

法規名稱(Title) : Regulations Governing Commercial Wildlife Raising and Breeding

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法規沿革1.Promulgated on December 31, 1996.

(Legislative) : 2.Amendment to Article 10 promulgated on October 20, 1999.

3.Amendment to Article 3 promulgated on November 15, 2000.

法規內文(Content) : Article 1

These Regulations are enacted pursuant to the provision of the second paragraph of Article 36 of the Wildlife Conservation Act (hereinafter "Act ").

Article 2

Except as specially provided by law, commercial wildlife raising and breeding shall be governed by these Regulations.

Article 3

An application for approval of the establishment of a commercial wildlife raising and/or breeding farm shall be filed by the applicant who shall fill out the application form and submit it with the following documents and

information to the local municipal, county (city)
competent authority:

1. The name, address and identification document of the
owner of the

subject wildlife and the responsible person of the farm
to be

established;

2. The name, address, brief location map and area of the
farm;

3. The source, quantity, species of the subject wildlife
(including the

Chinese or English name and scientific name, and, where
necessary, the name of the subspecies), and the
proposed action

plan with respect to the wildlife remaining in the farm
after the

business operation of the farm is suspended or
terminated;

4. Qualification document of the staff conducting the
raising and/or

breeding work proving that such staff

(1) is a vocational high school graduate (or above) who
majored in

the science of animal husbandry, fishery, or other

animal-related

subjects;

(2) took the relevant special training course for a period of one

month or more on animal husbandry, fishery, animals, conducted

by a competent authority or the entity entrusted to do so and

obtained a certificate of completion of course; or

(3) has five years of practical experience or more in performing

work on site and such is certified by the administration office

of the hsiang (town, city, district) concerned.

5. A statement explaining the facilities of the farm, including the

architecture, environment-protecting, safety and escape-preventing

facilities.

6. Other documents and information designated by the municipal,

county (city) competent authority.

The municipal, county (city) competent authority concerned shall examine the information provided in the preceding

paragraph in writing and/or conduct necessary on-site inspection before issuing the approval license.

The applicant shall apply for the business licenses with the approval license provided in the preceding paragraph.

Article 4

(Repealed.)

Article 5

The approval license provided in Article 3 shall indicate the following matters:

1. The name, address and area of the raising and/or breeding farm;

2. The name, address and identification number of the responsible

person of the farm;

3. The species of the subject wildlife (including the Chinese or

English name or scientific name, and, where necessary, the name

of the subspecies);

4. The validity term, and

5. The issuance date and reference number of such approval.

The validity term of the approval license provided in subparagraph 4 of the preceding paragraph shall not be more than five years and may be extended on application for a term of not more than the original approved validity term; the application for extension must be filed within the period of four months prior to the expiration of the current validity term.

Article 6

The municipal, county (city) competent authority shall keep an approval registration book which shall indicate the following matters:

1. The name, address, area and required facilities of the raising and/or

breeding farm;

2. The name, address and identification number of the responsible

person of the farm, and the work experience and qualifications of

such responsible person or manager of the farm;

3. The species and quantity of the subject wildlife

(including the

Chinese or English name and scientific name, and, where necessary, the name of the subspecies);

4. The issuance date, reference number and validity term of the

approval license;

5. Record of suspension, termination and resumption of business

operation of the farm and other changes which must be registered;

6. The issuance date, reference number, and the cause and date of

revocation of the business licenses; and

7. Other matters registered.

Article 7

The change of registration, or suspension, termination or resumption of business operation of the commercial wildlife raising and/or breeding farm shall be filed for registration by the applicant who shall fill out the application form and submit it with the relevant documents and information to the original license issuing competent authority which shall,

1. in cases of termination of business operation, cancel the approval

license;

2. in cases of suspension of business operation, indicate in the

approval license returned the date of suspension;

3. in cases of resumption of business operation, indicate in the

approval license the date of resumption of business and return it to

the applicant;

4. in cases of a change of registration, update the registration record.

The original license issuing competent authority shall cancel the

approval if the farm is to move into another administration territory;

in such case, a new application for approval of establishment must be

filed in accordance with the provision of the first paragraph of

Article 3.

Where the subject matter of change of registration filed for in accordance with the first sentence of subparagraph

4 of the preceding paragraph involves architectural addition or alteration of the farm, or change of the species of the subject wildlife, or the relocation of the farm within the same administration territory, an application for approval thereof must be filed in advance with the original license issuing competent authority in accordance with the provisions of the preceding paragraph. The other changes, and the matters provided in subparagraphs 1 through 3 of the preceding paragraph must be filed for registration in accordance with the provision of the preceding paragraph within one month of the occurrence of such change or matter.

Article 8

The responsible person of a commercial wildlife raising and/or breeding farm shall complete the construction of the farm within one year after obtaining the approval of establishment and send a written notice to the local municipal, county (city) competent authority within one month thereafter.

The competent authority shall dispatch personnel to inspect the commercial wildlife raising and/or breeding farm as established and the responsible person or manager

of such farm must not evade, obstruct or refuse such inspection.

Article 9

The breeding of the subject wildlife shall be conducted without altering the sterling breed of the species.

Crossbreeding, if any, must be filed for approval in advance by the responsible person of the breeding farm who shall fill out the application form and submit it to the local municipal, county (city) competent authority with the following documents and information:

1. The proposed crossbreeding plan;
2. The name, address, identification number and work experience

and qualifications of the person carrying out the crossbreeding

plan;

3. The species and quantity of the subject wildlife to be used for

crossbreeding (including the Chinese or English name and

scientific name, and, where necessary, the name of the subspecies);

4. The method of breeding;
5. The method to deal with the product animal and an explanation of
the ecological impact and impact on the safety of
humans and
animals.
6. Other documents and information designated by the
competent
authority.

Article 10

The responsible person of a commercial wildlife raising and/or breeding farm shall file a report of information regarding the species of the subject wildlife and the quantity thereof with the original license issuing competent authority in May and November each year (including the Chinese or English name and scientific name).

The municipal, county (city) competent authority shall consolidate and compile the information provided in the preceding paragraph and file the same with the National

Principal Authority ("NPA") in June and December each year.

Article 11

Raising and/or breeding farms of the designated wildlife announced in accordance with Article 55 of the Act which have been operated for profit-seeking purposes before these Regulations come into force shall be filed to the local municipal, county (city) competent authority for approval of establishment in accordance with these Regulations within two months from the day when these Regulations come into force.

Raising and/or breeding farms of wildlife which is subsequently added to the list of the announced designated wildlife provided in the preceding paragraph shall be filed for approval of establishment or change of registration in accordance with these Regulations within two months from the day when such addition is announced.

Article 12

The applicant for the approval provided in the second paragraph of Article 3 shall pay the formality charge.

The municipal, county (city) competent authority shall collect the formality charge in accordance with the budgeting procedure; the rates of such charge shall be prescribed by the municipal, county (city) competent authority.

Article 13

The forms of the documents and licenses designated in these Regulations shall be prescribed by the NPA.

Article 14

Commercial wildlife raising and/or breeding farms which are not filed for approval of establishment in accordance with these Regulations shall be imposed fines in accordance with subparagraph 6 of the first paragraph of Article 49 of the Act and ordered to be filed for approval of establishment in accordance with these Regulations within the designated period.

In addition to acting in accordance with the provision of the preceding paragraph, the competent authority shall order the commercial wildlife raising and/or breeding farm in violation of these Regulations to rectify its act

within the designated period and, when such farm fails to do so, notify the competent authority of corporate or commercial registration to act accordingly in accordance with the Company Law or Commercial Registration Act.

Article 15

These Regulations shall come into force on the day of promulgation.