal People's Government shall strengthen the leadership of wild animals management, such as establishing a Tianjin Wild Animals Protection Leading Group with the Deputy Mayor as the leader, implementing the decision and direction of the central government and the municipal committee, coordinating and supervising the district people's government and relevant departments to do well in the administration of wild animals affairs, and resolving major problems in regards to wild animals management.

第四条 区人民政府对本辖区野生动物管理工作负总责，承担属地管理责任，根据有关规定组织开展巡查检查和专项打击行动，建立区月查、乡镇（街道）周查、村（社区）日查、业务主管部门经常查的四级巡查检查机制，对湿地、森林、餐馆、市场、厂房、养殖场、食品加工和工艺品加工场地、居民住所等以及野生动物栖息地、停歇地、繁殖地和候鸟迁徙通道实行网格化管理，做到管理巡查全覆盖、无死角、无遗漏。

Article 4 The district people's governments are totally responsible for wild animals administration according to the territorial principle. They should carry out inspections and special crackdowns in accordance with relevant provisions, including establishing a four-level inspection mechanism, conducting monthly inspections in district, weekly inspections in township (street), daily inspections in village (community), and regular inspections by authorities, implementing grid management of wetlands, forests, restaurants, markets, factories, farms, food processing and handicraft processing sites, residential dwellings, etc., as well as wild animal habitats, places for stopover, breeding sites, and passages for migratory bird. District governments should fulfill their obligations in accordance with the principles of full coverage, no dead zones, and no omissions.

第五条 市规划和自然资源部门、区人民政府确定的部门是陆生野生动物的主管部门，并依法履行下列职责：

（一）加强对野生动物栖息地的保护管理，在禁猎区、禁猎期实施严格管理，在重点区域实行封闭或者半封闭管理，排查、清理、取缔非法狩猎场所；

（二）强化对野生动物人工繁育活动的监管，依法查处相关违法行为，加强野生动物疫源疫病监测；

（三）严格依法审批野生动物经营利用事项，加强对行政许

可事项的事中事后监管；

（四）依法查处行政违法案件，配合公安机关依法查处刑事案件；

（五）与其他管理部门加强协作配合；

（六）法律法规规章规定和市人民政府确定的其他职责。

Article 5 The municipal planning and natural resources authorities and the departments authorized by a district government are the competent departments in charge of terrestrial wild animals affairs, and shall perform the following duties in accordance with law:

(1) To strengthen the protection and administration of wild animal habitats, conduct strict management in the no-hunting zones or non-hunting periods, implement closed or semi-closed management in key areas, and investigate, clear and ban illegal hunting sites;

(2) To strengthen the supervision of artificial breeding activities of wild animals, investigate and punish related illegal acts in accordance with law, and enhance the surveillance of wild-animals-related epidemic and disease;

(3) To examine and approve the management and utilization of wild animals in accordance with law strictly, and strengthen operational and post-operational oversight of administrative licensing items;

(4) To investigate and handle administrative violation cases in accordance with law, and cooperate with police authority in

investigating and handling criminal cases;

(5) To strengthen cooperation with other management departments;

(6) To perform other duties stipulated by laws, regulations and rules and the duties assigned by the municipal people's government.

第六条 农业农村部门是水生野生动物的主管部门，并依法履行下列职责：

（一）依法依规实施野生动物检疫；

（二）对检疫中发现的非法来源陆生野生动物应当及时通知陆生野生动物主管部门；

（三）法律法规规章规定和市人民政府确定的其他职责。

Article 6 The agricultural and rural authorities are the competent departments of aquatic wild animals management and shall perform the following duties in accordance with law:

(1) To carry out wild animals quarantine in accordance with laws and regulations;

(2) To timely notify the terrestrial wild animals department of the illegal source of terrestrial wild animals found in the quarantine;

(3) To perform other duties stipulated by laws, regulations and rules and the duties assigned by the municipal people's government.

第七条 市场监管部门依法履行下列职责：

（一）依法监督检查药店、医院、依法登记注册的商品交易市场、网络交易平台、餐饮饭店等，对未使用专用标识的国家重

点保护动物及其制品、没有合法来源的非国家重点保护动物及其制品的经营利用活动，依法处置并通报野生动物主管部门；

（二）法律法规规章规定和市人民政府确定的其他职责。

Article 7 The market supervision authorities shall perform the following duties in accordance with law:

(1) To supervise and inspect pharmacies, hospitals, legally registered commodity trading markets, online trading platforms, restaurants, etc. in accordance with law, to dispose of the operation and utilization of state-protected animals and their products that do not use special logos, non-state-protected animals and their products that have no legal source, and to notify them to the competent wild animals department in accordance with law;

(2) To perform other duties stipulated by laws, regulations and rules and the duties assigned by the municipal people's government.

第八条 交通运输部门依法履行下列职责：

（一）对运输场站实施源头管理；

（二）在高速公路、普通公路等重点执法点位，严格检查运输车辆；

（三）法律法规规章规定和市人民政府确定的其他职责。

交通运输部门发现有涉嫌违法运输野生动物及其制品的，应当及时通报野生动物主管部门。

Article 8 The transportation authorities shall perform the following

duties in accordance with law:

- (1) To implement source management of transportation yards;
- (2) To strictly inspect transportation vehicles at key legal enforcement sites such as expressways and ordinary highways;
- (3) To perform other duties stipulated by laws, regulations and rules and the duties assigned by the municipal people's government;

If transportation authority finds any suspected illegal transportation of wild animal or its product, it shall promptly notify the competent wild animals department.

第九条 公安机关依法履行下列职责:

(一) 负责受理有关行政主管部门移交、转递的案件或者举报线索,依法查处猎捕、繁育、交易、运输野生动物等涉嫌犯罪的案件,依法侦办破坏野生动物资源犯罪案件;

(二) 清理非法持有的猎枪及弹药,查处非法猎杀野生动物的违法犯罪行为;

(三) 法律法规规章规定和市人民政府确定的其他职责。

Article 9 Police departments shall perform the following duties in accordance with law:

- (1) To be responsible for recording cases transferred or transmitted by relevant administrative departments or according to reported clues, to investigate and handle, in accordance with law, suspected crimes such as hunting, breeding, trading, and transporting wild

animals, and to investigate crimes of destroying wild animals resources;

(2)To clean up illegal possession of shotguns and ammunition, and to investigate and punish illegal acts of hunting and killing wild animals;

(3) To perform other duties stipulated by laws, regulations and rules and the duties assigned by the municipal people's government.

第十条 网信部门依法履行下列职责:

(一)及时清理相关部门提交的非法出售、收购、利用野生动物及其制品以及非法猎捕工具等网络违法违规信息、广告、网址链接,依法处置相关违法违规网站及账号;

(二)法律法规规章规定的其他职责。

Article 10 The online information authorities shall perform the following duties in accordance with law:

(1)To timely clean up illegal online information, advertisements, and website links submitted by relevant departments, including illegal online sales, acquisitions, use of wild animals and their products and illegal hunting tools, and to dispose of related illegal websites and accounts in accordance with law;

(2)To perform other duties stipulated by laws, regulations and rules, and the duties assigned by the municipal people's government.

第十一条 城市管理部门依法履行下列职责:

（一）负责对违法占用道路、公共场所从事野生动物及其制品摆卖、餐饮等经营活动的行为进行清理并依法查处；

（二）法律法规规章规定和市人民政府确定的其他职责。

Article 11 Urban management authorities shall perform the following duties in accordance with law.

(1) To be responsible for clearing and investigating in accordance with law the acts of illegally occupying roads and public places which links to the sale of wild animals and its products, or which links to illegal catering industry supplying wild animals cuisine;

(2) To perform other duties stipulated by laws, regulations and rules and the duties assigned by the municipal people's government.

第十二条 卫生健康部门依法履行下列职责：

（一）负责对与人畜共患传染病有关的突发公共卫生事件开展卫生应急工作；

（二）开展突发急性传染病人间疫情监测，建立突发公共卫生事件联防联控工作机制；

（三）组织相关部门对传染病病人、病原携带者、染疫动物密切接触人群的检验、预防服药、应急接种；

（四）法律法规规章规定和市人民政府确定的其他职责。

Article 12 The health authorities shall perform the following duties in accordance with law:

(1) To be responsible for carrying out health emergency work on

public health emergencies related to infectious diseases common to human beings and animals;

(2)To carry out surveillance of outbreaks of acute infectious disease and to establish a joint prevention and control working mechanism for public health emergencies;

(3)To organize relevant departments to conduct inspections, preventive medications, and emergency vaccination of infectious disease patients, pathogen carriers, and people in close contact with infected animals;

(4)To perform other duties stipulated by laws, regulations and rules and the duties assigned by the municipal people's government.

第十三条 邮政管理部门依法履行下列职责：

（一）负责对提供寄递服务的企业加强寄递安全管理，督促企业严禁寄递珍贵、濒危野生动物及其制品或者无专用标识、无相关合法来源证明的陆生野生动物及其制品；

（二）法律法规规章规定的其他职责。

Article 13 The postal administration authorities shall perform the following duties in accordance with law:

(1)To be responsible for strengthening the delivery safety management of enterprises providing delivery services, and to urge enterprises to strictly prohibit the delivery of rare and endangered wild animals and their products or terrestrial wild animals and their

products without special identification and certification of relevant legal sources;

(2) To perform other duties stipulated by laws, regulations and rules and the duties assigned by the municipal people's government.

第十四条 海关依法履行下列职责：

（一）依法严格实施出入境动物及其产品的监督管理，加强对通过货运、邮递、快件和旅客携带等方式进出口野生动物及其产品的检验检疫和监管；

（二）负责进境野生动物隔离检疫期间指定隔离检疫场所的监管；

（三）负责在保税区、出口加工区等海关特殊监管区域、保税监管场所之间进出野生动物及其产品的监管审查，发现违法问题依法处理；

（四）法律法规规章规定的其他职责。

Article 14 The customs shall perform the following duties in accordance with law:

(1) To strictly implement the supervision and management of entry and exit animals and their products in accordance with law, and to strengthen the inspection, quarantine and supervision of wild animals and their products imported and exported by means of freight transport, postal delivery, express mail and those carried by passengers;

- (2) To be responsible for the supervision of the designated quarantine place during the quarantine of entry wild animals;
- (3) To be responsible for the supervision and examination of wild animals and their products in and out of special customs supervision areas such as bonded areas, export processing zones, etc., and bonded supervision places and to deal with illegal conducts in accordance with law;
- (4) To perform other duties stipulated by laws, regulations and rules and the duties assigned by the municipal people's government.

第十五条 教育部门负责组织学校对学生进行野生动物保护知识教育，强化学生的野生动物保护和生态文明建设意识。

Article 15 The education authorities shall be responsible for organizing schools to educate students on knowledge about wild animals protection, and strengthen students' awareness of wild animals protection and ecological civilization construction.

第十六条 财政部门负责对野生动物管理工作提供资金保障，将所需资金纳入财政预算。

Article 16 The financial authorities shall be responsible for providing funding guarantees for the administration of wild animals management and incorporating the required funds into the fiscal budget.

第十七条 生态环境、水务、文化和旅游、商务、价格、宗

教等部门按照各自职责，做好野生动物管理相关工作，形成各部门齐抓共管的工作格局。

Article 17 The authorities of ecological environment, water affairs, culture and tourism, business, price, religion shall, in accordance with their respective responsibilities, do a good job in the administration of wild animals, creating a sound environment that all departments work together.

第十八条 野生动物管理部门应当各司其职、严格执法、有效管理，增强对涉及野生动物管理各个环节的监管力度、频度和精度。

Article 18 The authorities of wild animal management shall perform their duties, strictly enforce laws, implement management effectively, and strengthen the supervisory intensity, frequency and accuracy of all aspects related to wild animals management.

第十九条 野生动物管理部门在履行职责过程中发现涉及野生动物管理的案件线索，应当立即互通信息、依法处置，组织开展打击野生动物违法犯罪的联合执法活动，实现执法行为有效联动、执法环节无缝对接；建立健全野生动物执法案件会商制度、行政执法与刑事司法有效衔接和快速联动工作机制。

Article 19 In the course of performing their duties, if wild animals management authorities find clues about illegal actions in regard to wild animal law, they shall immediately exchange information with

relative departments, which shall dispose of the cases in accordance with law. They shall organize joint law enforcement activities to combat wild-animal-related crimes, realizing effective linkage of law enforcement actions and seamless connection of law enforcement links; They are expected to establish and improve a sound consultation system about wild animals law enforcement cases and an effective and rapid working mechanism between administrative law enforcement and criminal justice.

第二十条 野生动物管理部门应当配备与野生动物管理工作相适应的人员力量，明确管理区域和环节的负责人员，实行分级分类管理，做到人员到岗、管理到位、责任到人。加强对行政执法人员的教育、管理和监督，确保严格规范公正文明执法。

Article 20 The wild animals management authorities shall be equipped with personnel suitable for the administration of wild animals. They shall assign the persons in charge of the wild animal management in relevant areas and segments, and implement hierarchical management to ensure that personnel are on duty, management is in place, and responsibilities are definite. They shall strengthen the education, management and supervision of administrative law enforcement personnel to ensure strict, fair and civilized law enforcement.

第二十一条 为阻断可能来自于野生动物的传染源和传播

途径，防控重大传染病疫情，本市启动重大突发公共卫生事件响应时，根据国家相关规定，市和区人民政府可以采取控制或者扑杀染疫野生动物、禁止野生动物交易活动等应急处置措施。

Article 21 In order to block the sources of infectious disease and routes of transmission that may come from wild animals, or in order to prevent and control the outbreak of major infectious diseases, the municipal and district people's governments may take emergency measures such as controlling or culling infected wild animals and prohibiting wild animals trade, provided that this municipality initiates a response to a major public health emergency, according to the relevant regulations of the State.

第二十二条 野生动物管理部门应当公布举报电话，鼓励社会公众举报违法犯罪行为，查证属实的，由有关部门给予奖励。

Article 22 The wild animals management authorities shall publish hotlines for reporting, encourage the public to report illegal or criminal acts, and if it is verified to be true, the relevant departments shall give the reward.

第二十三条 保护野生动物是所有单位和个人的义务。消费者应当充分认识食用野生动物及其制品的健康安全风险，养成良好的健康饮食习惯。

Article 23 It is the duty of all entities and individuals to protect wild animals. Consumers should fully understand the health and safety

risks of eating wild animals and their products, and develop good healthy dietary habit.

第二十四条 鼓励引导社会组织、志愿者共同参与野生动物保护和管理工作的。

Article 24 Encourage and guide social organizations and volunteers to participate in wild animal protection and administration.

第二十五条 新闻媒体应当加强对野生动物保护法律法规、保护知识、公众健康饮食习惯等的宣传，对违法行为进行舆论监督。

Article 25 The news media shall strengthen the publicity of laws and regulations on wild animals protection, knowledge of protection, healthy dietary habits of the public, and supervise the illegal acts by public opinion.

第二十六条 区人民政府、相关部门履行野生动物管理工作的情况应当纳入绩效考核和干部考核。对野生动物管理部门及其工作人员在工作中失职失责、造成严重后果的，依照相关规定严肃问责、终身追责、全链条追责。对滥用职权、玩忽职守、徇私舞弊，构成犯罪的，依法追究刑事责任。

Article 26 The implementation of wild animals administration by the district people's government and relevant departments shall be included in their performance appraisal and cadre appraisal. In case of negligence of duties and serious consequences caused by the wild

animal administration authorities and its staff in the work, they shall, in accordance with relevant provisions, be held accountable severely, be enforced accountability for life. All relevant perpetrators, no matter of his role of abetting, direction, assistance in the illegal acts, shall be held accountable. Those who commit a crime by abusing his power, or neglecting his duties, or practicing favoritism or making falsification for personal gains, shall be held criminally liable in accordance with law.

第二十七条 对违法食用野生动物及其制品，违法生产、经营利用禁止食用的野生动物及其制品制作的食品的行为，由野生动物主管部门、市场监管等部门按照职责分工依照相关法律法规规章规定予以处罚。

Article 27 The acts of illegally eating wild animals or their products, or illegally producing or supplying food made from banned wild animals or their products shall be punished by the authorities in charge of wild animals protection, market supervision authorities and transportation authorities in accordance with their respective duties assigned by relevant laws, regulations and rules.

第二十八条 为非法猎捕、宰杀、收购、出售、加工、运输、储存、携带野生动物及其制品者提供工具或者场所的，由野生动物主管部门、市场监管、交通运输等部门按照职责分工依照相关法律法规规章规定予以处罚。

Article 28 The persons providing tools or places for those who illegally hunt, slaughter, purchase, sell, process, transport, store or carry wild animals and their products shall be punished by the authorities in charge of wild animals, market supervision authorities and transportation authorities in accordance with their respective duties assigned by relevant laws, regulations and rules.

第二十九条 野生动物管理部门依据有关法律法规规定对涉及野生动物管理违法行为情节严重、造成恶劣影响的，予以从重处罚。

Article 29 The wild animals administration authorities shall, in accordance with the relevant laws, regulations and rules, impose rigorous punishment on perpetrators who have severely committed illegal conduct and caused adverse effect on the wild animals administration.

第三十条 对阻碍野生动物管理行政执法的，以及在应对由野生动物引发的重大突发急性传染病疫情过程中，散布谣言或者以其他方法故意扰乱公共秩序的，由公安机关依法予以警告、罚款或者拘留；构成犯罪的，依法追究刑事责任。

Article 30 Anyone who obstructs administration law enforcement of wild animals administration, and intentionally disturbing public order by spreading any rumor or by any other means in the course of dealing with a major outbreak of acute infectious diseases caused by

wild animals shall be warned, fined or detained by the public security authorities in accordance with law; If a crime is constituted, the offender shall be held criminally liable in accordance with law.

第三十一条 法律法规对野生动物管理有规定的，从其规定。

Article 31 Where laws and regulations have provisions on the wild animals administration, such provisions shall prevail.

第三十二条 本规定自公布之日起施行。

Article 32 These provisions shall come into force as of the date of promulgation.