|  |  |  |
| --- | --- | --- |
| 发文机关Promulgator | ：: | 全国人民代表大会常务委员会The Standing Committee of the National People's Congress |
| 发布日期Date of Issue | ：: | 2013.06.292013.06.29 |
| 生效日期Effective Date | ：: | 2013.06.292013.06.29 |
| 时效性Effectiveness | ：: | 现行有效Current |

# 中华人民共和国草原法（2013修正）

# Grassland Law of the People’s Republic of China (2013 Revision)

中华人民共和国草原法（2013修正）

Grassland Law of the People’s Republic of China (2013 Revision)

（1985年6月18日第六届全国人民代表大会常务委员会第十一次会议通过 2002年12月28日第九届全国人民代表大会常务委员会第三十一次会议修订 根据2009年8月27日第十一届全国人民代表大会常务委员会第十次会议《关于修改部分法律的决定》第一次修正 根据2013年6月29日第十二届全国人民代表大会常务委员会第三次会议《关于修改〈中华人民共和国文物保护法〉等十二部法律的决定》第二次修正）

(Adopted at the 11th Meeting of the Standing Committee of the Sixth National People's Congress on June 18, 1985; revised at the 31st Meeting of the Standing Committee of the Ninth National People's Congress on December 28, 2002; amended for the first time according to the Decision of the Standing Committee of the National People's Congress on Amending 12 Laws including the Cultural Relics Protection Law of the People's Republic of China at the 3rd Meeting of the Standing Committee of the 12th National People's Congress on June 29, 2013)

第一章 总则

Chapter 1 General Provisions

第一条   为了保护、建设和合理利用草原，改善生态环境，维护生物多样性，发展现代畜牧业，促进经济和社会的可持续发展，制定本法。

Article 1 This Law is enacted with a view to protecting, developing and making rational use of grasslands, improving the ecological environment, maintaining the diversity of living things, modernizing animal husbandry and promoting the sustainable development of the economy and society.

第二条   在中华人民共和国领域内从事草原规划、保护、建设、利用和管理活动，适用本法。

Article 2 This Law shall be applicable to all activities of grassland planning, protection, development, use and management conducted within the territory of the People's Republic of China.

本法所称草原，是指天然草原和人工草地。

The term "grasslands" mentioned in this Law refers to natural and man-made grasslands.

第三条   国家对草原实行科学规划、全面保护、重点建设、合理利用的方针，促进草原的可持续利用和生态、经济、社会的协调发展。

Article 3 With regard to grasslands, the State applies the principles of scientific planning, all-round protection, giving priority to the development of key grasslands, and rational use, in order to promote the sustainable use of grasslands and the harmonious development of the ecology, economy and society.

第四条   各级人民政府应当加强对草原保护、建设和利用的管理，将草原的保护、建设和利用纳入国民经济和社会发展计划。

Article 4 People's governments at all levels shall improve their administration in protection, development and use of grasslands and include such protection, development and use in their national economic and social development plans.

各级人民政府应当加强保护、建设和合理利用草原的宣传教育。

People's governments at all levels shall enhance dissemination of the knowledge, and education in the importance, of protection, development and use of grasslands.

第五条   任何单位和个人都有遵守草原法律法规、保护草原的义务，同时享有对违反草原法律法规、破坏草原的行为进行监督、检举和控告的权利。

Article 5 All entities and individuals shall have the duty to observe the laws and regulations on grasslands and to protect the grasslands and shall, at the same time, have the right to supervise, inform against and accuse any violation of the laws and regulations on grasslands and damage of the grasslands,

第六条   国家鼓励与支持开展草原保护、建设、利用和监测方面的科学研究，推广先进技术和先进成果，培养科学技术人才。

Article 6 The State encourages and supports scientific research in protection, development, use and monitoring of grasslands, spreads the use of advanced technologies and achievements and trains scientists and technicians in this respect.

第七条   国家对在草原管理、保护、建设、合理利用和科学研究等工作中做出显著成绩的单位和个人，给予奖励。

Article 7 The State awards all units and individuals that have made outstanding contributions to the management, protection, development and rational use of, and scientific search in, grasslands.

第八条   国务院草原行政主管部门主管全国草原监督管理工作。

Article 8 The competent administrative department for grasslands under the State Council shall be in charge of supervision over the grasslands nationwide.

县级以上地方人民政府草原行政主管部门主管本行政区域内草原监督管理工作。

The competent administrative departments for grasslands of the local people's governments at or above the county level shall be in charge of supervision over the grasslands in their respective administrative areas.

乡(镇)人民政府应当加强对本行政区域内草原保护、建设和利用情况的监督检查，根据需要可以设专职或者兼职人员负责具体监督检查工作。

People's governments of townships (towns) shall improve supervision over and inspection of the protection, development and use of the grasslands in their own administrative areas and may, where necessary, have full or part-time persons to be responsible for specific supervision and inspection.

第二章 草原权属

Chapter 2 Ownership of Grasslands

第九条   草原属于国家所有，由法律规定属于集体所有的除外。国家所有的草原，由国务院代表国家行使所有权。

Article 9 The grasslands are owned by the State, with the exception of the grasslands owned by collectives as provided for by law. With respect to the State-owned grasslands, the State Council shall exercise the right of such ownership on behalf of the State.

任何单位或者个人不得侵占、买卖或者以其他形式非法转让草原。

No unit or individual may take illegal possession of, trade in or illegally transfer in other forms the grasslands.

第十条   国家所有的草原，可以依法确定给全民所有制单位、集体经济组织等使用。

Article 10 The State-owned grasslands may, in accordance with law, be assigned for use to the units under the ownership by the whole people and to collective economic organizations.

使用草原的单位，应当履行保护、建设和合理利用草原的义务。

All units that use the grasslands shall fulfill the duty of protecting, developing and rationally using the grasslands.

第十一条   依法确定给全民所有制单位、集体经济组织等使用的国家所有的草原，由县级以上人民政府登记，核发使用权证，确认草原使用权。

Article 11 With respect to the State-owned grasslands which, in accordance with law, are assigned for use to units under the ownership by the whole people and to collective economic organizations, the people's governments at or above the county level shall register such grasslands, issue certificates for the right of use to the said units and organizations after verification and thus establish their right to use such grasslands.

未确定使用权的国家所有的草原，由县级以上人民政府登记造册，并负责保护管理。

With respect to the State-owned grasslands, for which the right of use is not assigned, the people's governments at or above the county level shall register such grasslands and shall be responsible for their protection and control.

集体所有的草原，由县级人民政府登记，核发所有权证，确认草原所有权。

With respect to the grasslands owned by collectives, the people's governments at or above the county level shall register such grasslands, issue to the collectives the certificates of ownership after verification to and establish their right of ownership of such grasslands.

依法改变草原权属的，应当办理草原权属变更登记手续。

Where the ownership of grasslands is changed in accordance with law, the formalities for registration of shall be completed.

第十二条   依法登记的草原所有权和使用权受法律保护，任何单位或者个人不得侵犯。

Article 12 The ownership of grasslands registered in accordance with law shall be protected by law, and no unit or individual may infringe upon such ownership or right.

第十三条   集体所有的草原或者依法确定给集体经济组织使用的国家所有的草原，可以由本集体经济组织内的家庭或者联户承包经营。

Article 13 The grasslands owned by collectives or the State-owned grasslands which have been assigned for use to collective economic organizations may be contracted for management by households individually or jointly within the said collective economic organizations.

在草原承包经营期内，不得对承包经营者使用的草原进行调整；个别确需适当调整的，必须经本集体经济组织成员的村（牧）民会议三分之二以上成员或者三分之二以上村（牧）民代表的同意，并报乡(镇)人民政府和县级人民政府草原行政主管部门批准。

No adjustment may be made to the grasslands used by the contractors during the term of contractual management of the grasslands; where appropriate adjustments need be made to a few pieces of grasslands, the matter shall be subject to consent by two-thirds or more members of the villagers (herdsmen) assembly, or two-thirds or more villagers' (herdsmen's) representatives, of the collective economic organization concerned and shall be reported for approval to the township (town) people's government and the competent administrative department for grasslands under the people's government at the county level.

集体所有的草原或者依法确定给集体经济组织使用的国家所有的草原由本集体经济组织以外的单位或者个人承包经营的，必须经本集体经济组织成员的村（牧）民会议三分之二以上成员或者三分之二以上村（牧）民代表的同意，并报乡(镇)人民政府批准。

Where grasslands owned by a collective or the State-owned grasslands which are assigned for use to a collective economic organization in accordance with law are contracted to units or individuals other than the ones of the said organization, the matter shall be subject to agreement by two-thirds or more members of the villagers (herdsmen) assembly, or two-thirds or more villagers' (herdsmen's) representatives, of the collective economic organization concerned and shall be reported for approval to the township (town) people's government.

第十四条   承包经营草原，发包方和承包方应当签订书面合同。草原承包合同的内容应当包括双方的权利和义务、承包草原四至界限、面积和等级、承包期和起止日期、承包草原用途和违约责任等。承包期届满，原承包经营者在同等条件下享有优先承包权。

Article 14 For contractual management of a piece of grasslands, the party contracting out the grasslands and the contracting party shall sign a written contract. The contents of the grassland contract shall include the rights and obligations of both parties, the four boundaries, area and grade of the contracted grasslands, the term of the contract and the starting and ending dates, the purpose of use of the grasslands and the liabilities for breach of the contract, etc. At the expiration of the term of the contract, the original contractor shall, under equal conditions, have the priority of the right to contract.

承包经营草原的单位和个人，应当履行保护、建设和按照承包合同约定的用途合理利用草原的义务。

The units and individuals for contractual management of grasslands shall fulfill the obligations of protecting, developing, and rationally using the grasslands in adherence to the purpose of use as agreed upon in the contract.

第十五条   草原承包经营权受法律保护，可以按照自愿、有偿的原则依法转让。

Article 15 The right to contractual management of grasslands is protected by law, and it may be transferred in accordance with law and on the principles of voluntariness and compensation.

草原承包经营权转让的受让方必须具有从事畜牧业生产的能力，并应当履行保护、建设和按照承包合同约定的用途合理利用草原的义务。

The transferee of the right to contractual management of grasslands shall have the capability of pursuits in animal husbandry and shall fulfill the obligations of protecting, developing, and rationally using the grasslands in adherence to the purpose of use as agreed upon in the contract.

草原承包经营权转让应当经发包方同意。承包方与受让方在转让合同中约定的转让期限，不得超过原承包合同剩余的期限。

The transfer of the right to contractual management of grasslands shall be subject to consent by the party contracting out the grasslands. The term of transfer agreed upon in the transfer contract by the contractor and the transferee may not exceed the remaining period of the original contract.

第十六条   草原所有权、使用权的争议，由当事人协商解决；协商不成的，由有关人民政府处理。

Article 16 Disputes over the ownership or the right of use of grasslands shall be settled by the parties through consultation; and where consultation fails, the disputes shall be handled by the people's government concerned.

单位之间的争议，由县级以上人民政府处理；个人之间、个人与单位之间的争议，由乡(镇)人民政府或者县级以上人民政府处理。

Disputes between units shall be handled by the people's government above the county level; disputes between individuals or between individuals and units shall be handled by the township (town) people's government or the people's government at the county level or above.

当事人对有关人民政府的处理决定不服的，可以依法向人民法院起诉。

Any party that is not satisfied with the decision made by the people's government concerned may bring a suit in the People's Court in accordance with law.

在草原权属争议解决前，任何一方不得改变草原利用现状，不得破坏草原和草原上的设施。

Pending the settlement of a dispute, none of the parties may change the status quo in which the grasslands are being used, or damage the grasslands in question or the facilities thereon.

第三章 规划

Chapter 3 Planning

第十七条   国家对草原保护、建设、利用实行统一规划制度。国务院草原行政主管部门会同国务院有关部门编制全国草原保护、建设、利用规划，报国务院批准后实施。

Article 17 The State practices a system of unified planning for protection, development and use of grasslands. The competent administrative department for grasslands under the State Council shall, together with the relevant departments under the State Council, draw up national plans for protection, development and use of grasslands and submit them to the State Council for approval before putting them into effect.

县级以上地方人民政府草原行政主管部门会同同级有关部门依据上一级草原保护、建设、利用规划编制本行政区域的草原保护、建设、利用规划，报本级人民政府批准后实施。

The competent administrative department for grasslands under the local people's government at or above the county level shall, together with relevant departments at the same level and on the basis of the plans for protection, development and use of grasslands at the next higher level, draw up such plans for its own administrative area and submit them to the people's government at the same level for approval before putting them into effect.

经批准的草原保护、建设、利用规划确需调整或者修改时，须经原批准机关批准。

Where a plan for protection, development and use of grasslands really need be readjusted or modified, the matter shall be subject to approval by the original approving authority.

第十八条   编制草原保护、建设、利用规划，应当依据国民经济和社会发展规划并遵循下列原则：

Article 18 A plan for protection, development and use of grasslands shall be formulated on the basis of the plan for national economic and social development and in adherence to the following principles:

(一)改善生态环境，维护生物多样性，促进草原的可持续利用；

1. Improving the ecological environment, preserving the biodiversity and promoting the sustainable use of grasslands;

(二)以现有草原为基础，因地制宜，统筹规划，分类指导；

2. Basing on the existing grasslands, suiting measures to local conditions, making overall plans and, formulating different guidelines for different categories;

(三)保护为主、加强建设、分批改良、合理利用；

(III) Giving priority to protection, enhancing development, improving technologies in batches and using them rationally; and

(四)生态效益、经济效益、社会效益相结合。

(IV) Combining the ecological, economic and social benefits.

第十九条   草原保护、建设、利用规划应当包括：草原保护、建设、利用的目标和措施，草原功能分区和各项建设的总体部署，各项专业规划等。

Article 19 The plan for protection, development and use of grasslands shall include: the objective of and measures for protection, development and use of grasslands, functional division of grasslands and the general plan for development of various projects, and the various special plans.

第二十条   草原保护、建设、利用规划应当与土地利用总体规划相衔接，与环境保护规划、水土保持规划、防沙治沙规划、水资源规划、林业长远规划、城市总体规划、村庄和集镇规划以及其他有关规划相协调。

Article 20 A plan for protection, development and use of grasslands shall dovetail with the overall plan for land use and be coordinated with the plans for environmental protection, water and soil conservation, prevention and control of desertification and for water resources, and long-term plans for forestry, overall urban planning, village and market town planning and other relevant plans.

第二十一条   草原保护、建设、利用规划一经批准，必须严格执行。

Article 21 Once approved, the plan for protection, development and use of grasslands shall strictly be implemented.

第二十二条   国家建立草原调查制度。

Article 22 The State establishes a survey system for grasslands.

县级以上人民政府草原行政主管部门会同同级有关部门定期进行草原调查；草原所有者或者使用者应当支持、配合调查，并提供有关资料。

The competent administrative department for grasslands under the people's government at or above the county level shall, together with relevant departments at the same level, conduct survey of the grasslands; the owners or users of the grasslands are expected to assist and cooperate in such survey and provide the relevant information.

第二十三条   国务院草原行政主管部门会同国务院有关部门制定全国草原等级评定标准。

Article 23 The competent administrative department for grasslands under the State Council shall, together with the relevant departments under the State Council, formulate national standards for grassland grading.

县级以上人民政府草原行政主管部门根据草原调查结果、草原的质量，依据草原等级评定标准，对草原进行评等定级。

The competent administrative department for grasslands under the people's government at or above the county level shall, on the basis of the results of grassland survey and the quality of the grasslands, grade the grasslands in accordance with the standards for grassland grading.

第二十四条   国家建立草原统计制度。

Article 24 The State establishes a statistics system for grasslands.

县级以上人民政府草原行政主管部门和同级统计部门共同制定草原统计调查办法，依法对草原的面积、等级、产草量、载畜量等进行统计，定期发布草原统计资料。

The competent administrative department for grasslands under the people's government at or above the county level shall, together with the statistics department at the same level, formulate measures for grassland survey and statistics, in accordance with law compile statistics in respect of the area, grade, grass yield, stock-carrying capacity, etc. of grasslands and regularly publish information on grassland statistics.

草原统计资料是各级人民政府编制草原保护、建设、利用规划的依据。

Information on grassland statistics provides the basis for the people's governments at various levels to draw up their plans for protection, development and use of grasslands.

第二十五条   国家建立草原生产、生态监测预警系统。

Article 25 The State establishes an early warning system for grassland yielding and ecological monitoring.

县级以上人民政府草原行政主管部门对草原的面积、等级、植被构成、生产能力、自然灾害、生物灾害等草原基本状况实行动态监测，及时为本级政府和有关部门提供动态监测和预警信息服务。

The competent administrative department for grasslands under the people's government at or above the county level shall conduct dynamic monitoring of the basic conditions of the grasslands, such as the area, grade, vegetation composition, yielding capacity, natural disasters and biological disasters, and provide timely services for dynamic monitoring and early warning information to the government at the same level and the relevant departments.

第四章 建设

Chapter 4 Construction

第二十六条   县级以上人民政府应当增加草原建设的投入，支持草原建设。

Article 26 People's governments at or above the county level shall increase their input to grassland development in support of such development.

国家鼓励单位和个人投资建设草原，按照谁投资、谁受益的原则保护草原投资建设者的合法权益。

The State encourages units and individuals to invest in grassland development and, following the principle that whoever invests benefits protects the legitimate rights and interests of the investors for grassland development.

第二十七条   国家鼓励与支持人工草地建设、天然草原改良和饲草饲料基地建设，稳定和提高草原生产能力。

Article 27 The State encourages and supports development of man-made grasslands, improvement of natural pastures and development of bases for forage grass and fodder, in order to stabilize and increase the yielding capacity of the grasslands.

第二十八条   县级以上人民政府应当支持、鼓励和引导农牧民开展草原围栏、饲草饲料储备、牲畜圈舍、牧民定居点等生产生活设施的建设。

Article 28 People's governments at or above the county level shall support, encourage and provide guidance to farmers and herdsmen in their efforts to build production and living facilities, such as grassland fences, forage grass and fodder reserves, livestock pens and herdsmen's settlements.

县级以上地方人民政府应当支持草原水利设施建设，发展草原节水灌溉，改善人畜饮水条件。

People's governments at or above the county level shall support the construction of grassland water conservation facilities, develop grassland water-saving irrigation and improve the conditions of drinking water for human beings and animals.

第二十九条   县级以上人民政府应当按照草原保护、建设、利用规划加强草种基地建设，鼓励选育、引进、推广优良草品种。

Article 29 People's governments at or above the county level shall, according to the plans for protection, development and use of grasslands, build more bases for grass seeds and encourage selected breeding, introduction and wide use of superior grass seeds.

新草品种必须经全国草品种审定委员会审定，由国务院草原行政主管部门公告后方可推广。从境外引进草种必须依法进行审批。

The use of new varieties of grass may only be spread after the varieties are examined and approved by the national committee for examination and approval of grass varieties and are published by the competent administrative department for grasslands under the State Council. Any grass seed as imported from a foreign country shall be subject to examination and approval according to law.

县级以上人民政府草原行政主管部门应当依法加强对草种生产、加工、检疫、检验的监督管理，保证草种质量。

The competent administrative departments for grasslands under the people's governments at or above the county level shall, in accordance with law, tighten supervision and control over the breeding, processing, quarantine and testing of seeds of forage or grass shoots or tissues to ensure their quality.

第三十条   县级以上人民政府应当有计划地进行火情监测、防火物资储备、防火隔离带等草原防火设施的建设，确保防火需要。

Article 30 People's governments at or above the county level shall, in a planned way, build facilities for protection against grassland fires, such as fire monitoring, fire-protection material reserves and fire-blocking belt, in order to meet the need for protection against fires.

第三十一条   对退化、沙化、盐碱化、石漠化和水土流失的草原，地方各级人民政府应当按照草原保护、建设、利用规划，划定治理区，组织专项治理。

Article 31 For the grasslands that are degenerated, encroached upon by sand or rock, salinized or where soil- erosion occurs, the local people's governments at various levels shall, according to the plans for grassland protection, development and use, mark the areas for special control and improvement.

大规模的草原综合治理，列入国家国土整治计划。

Large-scale comprehensive control of grasslands shall be included in the State plan for improvement of national land.

第三十二条   县级以上人民政府应当根据草原保护、建设、利用规划，在本级国民经济和社会发展计划中安排资金用于草原改良、人工种草和草种生产，任何单位或者个人不得截留、挪用；县级以上人民政府财政部门和审计部门应当加强监督管理。

Article 32 People's governments at or above the county level shall, according to the plans for grassland protection, development and use, allocate funds from the plans for national economic and social development at the corresponding level for improving grasslands, for artificial sowing of variety of grass and for breeding of seeds of forage or grass shoots or tissues, and no unit or individual may withhold or misappropriate such funds; and the finance and auditing departments under the people's governments at or above the county level shall tighten supervision and control in this respect.

第五章 利用

Chapter 5 Use

第三十三条   草原承包经营者应当合理利用草原，不得超过草原行政主管部门核定的载畜量；草原承包经营者应当采取种植和储备饲草饲料、增加饲草饲料供应量、调剂处理牲畜、优化畜群结构、提高出栏率等措施，保持草畜平衡。

Article 33 Contractors for grassland management shall make rational use of the grasslands, and they may not exceed the stock-carrying capacity verified by the competent administrative department for grasslands; and they shall take such measures as growing and reserving forage grass and fodder, increasing the supplies of forage grass and fodder, readjusting their disposition of livestock, optimizing the mix of livestock and increasing the number of heads of livestock for sale, in order to keep the balance between grass yield and the number of livestock raised.

草原载畜量标准和草畜平衡管理办法由国务院草原行政主管部门规定。

The standard for grassland stock-carrying capacity and the measures for control of the balance between the grass yield and the number of livestock raised shall be formulated by the competent administrative department for grasslands under the State Council.

第三十四条   牧区的草原承包经营者应当实行划区轮牧，合理配置畜群，均衡利用草原。

Article 34 Contractors for grassland management in pastoral areas shall practice regional rotation grazing, rational distribution of herds and balanced use of grasslands.

第三十五条   国家提倡在农区、半农半牧区和有条件的牧区实行牲畜圈养。草原承包经营者应当按照饲养牲畜的种类和数量，调剂、储备饲草饲料，采用青贮和饲草饲料加工等新技术，逐步改变依赖天然草地放牧的生产方式。

Article 35 The State encourages rearing livestock in pens in rural areas, in semi-rural and semi-pastoral areas and in the pastoral areas where conditions permit. Contractors for grassland management shall, according to the types and number of livestock they raise, readjust and reserve forage grass and fodder and employ new techniques such as forage grass and fodder ensiling and processing, in order to gradually change the mode of production in which grazing depends solely on natural grasslands.

在草原禁牧、休牧、轮牧区，国家对实行舍饲圈养的给予粮食和资金补助，具体办法由国务院或者国务院授权的有关部门规定。

In areas where grazing is prohibited or closed grazing or rotation grazing is practiced, the State gives grain or funds as subsidies to people who raise livestock in pens, and the specific measures in this respect shall be formulated by the State Council or the relevant department authorized by it.

第三十六条   县级以上地方人民政府草原行政主管部门对割草场和野生草种基地应当规定合理的割草期、采种期以及留茬高度和采割强度，实行轮割轮采。

Article 36 For people working on haying grounds or bases for breeding wild grass seeds, shoots or tissues, the competent administrative departments for grasslands under the people's governments at or above the county level shall specify a rational period of time for grass mowing and variety collecting as well as the height for the stubble left and intensity for cutting and collecting, in order to practice rotation mowing and collecting.

第三十七条   遇到自然灾害等特殊情况，需要临时调剂使用草原的，按照自愿互利的原则，由双方协商解决；需要跨县临时调剂使用草原的，由有关县级人民政府或者共同的上级人民政府组织协商解决。

Article 37 Where, under special circumstances such as natural disaster, it is necessary to temporarily readjust the use of grasslands, the matter shall, on the principles of voluntariness and mutual benefit, be resolved through consultation by the two parties concerned. Where it is necessary to temporarily readjust the use of grasslands between counties, the matter shall be resolved through consultation arranged by the relevant people's governments at the county level, or by the people's government at a higher level to which the people's governments at the county level are both subordinated.

第三十八条   进行矿藏开采和工程建设，应当不占或者少占草原；确需征收、征用或者使用草原的，必须经省级以上人民政府草原行政主管部门审核同意后，依照有关土地管理的法律、行政法规办理建设用地审批手续。

Article 38 No grasslands, or as little grasslands as possible, may be occupied for exploiting mineral resources and engineering. Where it is necessary to expropriate, requisition or use grasslands, the matter shall be subject to examination and approval by the competent administrative department for grasslands under the people's government at or above the provincial level, and, the examination and approval formalities for the use of land for construction shall be completed in accordance with the laws and administrative regulations on land administration.

第三十九条   因建设征收、征用集体所有的草原的，应当依照《中华人民共和国土地管理法》的规定给予补偿；因建设使用国家所有的草原的，应当依照国务院有关规定对草原承包经营者给予补偿。

Article 39 Where grasslands owned by collectives are to be requisitioned for construction, compensation shall be made to the said collectives in accordance with the Land Administration Law of the People's Republic of China; and where State-owned grasslands are to be used for construction, compensation shall be made to the contractors for grassland management in accordance with the relevant regulations of the State Council.

因建设征收、征用或者使用草原的，应当交纳草原植被恢复费。草原植被恢复费专款专用，由草原行政主管部门按照规定用于恢复草原植被，任何单位和个人不得截留、挪用。草原植被恢复费的征收、使用和管理办法，由国务院价格主管部门和国务院财政部门会同国务院草原行政主管部门制定。

Where grasslands are to be requisitioned or used for construction, fees for restoration of grassland vegetation shall be paid. Such special fees shall be used for special purposes, that is, to be used in accordance with relevant regulations by the competent administrative department for grasslands to restore grassland vegetation, and no unit or individual may withhold or misappropriate them. The measures for collection, use and management of the fees for restoration of grassland vegetation shall be formulated by the competent administrative department for pricing and the financial department under the State Council jointly with the competent administrative department for grasslands under it.

第四十条   需要临时占用草原的，应当经县级以上地方人民政府草原行政主管部门审核同意。

Article 40 Where it is necessary to occupy a piece of grasslands temporarily, the matter shall be subject to examination and approval by the competent administrative department for grasslands under the people's government at or above the county level.

临时占用草原的期限不得超过二年，并不得在临时占用的草原上修建永久性建筑物、构筑物；占用期满，用地单位必须恢复草原植被并及时退还。

The time limit for temporary occupation of grasslands shall not exceed two years and no permanent building or structure may be erected on the grasslands that are temporarily occupied; and at the expiration of the time limit, the unit using the grasslands shall restore the vegetation and return the grassland without delay.

第四十一条   在草原上修建直接为草原保护和畜牧业生产服务的工程设施，需要使用草原的，由县级以上人民政府草原行政主管部门批准；修筑其他工程，需要将草原转为非畜牧业生产用地的，必须依法办理建设用地审批手续。

Article 41 Where it is necessary to use grasslands for constructing projects and facilities there directly in the service of grassland protection and pursuits in animal husbandry, the matter shall be subject to approval by the competent administrative department for grasslands under the people's government at or above the county level. Where for construction of other projects, it is necessary convert grasslands to land for purposes other than animal husbandry, the examination and approval formalities for the land to be used for construction shall be completed in accordance with law.

前款所称直接为草原保护和畜牧业生产服务的工程设施，是指：

The projects and facilities constructed directly in the service of grassland protection and pursuits in animal husbandry mentioned in the preceding paragraph refer to the following:

(一)生产、贮存草种和饲草饲料的设施；

1. facilities for producing and storing seeds of forage or grass shoots or tissues and forage grass and fodder;

(二)牲畜圈舍、配种点、剪毛点、药浴池、人畜饮水设施；

(II) Facilities for livestock pens, breeding centers, shearing centers, medicated bath pools and drinking water for human beings and livestock;

(三)科研、试验、示范基地；

(III) Bases for scientific research, experiments and demonstration;

(四)草原防火和灌溉设施。

(IV) Facilities for grassland fire protection and for irrigation.

第六章 保护

Chapter 6 Protection

第四十二条   国家实行基本草原保护制度。下列草原应当划为基本草原，实施严格管理：

Article 42 The State practices a system for protection of essential grasslands. The following grasslands are defined as essential grasslands and shall be placed under strict control:

(一)重要放牧场；

1. important pastures;

(二)割草地；

2. Mowing the grassland;

(三)用于畜牧业生产的人工草地、退耕还草地以及改良草地、草种基地；

(III) Man-made grassplots used for animal husbandry, grassplots restored from reclamation, improved grassplots and bases for seeds of forage or grass shoots or tissues;

(四)对调节气候、涵养水源、保持水土、防风固沙具有特殊作用的草原；

(IV) Grasslands that play a special role in readjusting the climate, conserving the sources of water, preserving water and soil, providing shelter from the wind, and fixing sand;

(五)作为国家重点保护野生动植物生存环境的草原；

(V) Grasslands that provide the living environments for wild animals and plants under special protection by the State;

(六)草原科研、教学试验基地；

(VI) Bases for grassland research and experiments in teaching;

(七)国务院规定应当划为基本草原的其他草原。

(VII) Other grasslands that should be defined as the essential ones in accordance with the regulations of the State Council.

基本草原的保护管理办法，由国务院制定。

The measures for protection of and control over essential grasslands shall be formulated by the State Council.

第四十三条   国务院草原行政主管部门或者省、自治区、直辖市人民政府可以按照自然保护区管理的有关规定在下列地区建立草原自然保护区：

Article 43 The competent administrative department for grasslands under the State Council or the people's governments of provinces, autonomous regions or municipalities directly under the Central Government may, in compliance with the relevant regulations on administration of the nature reserves, set up grassland nature reserves in the following areas:

(一)具有代表性的草原类型；

1. Typical grasslands;

(二)珍稀濒危野生动植物分布区；

(II) Ranges of rare and endangered species of wild animals and plants;

(三)具有重要生态功能和经济科研价值的草原。

3. Grasslands of important ecological functions and worthy of economic and scientific research.

第四十四条   县级以上人民政府应当依法加强对草原珍稀濒危野生植物和种质资源的保护、管理。

Article 44 People's governments at or above the county level shall enhance protection of and control over rare and endangered species of wild plants and the resources of germplasm on the grasslands.

第四十五条   国家对草原实行以草定畜、草畜平衡制度。县级以上地方人民政府草原行政主管部门应当按照国务院草原行政主管部门制定的草原载畜量标准，结合当地实际情况，定期核定草原载畜量。各级人民政府应当采取有效措施，防止超载过牧。

Article 45 The State practices a system of basing the number of livestock raised on the grass available and maintaining the balance between the yield of grass and the number of livestock raised. The competent administrative department for grasslands under the people's government at or above the county level shall, according to the standard for stock-carrying capacity of grasslands formulated by the competent administrative department for grasslands under the State Council and in light of the actual local conditions, check and determine the stock-carrying capacity on a regular basis. People's governments at various levels shall take effective measures to prevent the carrying capacity from being exceeded and to prevent overgrazing.

第四十六条   禁止开垦草原。对水土流失严重、有沙化趋势、需要改善生态环境的已垦草原，应当有计划、有步骤地退耕还草；已造成沙化、盐碱化、石漠化的，应当限期治理。

Article 46 Reclamation of grasslands is prohibited. With respect to the reclaimed grasslands that suffer serious soil erosion, tend to be encroached upon by sand or need improvement of the ecological environment, the grasslands shall be restored step by step and in a planned way; and where the grasslands are encroached upon by sand or rock or are salinized, such encroachment and salinization shall be put under control within a time limit.

第四十七条   对严重退化、沙化、盐碱化、石漠化的草原和生态脆弱区的草原，实行禁牧、休牧制度。

Article 47 With respect to the grasslands that suffer serious degeneration, sand or rock encroachment, or salinization and the grasslands in ecologically fragile areas, the system under which grazing is prohibited and grazing is closed shall be practiced.

第四十八条   国家支持依法实行退耕还草和禁牧、休牧。具体办法由国务院或者省、自治区、直辖市人民政府制定。

Article 48 The State supports returning reclaimed land to grasslands, prohibition against grazing and closed grazing according to law. Specific measures shall be formulated by the State Council or the people's governments of provinces, autonomous regions and municipalities directly under the Central Government.

对在国务院批准规划范围内实施退耕还草的农牧民，按照国家规定给予粮食、现金、草种费补助。退耕还草完成后，由县级以上人民政府草原行政主管部门核实登记，依法履行土地用途变更手续，发放草原权属证书。

Farmers or herdsmen who return reclaimed land to grasslands within the planned scope approved by the State Council shall be given subsidies in the form of grain or cash or be given money to buy varieties of grass. After the reclaimed land is returned to grasslands, it shall be checked and registered by the competent administrative department for grasslands under the people's government at or above the county level, the formalities for alteration of the purpose of use of the land shall be completed in accordance with law and the certificate for ownership of the grasslands be issued.

第四十九条   禁止在荒漠、半荒漠和严重退化、沙化、盐碱化、石漠化、水土流失的草原以及生态脆弱区的草原上采挖植物和从事破坏草原植被的其他活动。

Article 49 It is prohibited to collect or dig plants or engage in other activities to the detriment of grassland vegetation on desert or semi-desert grasslands, or on the grasslands that suffer serious degeneration or salinization, or that are seriously encroached upon by sand or rock, or that suffer serious soil erosion, or on the grasslands that are situated in ecologically fragile areas.

第五十条   在草原上从事采土、采砂、采石等作业活动，应当报县级人民政府草原行政主管部门批准；开采矿产资源的，并应当依法办理有关手续。

Article 50 Anyone who intends to engage in operational activities such as quarrying of soil, sand and stone on grasslands shall be subject to approval by the competent administrative department for grasslands under the people's government at the county level; and anyone who intends to exploit mineral resources shall, in addition, go through the relevant formalities in accordance with law.

经批准在草原上从事本条第一款所列活动的，应当在规定的时间、区域内，按照准许的采挖方式作业，并采取保护草原植被的措施。

Anyone who, upon approval, engages in one of the activities on grasslands listed in the first paragraph of this Article shall operate within the prescribed time limit and area and according to the approved ways of quarrying and exploiting, and shall take measures to protect grassland vegetation.

在他人使用的草原上从事本条第一款所列活动的，还应当事先征得草原使用者的同意。

Anyone who engages in one of the activities listed in the first paragraph of this Article on the grasslands used by others shall, in addition, obtain permission from the user of the grasslands in advance.

第五十一条   在草原上种植牧草或者饲料作物，应当符合草原保护、建设、利用规划；县级以上地方人民政府草原行政主管部门应当加强监督管理，防止草原沙化和水土流失。

Article 51 Planting of forage grass and fodder crops shall be done on grasslands in compliance with the plans for grassland protection, development and use; and the competent administrative department for grasslands under the people's government at or above the county level shall tighten supervision and control to prevent the grasslands from sand encroachment and soil erosion.

第五十二条   在草原上开展经营性旅游活动，应当符合有关草原保护、建设、利用规划，并事先征得县级以上地方人民政府草原行政主管部门的同意，方可办理有关手续。

Article 52 Profit-making tourist activities on grasslands shall be done in compliance with the relevant plans for grassland protection, development and use and the relevant formalities shall be only be gone through after permission is obtained in advance from the competent administrative department for grasslands under the people's government at or above the county level.

在草原上开展经营性旅游活动，不得侵犯草原所有者、使用者和承包经营者的合法权益，不得破坏草原植被。

No one who engages in profit-making tourist activities on grasslands may infringe upon the legitimate rights and interests of the grassland owner and user and the contractor for management of the grasslands, nor may he damage grassland vegetation.

第五十三条   草原防火工作贯彻预防为主、防消结合的方针。

Article 53 In protection against grassland fires, the guideline of putting prevention first and combining prevention with fire fighting shall be applied.

各级人民政府应当建立草原防火责任制，规定草原防火期，制定草原防火扑火预案，切实做好草原火灾的预防和扑救工作。

People's governments at all levels shall establish a responsibility system for protection against grassland fires, specify the period of time for protection against grassland fires and formulate preliminary plans for preventing and extinguishing grassland fires, in order to prevent and extinguish grassland fires successfully.

第五十四条   县级以上地方人民政府应当做好草原鼠害、病虫害和毒害草防治的组织管理工作。县级以上地方人民政府草原行政主管部门应当采取措施，加强草原鼠害、病虫害和毒害草监测预警、调查以及防治工作，组织研究和推广综合防治的办法。

Article 54 People's governments at or above the county level shall arrange for and administer the work of preventing and controlling damage caused by rats, insect pests and poisonous and harmful weeds. The competent administrative departments for grasslands under the said people's government shall take measures to enhance their work in monitoring, giving early warning against, investigating, preventing and controlling damage caused by rats, insect pests and poisonous and harmful weeds and make arrangements for research in the methods for all-round prevention and control and spread their use.

禁止在草原上使用剧毒、高残留以及可能导致二次中毒的农药。

It is prohibited to use on grasslands pesticides that are highly toxic, have high residues and may cause secondary poisoning.

第五十五条   除抢险救灾和牧民搬迁的机动车辆外，禁止机动车辆离开道路在草原上行驶，破坏草原植被；因从事地质勘探、科学考察等活动确需离开道路在草原上行驶的，应当事先向所在地县级人民政府草原行政主管部门报告行驶区域和行驶路线，并按照报告的行驶区域和行驶路线在草原上行驶。

Article 55 With the exception of the motor vehicles used for emergencies, disaster relief or herdsmen's relocation, no motor vehicles may leave the roads to drive on grasslands, to the detriment of the vegetation; where it is necessary to do so for activities such as geological exploration and scientific survey, a map of the areas and routes the vehicles plan to travel shall be submitted in advance to the competent administrative department for grasslands under the people's government at the county level and then the motor vehicles may drive on grasslands according to the map of the areas and routes submitted.

第七章 监督检查

Chapter 7 Supervision and Inspection

第五十六条   国务院草原行政主管部门和草原面积较大的省、自治区的县级以上地方人民政府草原行政主管部门设立草原监督管理机构，负责草原法律、法规执行情况的监督检查，对违反草原法律、法规的行为进行查处。

Article 56 The competent administrative department for grasslands under the State Council, and such departments under the local people's governments at or above the county level in the provinces and autonomous regions where there are relatively large areas of grasslands shall establish institutions for grassland supervision and control, which are responsible for supervision over and inspection of the implementation of grassland laws and regulations and for investigation and handling of violations of such laws and regulations.

草原行政主管部门和草原监督管理机构应当加强执法队伍建设，提高草原监督检查人员的政治、业务素质。草原监督检查人员应当忠于职守，秉公执法。

The competent administrative departments for grasslands and the institutions for grassland supervision and control shall make efforts to build competent contingents of law-enforcing officers and help raise the political and professional quality of the grassland supervisors and inspectors. Grassland supervisors and inspectors shall be devoted to their duties and enforce laws impartially.

第五十七条   草原监督检查人员履行监督检查职责时，有权采取下列措施：

Article 57 When performing their duties of supervision and inspection, grassland supervisors and inspectors shall have the power to take the following measures:

(一)要求被检查单位或者个人提供有关草原权属的文件和资料，进行查阅或者复制；

1. Requesting the units or individuals under inspection to provide documents and data related to the ownership of the grasslands for the purpose of looking them up or making duplicates;

(二)要求被检查单位或者个人对草原权属等问题作出说明；

2. Requesting the units or individuals under inspection to make explanations on questions regarding ownership of the grasslands, etc; and

(三)进入违法现场进行拍照、摄像和勘测；

(III) Enter the site of illegality to conduct photographing, videotaping and surveying;

(四)责令被检查单位或者个人停止违反草原法律、法规的行为，履行法定义务。

(IV) Instructing the units or individuals under inspection to cease their violations of the grassland laws or regulations and perform their statutory obligations.

第五十八条   国务院草原行政主管部门和省、自治区、直辖市人民政府草原行政主管部门，应当加强对草原监督检查人员的培训和考核。

Article 58 The competent administrative department for grasslands under the State Council and such departments under the people's governments of provinces, autonomous regions and centrally-administered municipalities shall improve training and appraisal of grassland supervisors and inspectors.

第五十九条   有关单位和个人对草原监督检查人员的监督检查工作应当给予支持、配合，不得拒绝或者阻碍草原监督检查人员依法执行职务。

Article 59 The units and individuals concerned shall assist and cooperate in the supervision and inspection conducted by grassland supervisors and inspectors, and they are not allowed to prevent the supervisors and inspectors or obstruct them from performing their duties in accordance with law.

草原监督检查人员在履行监督检查职责时，应当向被检查单位和个人出示执法证件。

Grassland supervisors and inspectors shall, when performing their duties, produce their certificates for law-enforcement to the units or individuals to be inspected.

第六十条   对违反草原法律、法规的行为，应当依法作出行政处理，有关草原行政主管部门不作出行政处理决定的，上级草原行政主管部门有权责令有关草原行政主管部门作出行政处理决定或者直接作出行政处理决定。

Article 60 Any violation of grassland laws or regulations shall be dealt with by administrative means in accordance with law; where the competent administrative department for grasslands concerned fails to make a decision to such an effect, the competent administrative department for grasslands at a higher level shall have the power to instruct the department concerned to make such a decision, or shall directly make the decision itself.

第八章 法律责任

Chapter 8 Legal Liabilities

第六十一条   草原行政主管部门工作人员及其他国家机关有关工作人员玩忽职守、滥用职权，不依法履行监督管理职责，或者发现违法行为不予查处，造成严重后果，构成犯罪的，依法追究刑事责任；尚不够刑事处罚的，依法给予行政处分。

Article 61 Where a staff member of the competent administrative department for grasslands or a relevant functionary of a State organ who, neglecting his duty or abusing his power, fails to perform the duty of supervision and control in accordance with law or fails to investigate into and handle violations he discovers, which cause serious consequences and thus constitutes a crime, he shall be investigated for criminal liability in accordance with law; if the circumstances are not serious enough for criminal punishment, he shall be given an administrative sanction in accordance with law.

第六十二条   截留、挪用草原改良、人工种草和草种生产资金或者草原植被恢复费，构成犯罪的，依法追究刑事责任；尚不够刑事处罚的，依法给予行政处分。

Article 62 Anyone who withholds or misappropriates funds to be used for improving grasslands, growing grass by artificial means and producing seeds of forage or grass shoots or tissues, or the fees for restoring grassland vegetation, which constitutes a crime, shall be investigated for criminal liability in accordance with law; if the circumstances are not serious enough for criminal punishment, he shall be given an administrative sanction in accordance with law.

第六十三条   无权批准征收、征用、使用草原的单位或者个人非法批准征收、征用、使用草原的，超越批准权限非法批准征收、征用、使用草原的，或者违反法律规定的程序批准征收、征用、使用草原，构成犯罪的，依法追究刑事责任；尚不够刑事处罚的，依法给予行政处分。非法批准征收、征用、使用草原的文件无效。非法批准征收、征用、使用的草原应当收回，当事人拒不归还的，以非法使用草原论处。

Article 63 Any unit or individual that has no power to approve the expropriation, requisition or use of grasslands illegally does so, or does so beyond the limits of power for approval or in violation of the procedure provided for by law, which constitutes a crime, it/he shall be investigated for criminal liability in accordance with law; if the circumstances are not serious enough for criminal punishment, it/he shall be given an administrative sanction in accordance with law. The document illegally approving the requisition or use of grasslands shall be invalid. The grasslands illegally approved for requisition or use shall be returned, if the person concerned refuses to return them, he shall be deemed an illegal user of grasslands and dealt with as such.

非法批准征收、征用、使用草原，给当事人造成损失的，依法承担赔偿责任。

Anyone who illegally approves the requisition or use of grasslands and thus causes losses to the persons concerned shall bear the responsibility to pay compensation in accordance with law.

第六十四条   买卖或者以其他形式非法转让草原，构成犯罪的，依法追究刑事责任；尚不够刑事处罚的，由县级以上人民政府草原行政主管部门依据职权责令限期改正，没收违法所得，并处违法所得一倍以上五倍以下的罚款。

Article 64 Anyone who trades in or illegally transfers grasslands by other means, which constitutes a crime, shall be investigated for criminal responsibility in accordance with law; if the circumstances are not serious enough for criminal punishment, he shall be instructed by the competent administrative department for grasslands under the people's government at or above the county level, in conformity with its functions and powers, to rectify within a time limit, his illegal gains shall be confiscated and he shall, in addition, be fined not less than the amount of, but not more than five times, the illegal gains.

第六十五条   未经批准或者采取欺骗手段骗取批准，非法使用草原，构成犯罪的，依法追究刑事责任；尚不够刑事处罚的，由县级以上人民政府草原行政主管部门依据职权责令退还非法使用的草原，对违反草原保护、建设、利用规划擅自将草原改为建设用地的，限期拆除在非法使用的草原上新建的建筑物和其他设施，恢复草原植被，并处草原被非法使用前三年平均产值六倍以上十二倍以下的罚款。

Article 65 Anyone who, without approval or after obtaining approval by fraudulent means, illegally uses grasslands, which constitutes a crime, shall be investigated for criminal liability in accordance with law; if the circumstances are not serious enough for criminal punishment, he shall be instructed by the competent administrative department for grasslands under the people's government at or above the county level, in conformity with its functions and powers, to return the grasslands illegally used; anyone who, acting counter to the plans for grassland protection, development and use, converts the grasslands to land for construction without authorization shall dismantle, within a time limit, the newly-constructed buildings or other facilities on the grasslands illegally used, restore the grassland vegetation and shall, in addition, be fined not less than six times, but not more than 12 times, the average output value of the grasslands in the three years prior to their illegal use.

第六十六条   非法开垦草原，构成犯罪的，依法追究刑事责任；尚不够刑事处罚的，由县级以上人民政府草原行政主管部门依据职权责令停止违法行为，限期恢复植被，没收非法财物和违法所得，并处违法所得一倍以上五倍以下的罚款；没有违法所得的，并处五万元以下的罚款；给草原所有者或者使用者造成损失的，依法承担赔偿责任。

Article 66 Anyone who illegally reclaims grasslands, which constitutes a crime, shall be investigated for criminal liability in accordance with law; if the circumstances are not serious enough for criminal punishment, he shall be instructed by the competent administrative department for grasslands under the people's government at or above the county level, in conformity with its functions and powers, to cease the violation and restore the grassland vegetation within a time limit, his unlawful money and things of value and illegal gains shall be confiscated and he shall, in addition, be fined not less than the amount of, but not more than five times, the illegal gains; if there are no illegal gains, he shall, in addition, be fined not more than 50,000 yuan; and if losses are caused to the grassland owner or user, he shall bear the responsibility to pay compensation in accordance with law.

第六十七条   在荒漠、半荒漠和严重退化、沙化、盐碱化、石漠化、水土流失的草原，以及生态脆弱区的草原上采挖植物或者从事破坏草原植被的其他活动的，由县级以上地方人民政府草原行政主管部门依据职权责令停止违法行为，没收非法财物和违法所得，可以并处违法所得一倍以上五倍以下的罚款；没有违法所得的，可以并处五万元以下的罚款；给草原所有者或者使用者造成损失的，依法承担赔偿责任。

Article 67 Anyone who collects or digs plants or engages in other activities to the detriment of grassland vegetation on desert or semi-desert grasslands or on the grasslands that suffer serious degeneration or salinization, or that are seriously encroached upon by sand or rock, or that suffer serious soil erosion, or on the grasslands that are situated in ecologically fragile areas shall be instructed by the competent administrative department for grasslands under the people's government at or above the county level, in conformity with its functions and powers, to cease the violation, his unlawful money and things of value and illegal gains shall be confiscated and he may, in addition, be fined not less than the amount of, but not more than five times, the illegal gains; if there are no illegal gains, he may, in addition, be fined not more than 50,000 yuan; and if losses are caused to the grassland owner or user, he shall bear the responsibility to pay compensation in accordance with law.

第六十八条   未经批准或者未按照规定的时间、区域和采挖方式在草原上进行采土、采砂、采石等活动的，由县级人民政府草原行政主管部门责令停止违法行为，限期恢复植被，没收非法财物和违法所得，可以并处违法所得一倍以上二倍以下的罚款；没有违法所得的，可以并处二万元以下的罚款；给草原所有者或者使用者造成损失的，依法承担赔偿责任。

Article 68 Anyone who engages in activities of quarrying soil, sand or stone on grasslands without authorization or fails to do so in accordance with the specified time limit, area or the ways of quarrying shall be instructed by the competent administrative department for grasslands under the local people's government at or above the county level, in conformity with its functions and powers, to cease the violation and restore the grassland vegetation within a time limit, his unlawful money and things of value and illegal gains shall be confiscated and he may, in addition, be fined not less than the amount of, but not more than two times, the illegal gains; if there are no illegal gains, he may, in addition, be fined not more than 20,000 yuan; and if losses are caused to the grassland owner or user, he shall bear the responsibility to pay compensation in accordance with law.

第六十九条   违反本法第五十二条规定，擅自在草原上开展经营性旅游活动，破坏草原植被的，由县级以上地方人民政府草原行政主管部门依据职权责令停止违法行为，限期恢复植被，没收违法所得，可以并处违法所得一倍以上二倍以下的罚款；没有违法所得的，可以并处草原被破坏前三年平均产值六倍以上十二倍以下的罚款；给草原所有者或者使用者造成损失的，依法承担赔偿责任。

Article 69 Anyone who, in violation of the provisions in Article 52 of this Law, engages in profit-making tourist activities on grasslands and damages grassland vegetation shall be instructed by the competent administrative department for grasslands under the local people's government at or above the county level, in conformity with its functions and powers, to cease the violation and restore the grassland vegetation within a time limit, his illegal gains shall be confiscated and he may, in addition, be fined not less than the amount of, but not more than two times, the illegal gains; if there are no illegal gains, he may, in addition, be fined not less than six times, but not more than 12 times, the average output value of the grasslands in the three years before they are damaged; and if losses are caused to the grassland owner or user, he shall bear the responsibility to pay compensation in accordance with law.

第七十条   非抢险救灾和牧民搬迁的机动车辆离开道路在草原上行驶，或者从事地质勘探、科学考察等活动，未事先向所在地县级人民政府草原行政主管部门报告或者未按照报告的行驶区域和行驶路线在草原上行驶，破坏草原植被的，由县级人民政府草原行政主管部门责令停止违法行为，限期恢复植被，可以并处草原被破坏前三年平均产值三倍以上九倍以下的罚款；给草原所有者或者使用者造成损失的，依法承担赔偿责任。

Article 70 Anyone who drives a motor vehicle, other than one used for emergencies and disaster relief or herdsmen's relocation, leaves the roads to drive on grasslands, or for the purpose of geological exploration and scientific survey, drives on the grasslands, failing to submit to the competent administrative department for grasslands under the people's government at the county level a report in advance or failing to conformity with the areas and routes the vehicle plans to travel, thus causing damage to grassland vegetation, shall be instructed by the competent administrative department for grasslands under the people's government at or above the county level to cease the violation and restore the grassland vegetation within a time limit, and he may, in addition, be fined not less than three times, but not more than nine times, the average output value of the grasslands in the three years before they are damaged; and if losses are caused to the grassland owner or user, he shall bear the responsibility to pay compensation in accordance with law.

第七十一条   在临时占用的草原上修建永久性建筑物、构筑物的，由县级以上地方人民政府草原行政主管部门依据职权责令限期拆除；逾期不拆除的，依法强制拆除，所需费用由违法者承担。

Article 71 Any unit that erects permanent buildings or structures on the grasslands temporarily occupied by it shall be instructed by the competent administrative department for grasslands under the people's government at or above the county level, in conformity with its functions and powers, to dismantle them within a time limit, and if it fails to do so at the expiration of the time limit, dismantling shall be enforced in accordance with law and the law-breaker shall pay the expenses entailed.

临时占用草原，占用期届满，用地单位不予恢复草原植被的，由县级以上地方人民政府草原行政主管部门依据职权责令限期恢复；逾期不恢复的，由县级以上地方人民政府草原行政主管部门代为恢复，所需费用由违法者承担。

Where at the expiration of the time limit for temporary occupation of a piece of grasslands, the unit that uses the grasslands fails to restore the grassland vegetation, it shall be instructed by the competent administrative department for grasslands under the people's government at or above the county level, in conformity with its functions and powers, to do so within a time limit; and if the unit still fails to do so at the expiration of the time limit, the grassland vegetation shall be restored by the said department on its behalf and the law-breaker shall pay the expenses entailed.

第七十二条   未经批准，擅自改变草原保护、建设、利用规划的，由县级以上人民政府责令限期改正；对直接负责的主管人员和其他直接责任人员，依法给予行政处分。

Article 72 Any unit that, without approval, modifies the plans for grassland protection, development and use shall be instructed to rectify by the people's government at or above the county level within a time limit; and the persons directly in charge and the other persons directly responsible shall be given administrative sanctions in accordance with law.

第七十三条   对违反本法有关草畜平衡制度的规定，牲畜饲养量超过县级以上地方人民政府草原行政主管部门核定的草原载畜量标准的纠正或者处罚措施，由省、自治区、直辖市人民代表大会或者其常务委员会规定。

Article 73 The measures for rectifying or punishing violations of the provisions of this Law on the system for the balance between the yield of grass and the number of livestock raised, namely, the number of livestock raised exceeds the standard for stock-carrying capacity checked and determined by the competent administrative department for grasslands under the people's government at or above the county level, shall be formulated by the people's congresses or their standing committees of the provinces, autonomous regions and the municipalities directly under the Central Government.

第九章 附则

Chapter 9 Supplementary Provisions

第七十四条   本法第二条第二款中所称的天然草原包括草地、草山和草坡，人工草地包括改良草地和退耕还草地，不包括城镇草地。

Article 74 "Natural grasslands" mentioned in the second paragraph of Article 2 of this Law include land, mountains and hillsides covered with grass, and "man-made grasslands" include improved pastures and pastures restored from reclaimed land, with the exception of land covered with grass in cities and towns.

第七十五条   本法自2003年3月1日起施行。

Article 75 This Law shall go into effect as of March 1, 2003.