

# ANIMAL PROTECTION ACT

Wholly Amended by Act No. 18853, Apr. 26, 2022

## CHAPTER I GENERAL PROVISIONS

### Article 1 (Purpose)

The purpose of this Act is to encourage a national sentiment of respecting life and to contribute to the harmonious coexistence of humans and animals by promoting the protection of animal life, guaranteeing safety and welfare of animals, and fostering a healthy and responsible culture of raising animals.

### Article 2 (Definitions)

The terms used in this Act are defined as follows:

1. The term “animal” means any of the following animals which are vertebrates with a developed nervous system capable of feeling pain:
  - (a) Mammals;
  - (b) Birds;
  - (c) Reptiles, amphibians, and fish that the Minister of Agriculture, Food and Rural Affairs determines by Presidential Decree after consultation with the heads of relevant central administrative agencies;
2. The term “owner, etc.” means an animal owner or a person who raises, manages, or protects animals temporarily or permanently;
3. The term “lost or abandoned animal” means an animal that is roaming around without its owner, etc. or is abandoned in public places such as roads and parks;
4. The term “abused animal” means an animal that has been abused as prescribed in Article 10 (2) or (4) 2;
5. The term “fierce dog” means any of the following dogs:
  - (a) Dogs prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as Tosa dogs, pit bull terriers, and Rottweilers, which are likely to harm human life, body, or animals;
  - (b) Dogs designated as fierce dogs by the Mayor/Do Governor pursuant to Article 24 (3) as they are likely to harm human life, body, or animals;
6. The term “service animal” means an animal prescribed by Presidential Decree which is serving or served for people or the country, such as a guide dog for persons with disabilities under Article 40 of

the Act on Welfare of Persons with Disabilities;

7. The term “companion animal” means an animal prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs which is kept for the purpose of companionship, such as dogs and cats;

8. The term "animal subject to registration" means an animal prescribed by Presidential Decree as it is deemed necessary to register the animal in order to protect the animal, prevent loss or abandonment, control diseases, prevent harm to public health, etc.;

9. The term “animal abuse” means any act that causes unnecessary or avoidable pain and stress to animals without good cause, or neglects to take appropriate measures against hunger, diseases, etc.;

10. The term “temperament evaluation” means judging the aggression of an animal by comprehensively analyzing the animal's health status, behavioral patterns, and the control ability of the owner, etc.;

11. The term “companion animal behavior instructor” means a person who has specialized knowledge of and skills in analyzing, evaluating, and training companion animals, and has passed the qualification test under Article 31 (1);

12. The term “animal testing” means the animal testing under subparagraph 1 of Article 2 of the Laboratory Animal Act;

13. The term “animal testing institution” means a corporation, organization, or institution prescribed by Presidential Decree which conducts animal testing.

### **Article 3 (Basic Principles of Animal Protection)**

Anyone who raises, manages, or protects animals shall comply with the following principles:

1. To allow animals to live normally while maintaining their original habits and body shape;
2. To ensure that animals do not suffer from thirst, hunger, or lack of nutrition;
3. To ensure that animals can express normal behavior and do not experience discomfort;
4. To make animals free from pain, injury, and disease;
5. To keep animals from experiencing fear and stress.

### **Article 4 (Responsibilities of the State, Local Governments, and Citizens)**

(1) The State and local governments shall formulate and implement policies necessary for the proper protection and management of animals, such as preventing animal abuse.

(2) The State and local governments shall endeavor to secure manpower, budget, etc. necessary to fulfill their responsibilities under paragraph (1) and the State may subsidize within the budget all or part of project expenses necessary for local governments to promote proper protection, management, and welfare of animals.

(3) The State and local governments may recommend or provide support for animal protection campaigns or other related activities to private organizations prescribed by Presidential Decree, and shall endeavor to inform the public of how to protect and manage animals, etc. properly.

(4) All citizens shall endeavor to protect animals, such as actively cooperating with the policies of the State and local governments to protect them.

(5) The owner, etc. shall endeavor to properly protect and manage animals and to prevent animal abuse, such as completing education on the protection and welfare of animals.

#### **Article 5 (Relationship to Other Statutes)**

Except as otherwise provided in other statutes, the protection, use, and management of animals shall be governed by this Act.

## **CHAPTER II FORMULATION OF COMPREHENSIVE ANIMAL WELFARE PLAN**

#### **Article 6 (Comprehensive Animal Welfare Plan)**

(1) The Minister of Agriculture, Food and Rural Affairs shall formulate and implement a comprehensive animal welfare plan (hereinafter referred to as "comprehensive plan") including the following matters every five years in order to properly protect and manage animals:

1. Basic direction-setting for animal welfare;
2. Matters concerning the protection, welfare, and management of animals;
3. Matters concerning support for and management of facilities that protect animals;
4. Matters concerning business related to companion animals;
5. Matters concerning health improvement, such as prevention and treatment of animal diseases;
6. Matters concerning public education and publicity about the protection and welfare of animals;
7. Methods of financing for the implementation of a comprehensive plan;
8. Other matters necessary for the protection and welfare of animals.

(2) When formulating the comprehensive plan, the Minister of Agriculture, Food and Rural Affairs shall collect opinions of the heads of relevant central administrative agencies, the Special Metropolitan City Mayor, Metropolitan City Mayor, Special Self-Governing City Mayor, Do Governor, and the Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor") and shall finalize it after the deliberation by the animal welfare committee under Article 7.

(3) Each Mayor/Do Governor shall formulate an animal welfare plan every five years in units of the Special Metropolitan City, Metropolitan City, Special Self-Governing City, Do, or Special Self-Governing Province (hereinafter referred to as "City/ Do") in accordance with the comprehensive plan, and shall notify the Minister of Agriculture, Food and Rural Affairs thereof.

#### **Article 7 (Animal Welfare Committee)**

(1) To respond to the following inquiries from the Minister of Agriculture, Food and Rural Affairs, the Ministry of Agriculture, Food and Rural Affairs shall have an animal welfare committee (hereafter

referred to as “committee” in this Article): Provided, That subparagraph 1 shall be subject to deliberation:

1. Inquires about the formulation of a comprehensive plan;
  2. Inquiries about the formulation, implementation, adjustment, and evaluation of animal welfare policies;
  3. Inquiries about the tasks of other central administrative agencies that are related to animal protection and welfare;
  4. Other inquiries about animal protection and welfare.
- (2) The committee shall consist of up to 20 members, including two co-chairpersons.
- (3) The Vice Minister of Agriculture, Food and Rural Affairs and an elected private member shall co-chair the committee, and its members shall be appointed or commissioned by the Minister of Agriculture, Food and Rural Affairs from among public officials belonging to relevant central administrative agencies or the following persons:
1. Veterinarians with extensive knowledge of and experience in the protection and welfare of animals;
  2. Persons with extensive knowledge of and experience in animal welfare policy who are recommended by a private organization under Article 4 (3);
  3. Other persons with expertise in animal welfare policy who meet the qualification standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.
- (4) The committee may establish subcommittees to efficiently perform its duties.
- (5) Except as provided in paragraphs (1) through (4), matters concerning the composition, operation, etc. of the committee and subcommittees shall be prescribed by Presidential Decree.

#### **Article 8 (City/Do Animal Welfare Committee)**

- (1) In order to formulate an animal welfare plan at the city/Do level pursuant to Article 6 (3) and to compile and coordinate policies related to the adequate protection and management of animals and animal welfare, a City/Do animal welfare committee may be established and operated; Provided, That where a City/Do has a committee similar in nature and function to an animal welfare committee, such committee may substitute for the animal welfare committee, as prescribed by ordinance of the relevant City/Do.
- (2) Matters concerning the composition, operation, etc. of the City/Do animal welfare committee shall be determined by ordinance of each City/Do.

## **CHAPTER II PROTECTION AND MANAGEMENT OF ANIMALS**

### **SECTION 1 Protection of Animals**

#### **Article 9 (Adequate Breeding and Management)**

- (1) The owner, etc. shall supply suitable feed and water to animals, and shall endeavor to ensure that the animals exercise, rest, and sleep.
- (2) Where an animal is ill or injured, the owner, etc. shall endeavor to have it treated promptly or take other necessary measures.
- (3) Where managing an animal or having moved an animal to another place, the owner, etc. shall endeavor to take measures necessary for the animal to help it to adapt to the new environment.
- (4) In the event of a disaster, the owner, etc. shall endeavor to evacuate animals safely.
- (5) Except as provided in paragraphs (1) through (3), matters concerning the adequate methods for raising and managing animals, etc. shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 10 (Prohibition of Animal Abuse)**

- (1) No one shall kill an animal or engage in any of the following acts that cause its death:
  1. Causing death in a cruel way, such as hanging;
  2. Killing in a public place such as on the street or causing death in front of other animals of the same kind;
  3. Using an animal as food for other animals despite the absence of unavoidable causes such as the animal's habits or ecological environment;
  4. Other acts that cause death of an animal without reasonable grounds prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as preventing direct threat to human life or body or damage to property.
- (2) No one shall engage in any of the following acts against animals:
  1. Inflicting injury by using physical or chemical methods such as tools and drugs: Provided, That cases prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as disease prevention or treatment of the relevant animal, are excluded;
  2. Damaging the body of an animal while it is alive, collecting bodily fluids, or installing a device for collecting bodily fluids: Provided, That cases prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as disease prevention and animal testing of the relevant animal, are excluded;
  3. Inflicting injury on an animal for the purpose of gambling, advertising, amusement, entertainment, etc.: Provided, That cases prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as folk games, are excluded;
  4. Any of the following acts that cause pain or injury to an animal's body:
    - (a) Inflicting pain or injury on an animal even when there are other ways to prevent a direct threat to human life or body or damage to property;
    - (b) Inflicting pain or injury by neglecting an animal in an environment such as extreme heat or extreme cold, despite the absence of unavoidable causes such as the animal's habits or raising

environment;

(c) Inflicting pain or injury on an animal by forcibly feeding them water or food without the purpose of quenching thirst or hunger, preventing or treating diseases, etc.;

(d) Inflicting pain or injury in a cruel way, such as forcing an animal to fight another animal or using tools, even though it is not necessary for raising or training the animal.

(3) No one shall engage in any of the following acts with respect to animals roaming around without their owner, etc., abandoned animals, or abused animals whose owner, etc. is unknown:

1. Capturing and selling;
2. Capturing and killing;
3. Capturing for the purpose of selling or killing;
4. Arranging for purchase or purchasing an animal roaming around without its owner, etc. or an abandoned or abused animal knowing that the owner, etc. is unknown.

(4) The owner, etc. shall not engage in any of the following acts:

1. Abandoning an animal;
2. Injuring, or causing disease to, a companion animal in violation of the duty of raising, management, or protection prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as providing minimum raising space and food, appropriate length of the leash, and matters for hygiene and health management;
3. Causing the death of a companion animal due to an act under subparagraph 2.

(5) No one shall engage in any of the following acts:

1. Selling, exhibiting, conveying, showing, or posting on the Internet a photograph or video footage taken of any of the acts under paragraphs (1) through (4) (excluding paragraph (4) 1): Provided, That the foregoing shall not apply to cases prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as public relations activities that indicate the purpose of raising awareness of animal protection;
2. Using animals for the purpose of gambling, or advertising or publicizing for the purpose of gambling using animals: Provided, That the gaming industry under subparagraph 1 of Article 2 of the National Gambling Control Commission Act is excluded;
3. Offering animals as prizes or gifts of gambling, matches, lottery tickets, entertainment, amusement, advertisements, etc.;
4. Lending animals for profit: Provided, That cases prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs are excluded, such as lending guide dogs for persons with disabilities pursuant to Article 40 of the Act on Welfare of Persons with Disabilities.

#### **Article 11 (Transportation of Animals)**

(1) Those transporting animals who are prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs shall comply with the following:

1. They shall supply adequate feed and water to animals in transit and prevent shock and injury from sudden start, braking, etc.;
  2. A vehicle for transporting the animals shall have a structure that prevents injuries to animals during transportation and minimizes pain due to sudden changes in body temperature, difficulty breathing, etc.;
  3. When transporting sick, young, or pregnant animals, or animals with nursing babies, they shall take necessary measures to prevent injuries from other animals being transported together, such as installation of partitions;
  4. They shall not cause injuries to the animals by throwing or dropping the animals or the cages containing the animals, while loading or unloading the animals;
  5. They shall not use electric herding tools for transportation.
- (2) The Minister of Agriculture, Food and Rural Affairs may set standards for the structure and equipment of an animal transport vehicle under paragraph (1) 2 and recommend the use of a vehicle that meets the standards.
- (3) Except as provided in paragraphs (1) and (2), the Minister of Agriculture, Food and Rural Affairs may determine and recommend matters necessary for transporting animals.

#### **Article 12 (Method of Delivery of Companion Animals)**

A person who intends to deliver a companion animal to another person shall deliver it directly or through a person who has registered for animal transport business pursuant to Article 73 (1).

#### **Article 13 (Method of Slaughtering Animals)**

- (1) No one shall slaughter an animal in a repulsive or cruel way or cause unnecessary pain, fear, or stress during the slaughtering process.
- (2) When animals are killed in accordance with the Livestock Products Sanitary Control Act or the Act on the Prevention of Contagious Animal Diseases, their suffering must be minimized by using the methods prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as gas stunning or electrical stunning, and they must be in an unconscious state to be passed on to the next slaughter stage. The same shall also apply to cases of burial.
- (3) In cases where it is unavoidable to kill an animal other than the cases falling under paragraphs (1) and (2), a method that minimizes suffering shall be employed.

#### **Article 14 (Surgery on Animals)**

A person performing surgical operations on animals, such as castration, dehorning, or tail cutting, shall follow veterinary procedures.

#### **Article 15 (Registration of Animals Subject to Registration)**

(1) In order to protect animals, prevent loss or abandonment, and prevent harm to public health, etc., the owner of an animal subject to registration shall register the animal with the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu: Provided, That the foregoing shall not apply to areas designated by municipal ordinance pursuant to the Ordinance of the Ministry of Agriculture, Food and Rural Affairs if the animal subject to registration is not a fierce dog.

(2) In any of the following cases, the owner of an animal subject to registration that is registered pursuant to paragraph (1) (hereinafter referred to as "registered animal") shall report to the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu within the period classified as follows:

1. Where the registered animal is lost: Within 10 days from the date of the loss of the registered animal;
2. Where there is any change to matters prescribed by Presidential Decree with respect to the registered animal: Within 30 days from the date of the change.

(3) If a person who has acquired the ownership of a registered animal resides in an area where registration is enforced under the main clause of paragraph (1), the person shall report the fact to the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu within 30 days from the date of the acquisition of ownership.

(4) The Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may have a person prescribed by Presidential Decree (hereafter referred to as "animal registration agent" in this Article) perform the businesses under paragraphs (1) through (3) on their behalf and may pay the required expenses therefor.

(5) The Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may cancel registration in any of the following cases:

1. Where an animal subject to registration is registered or reported for change by fraud or other improper means;
2. Where the resident registration or alien registration of the owner of the registered animal is canceled;
3. Where the corporation that is the owner of the registered animal is dissolved.

(6) The State and local governments may subsidize part or all of the expenses required for registration under paragraph (1).

(7) Matters concerning registration of animals subject to registration, methods and procedures, procedures for reporting changes, procedures for cancellation of registration, matters to be observed by an animal registration agent, etc. shall be prescribed by Presidential Decree, and other matters necessary for registration shall be prescribed by City/Do ordinance.

#### **Article 16 (Management of Animals Subject to Registration)**

(1) The owner, etc. of an animal subject to registration shall manage it so that it does not deviate from the place where it is kept without the owner, etc.



(2) When going outside with the animal subject to registration., the owner, etc. of the animal subject to registration shall observe the following:

1. To take safety measures to prevent harm to people or other animals, such as putting it on a leash that meets the standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs;
2. To attach to the animal subject to registration an identification tag indicating its name, the contact information of the owner, and other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs;
3. To collect excrement immediately (in cases of urination, this applies only to common spaces inside buildings, such as elevators and stairs, and equipment on which people can lie down or sit, such as tables and chairs).

(3) Where necessary to prevent loss or abandonment of animals subject to registration or harm to public health, the Mayor/Do Governor may take necessary measures as prescribed by City/Do ordinance, such as having the owners, etc. vaccinate the animals subject to registration or placing restrictions on raising or entry in a specific area or place.

## SECTION 2 Management of Fierce Dogs

### **Article 17 (Import Declaration of Fierce Dogs)**

- (1) A person who intends to import a fierce dog under subparagraph 5 (a) of Article 2 shall file an import declaration to the Minister of Agriculture, Food and Rural Affairs, as prescribed by Presidential Decree.
- (2) A person who intends to file an import declaration of a fierce dog pursuant to paragraph (1) shall state matters prescribed by Presidential Decree in a written import declaration, such as the breed of the fierce dog, purpose of import, and place of raising, and submit it to the Minister of Agriculture, Food and Rural Affairs.

### **Article 18 (Permission to Raise Fierce Dogs)**

- (1) A person who intends to raise a fierce dog that is subject to registration shall meet the following requirements and obtain permission therefor from the Mayor/Do Governor:
  1. To file a registration under Article 15;
  2. To purchase insurance under Article 23;
  3. To complete neutering: Provided, That if a dog is younger than eight months and neutering is difficult due to its developmental status, etc., the dog shall be neutered within a period prescribed by Presidential Decree and then documents verifying such fact shall be submitted to the Mayor/Do Governor.
- (2) If there are persons who jointly raise, manage, or protect a fierce dog, the permission to raise fierce dogs under paragraph (1) may be jointly applied for.

(3) Before granting permission to raise fierce dogs, the Mayor/Do Governor shall get the temperament evaluation conducted by the temperament evaluation committee under Article 26.

(4) If judging that raising a fierce dog is highly likely to pose a risk to public safety, the Mayor/Do Governor shall refuse to grant permission to raise the fierce dog. In such cases, the Mayor/Do Governor may order that the relevant fierce dog be disposed of in a humane manner upon deliberation by the temperament evaluation committee.

(5) Article 46 (1) and the former part of Article 46 (2) shall apply mutatis mutandis to the humane disposal of fierce dogs under paragraph (4).

(6) The Mayor/Do Governor may order a person who has obtained permission to raise a fierce dog (in cases of joint application for the permission under paragraph (2), the person who has jointly filed an application is included) to complete education or to train the dog for which the permission is granted, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(7) Except as provided in paragraphs (1) through (6), matters concerning the procedure, etc. for permission to raise fierce dogs shall be prescribed by Presidential Decree.

#### **Article 19 (Grounds for Disqualification for Permission to Raise Fierce Dogs)**

Any of the following persons is not eligible for the permission to raise fierce dogs under Article 18:

1. A minor (referring to a person under the age of 19; hereinafter the same shall apply);
2. A person under adult guardianship or a person under limited guardianship;
3. A mentally ill person under subparagraph 1 of Article 3 of the Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients or a person addicted to narcotics under subparagraph 1 of Article 2 of the Narcotics Control Act: Provided, That the foregoing shall not apply to those who are recognized by a mental health specialist as having no problem in raising fierce dogs;
4. A person for whom three years have not passed since his or her sentence of a fine or a heavier punishment for a violation of Article 10, 16, or 21 was completely executed (including cases where the execution is deemed completed) or since he or she was exempted from the execution of such sentence;
5. A person who has been sentenced to a suspension of the execution of a fine or heavier punishment in violation of Article 10, 16, or 21 and is under the suspension of the execution of such sentence.

#### **Article 20 (Withdrawal of Permission to Raise Fierce Dogs)**

(1) The Mayor/Do Governor may revoke permission to raise fierce dogs in any of the following cases:

1. Where a fierce dog belonging to a person who has obtained the permission to raise fierce dogs pursuant to Article 18 attacks a person or animal and causes injury or death;
2. Where the neutering is not done within the period stipulated in the proviso of Article 18 (1) 3 without good cause;
3. Where the orders under Article 18 (6) to complete education or to train a fierce dog subject to permission are not complied with.

(2) Where revoking the permission to raise fierce dogs under paragraph (1) 1, the Mayor/Do Governor may order that the relevant fierce dog be disposed of in a humane manner after deliberation by the temperament evaluation committee. In such cases, Article 46 (1) and the former part of Article 46 (2) shall apply mutatis mutandis.

### **Article 21 (Management of Fierce Dogs)**

(1) The owner, etc. of a fierce dog shall comply with the following matters:

1. It shall be ensured that the fierce dog does not stray from the place where it is kept, without the owner, etc.: Provided, That in cases of a fierce dog belonging to a person who has obtained permission to raise the fierce dog pursuant to Article 18, it shall be ensured that the fierce dog does not stray from the place where it is kept, without the person who has obtained the permission to raise the fierce dog or a person who has expertise in raising fierce dogs as prescribed by Presidential Decree;
2. When going outside with a dog of three months or older, safety devices such as a leash and muzzle or an appropriate moving device that prevents the fierce dog from escaping shall be put in place as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs;
3. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs shall be followed in order to prevent fierce dogs from harming people or other animals.

(2) Where a fierce dog inflicts bodily harm to a person, the Mayor/Do Governor and the head of a Si/Gun/Gu may take necessary measures, such as quarantine, on the fierce dog without the consent of the owner, etc., as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) A person who has obtained permission to raise fierce dogs under Article 18 (1) and (2) shall receive education regularly on the safe raising, management, or protection of fierce dogs, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

### **Article 22 (Prohibition of Entry of Fierce Dogs)**

The owner, etc. of a fierce dog shall make sure that the fierce dog does not enter any of the following places:

1. Child care centers under subparagraph 3 of Article 2 of the Child Care Act;
2. Kindergartens under subparagraph 2 of Article 2 of the Early Childhood Education Act;
3. Elementary schools and special schools under subparagraphs 1 and 4 of Article 2 of the Elementary and Secondary Education Act;
4. Welfare facilities for senior citizens under Article 31 of the Welfare of Senior Citizens Act;
5. Welfare facilities for persons with disabilities under Article 58 of the Act on Welfare of Persons with Disabilities;
6. Children's parks under Article 15 (1) 2 (b) of the Act on Urban Parks and Green Areas;
7. Children's play facilities under subparagraph 2 of Article 2 of the Act on the Safety Control of Children's Play Facilities;

8. Other places used by many unspecified people as prescribed by City/Do ordinance.

#### **Article 23 (Purchase of Insurance)**

(1) The owner of a fierce dog shall purchase insurance to compensate for the damage caused in the event that his or her fierce dog injures or kills another person or animal.

(2) The scope of fierce dogs to be insured under paragraph (1), types of insurance, limit of compensation, and other necessary matters shall be prescribed by Presidential Decree.

(3) Where necessary for the management of insurance purchases under paragraph (1), the Minister of Agriculture, Food and Rural Affairs may request heads of relevant central administrative agencies or local governments to take administrative measures, or may request data necessary for the management of insurance purchases from relevant institutions, insurance companies, and insurance-related organizations, as prescribed by Presidential Decree. In such cases, those who receive such request shall comply therewith unless there is good cause.

#### **Article 24 (Evaluation of Temperament of Non-Fierce Dogs)**

(1) Where a dog that is not a fierce dog under subparagraph 5 (a) of Article 2 harms a person or an animal, the Mayor/ Do Governor may order the owner of the dog to have the relevant animal evaluated on its temperament.

(2) If a non-fierce dog's aggression is the subject of a dispute, the owner of the relevant dog may apply to the Mayor/Do Governor for an evaluation of the dog's temperament.

(3) If a dog is found to be highly aggressive in the temperament evaluation conducted in response to the order under paragraph (1) or the application under paragraph (2), Mayor/Do Governor shall designate the dog as a fierce dog.

(4) Where designating a dog as a fierce dog pursuant to paragraph (3), the Mayor/Do Governor may also determine whether to grant permission to raise fierce dogs under Article 18, at the request of the owner of the relevant dog.

(5) Even if not designating a dog as a fierce dog pursuant to paragraph (3), the Mayor/Do Governor may order the owner of the relevant dog to complete education or to train the dog, as prescribed by Presidential Decree.

#### **Article 25 (Bearing of Expenses)**

(1) Expenses for temperament evaluation shall be borne by the owner, and collection of such expenses shall be made in accordance with the Act on the Collection of Local Administrative Penalty Charges.

(2) Matters necessary for the criteria for temperament evaluation expenses, scope of payment, etc. under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

## **Article 26 (Temperament Evaluation Committee)**

(1) The Mayor/Do Governor shall establish a temperament evaluation committee in the City/Do to carry out the following duties:

1. Determination of the breed of fierce dogs under subparagraph 5 (a) of Article 2;
2. Temperament evaluation of fierce dogs under Article 18 (3);
3. Deliberation on the humane disposal under Article 18 (4);
4. Temperament evaluation of non-fierce dogs under Article 24 (3);
5. Other matters requested by the Mayor/Do Governor.

(2) The temperament evaluation committee shall consist of at least three members, including one chairperson.

(3) The members shall be appointed by the Mayor/Do Governor from among the following persons, and the chairperson shall be elected by and from among the members:

1. Veterinarians with extensive knowledge of and experience in animal behavior and development;
2. Companion animal behavior instructors;
3. Persons recognized by the Mayor/Do Governor as having extensive knowledge of and experience in animal welfare policy.

(4) Except as provided in paragraphs (1) through (3), matters concerning the composition and operation of the temperament evaluation committee shall be prescribed by Presidential Decree.

## **Article 27 (Authority of Temperament Evaluation Committee)**

(1) Where deemed necessary for the temperament evaluation, the temperament evaluation committee may request that the owner, etc. of the animal subject to the evaluation appear and make a statement or may submit a written opinion or data.

(2) Where necessary for the evaluation, the temperament evaluation committee may conduct an investigation related to the temperament evaluation at the owner's residence or in other places related to the case.

(3) When an investigation is conducted pursuant to paragraph (2), a certificate prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs shall be carried and shown to the owner.

(4) The owner, etc. of an animal subject to evaluation shall not refuse the request for appearance or data submission, or the investigation related to temperament evaluation under paragraphs (1) and (2), without good cause.

## **Article 28 (Request for Information Necessary for Temperament Evaluation)**

(1) Where deemed necessary for the temperament evaluation, the Mayor/Do Governor or the temperament evaluation committee may request necessary information from relevant institutions, in relation to an event in which an animal harms humans or animals, such as recordings of a visual data processing device.

(2) The head of the relevant institution who has received the request under paragraph (1) shall not reject it without good cause.

(3) Except as provided in this Act, matters concerning the protection and management of information under paragraph (1) shall be governed by the Personal Information Protection Act.

#### **Article 29 (Duty of Confidentiality)**

(1) No person who is or was a member of the temperament evaluation committee shall divulge any secrets he or she has learned in the course of his or her work.

(2) For the purposes of Articles 129 through 132 of the Criminal Act, a member of the temperament evaluation committee who is not a public official shall be regarded as a public official.

### SECTION 3 Companion Animal Behavior Instructor

#### **Article 30 (Duties of Companion Animal Behavior Instructors)**

(1) Companion animal behavior instructors shall perform the following duties:

1. Behavior analysis and evaluation of companion animals;
2. Companion animal training;
3. Education for the owners, etc. of companion animals;
4. Other duties prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs as necessary for guiding the behavior of companion animals.

(2) In order to improve the work ability and professionalism of companion animal behavior instructors, the Minister of Agriculture, Food and Rural Affairs may conduct refresher training as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 31 (Companion Animal Behavior Instructor Qualification Test)**

(1) A person who wants to become a companion animal behavior instructor must pass the qualification test implemented by the Minister of Agriculture, Food and Rural Affairs.

(2) A person who is recognized as possessing expertise and skills in behavior analysis, evaluation, and training of companion animals and meets the standards prescribed by Presidential Decree may be exempted from some of the subjects for the qualification test under paragraph (1).

(3) For any of the following persons, the Minister of Agriculture, Food and Rural Affairs shall invalidate the relevant test or cancel a decision for acceptance:

1. A person who took the test by fraud or other improper means;
2. A person who cheated on the test.

(4) None of the following persons shall take the companion animal behavior instructor qualification test for three years from the date of the disposition:

1. A person in whose case the test has been invalidated or the decision for acceptance has been canceled pursuant to paragraph (3);
  2. A person whose qualification as a companion animal behavior instructor has been revoked pursuant to Article 32 (2).
- (5) The Minister of Agriculture, Food and Rural Affairs may entrust matters pertaining to the implementation of the qualification test under paragraph (1) to a relevant specialized institution, as prescribed by Presidential Decree.
- (6) Matters concerning the subjects, test methods, passing standards, issuance of certificates, etc. for the companion animal behavior instructor qualification test shall be prescribed by Presidential Decree.

### **Article 32 (Grounds for Disqualification and Revocation of Qualifications for Companion Animal Behavior Instructors)**

- (1) None of the following persons may become a companion animal behavior instructor:
1. A person under adult guardianship;
  2. A mentally ill person under subparagraph 1 of Article 3 of the Act on the Improvement of Mental Health and the Support for Welfare Services for Mental Patients or a person addicted to narcotics under subparagraph 1 of Article 2 of the Narcotics Control Act: Provided, That the foregoing shall not apply to those who are recognized by a mental health specialist as being capable of performing duties of a companion animal behavior instructor;
  3. Where three years have not passed since the date the execution of sentence was completed (including cases where the execution is deemed completed) or exempted after a person was sentenced to a fine or heavier punishment for violating this Act;
  4. Where a person has been sentenced to a suspension of the execution of a fine or heavier punishment for violation of this Act and is under suspension of the execution thereof.
- (2) The Minister of Agriculture, Food and Rural Affairs may revoke the qualification of the companion animal behavior instructor or suspend such qualification for a period of up to two years in any of the following cases: Provided, That in cases falling under any of subparagraphs 1 through 4, the qualification must be revoked:
1. Where any subparagraph of paragraph (1) becomes applicable;
  2. Where the companion animal behavior instructor acquires the qualification by fraud or other improper means;
  3. Where the companion animal behavior instructor lets another person use his or her name or lends his or her certificate to another person;
  4. Where the companion animal behavior instructor performs work during the period of suspension of qualification;
  5. Where the companion animal behavior instructor has been sentenced to a fine or heavier punishment for violating this Act and the punishment becomes final and conclusive;

6. Where the companion animal behavior instructor arranges, entices, or coerces owners, etc. of companion animals into selecting unnecessary services, for profit.
- (3) Criteria for the revocation and suspension of qualification under paragraph (2) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, taking into consideration the grounds for the disposition and the degree of violation.

#### **Article 33 (Prohibition of Lending Names)**

- (1) Any person other than those who have passed the qualification test under Article 31 may use the title of the companion animal behavior instructor.
- (2) A companion animal behavior instructor shall neither allow another person to use his or her name to perform the duties under Article 30 (1) nor lend his or her certificate.
- (3) No one shall arrange for any of the acts prohibited under paragraph (1) or (2).

### SECTION 4 Rescue of Animals

#### **Article 34 (Rescue and Protection of Animals)**

(1) Where discovering any of the following animals, the Mayor/Do Governor or the head of a Si/Gun/Gu shall rescue the animal and take necessary measures for treatment and protection pursuant to Article 9 (hereinafter referred to as "protective measures") and shall isolate animals prescribed in subparagraphs 2 and 3 from the abuser to prevent the recurrence of abuse: Provided, That animals prescribed in subparagraph 1 that are prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs shall not be subject to the rescue and protective measures:

1. Lost or abandoned animals;
  2. Abused animals whose owner is unknown;
  3. Animals that have been abused by the owner, etc. as prescribed in Article 10 (2) and Article 10 (4) 2 and are deemed unable to receive adequate treatment and protection.
- (2) Where taking protective measures for animals under paragraph (1) 1 and 2, the Mayor/Do Governor and the head of a Si/Gun/Gu shall confirm whether the animal is registered and, if it is a registered animal, shall notify the owner of the animal without delay of the fact that protective measures are being taken.
- (3) Where protecting animals under paragraph (1) 3, the Mayor/Do Governor and the head of a Si/Gun/Gu shall take protective measures for the relevant animals by setting a period as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.
- (4) Even for the animals under the proviso, with the exception of the subparagraphs, of paragraph (1), the Mayor/Do Governor and the head of a Si/Gun/Gu may take measures necessary for protection and management.



### **Article 35 (Installation of Animal Protection Centers)**

(1) The Mayor/Do Governor and the head of a Si/Gun/Gu may install and operate an animal protection center meeting the standards for facilities and manpower prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs for the rescue, protection, etc. of animals under Article 34.

(2) The Mayor/Do Governor and the head of a Si/Gun/Gu shall endeavor to directly install and operate the animal protection center under paragraph (1).

(3) The duties of the animal protection center installed pursuant to paragraph (1) are as follows:

1. Rescue and protective measures for animals under Article 34;
2. Return, etc. of animals under Article 41;
3. Acquisition, etc. of animals raising of which is forsaken under Article 44;
4. Donation and sale of animals under Article 45;
5. Humane disposal, etc. of animals under Article 46;
6. Education on raising companion animals;
7. Education on prevention of lost or abandoned animals;
8. Promotion of animal protection to eradicate animal abuse;
9. Other duties prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs for the rescue, protection, etc. of animals.

(4) The Minister of Agriculture, Food and Rural Affairs may subsidize all or part of the expenses incurred in the installation and operation of the animal protection center installed and operated by the Mayor/Do Governor or the head of a Si/Gun/Gu pursuant to paragraph (1).

(5) The head and employees of the animal protection center installed pursuant to paragraph (1) shall receive education on animal protection and prevention of harm to public health, etc. on a regular basis, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(6) In order to ensure fairness and transparency in the operation of animal protection centers, animal protection centers of a size larger than that prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs shall organize and operate an operating committee as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: Provided, That if a City/Do or Si/Gun/Gu already has a committee similar in nature and function to the operating committee, such committee may substitute for the operating committee, as prescribed by ordinances of the relevant Si/Do or Si/Gun/Gu.

(7) Details regarding the matters to be observed by animal protection centers under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, and other necessary matters, such as specifics of protective measures, shall be prescribed by City/Do ordinance.

### **Article 36 (Designation of Animal Protection Center)**

(1) The Mayor/Do Governor or the head of a Si/Gun/Gu may designate an institution or organization that meets the standards for facilities and manpower prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs as an animal protection center and entrust the duties under Article 35 (3). In such

cases, the institution or organization designated as an animal protection center shall not entrust the protective measures for animals to a third party.

(2) A person who intends to be designated as an animal protection center under paragraph (1) shall file an application with the Mayor/Do Governor or the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) The Mayor/Do Governor or the head of a Si/Gun/Gu may subsidize all or part of the expenses incurred in rescue and protective measures for animals (hereinafter referred to as “protection expenses”) to an animal protection center under paragraph (1), and procedures for paying the subsidies for protection expenses and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(4) The Mayor/Do Governor or the head of a Si/Gun/Gu may revoke the designation of an animal protection center designated under paragraph (1) in any of the following cases: Provided, That the designation must be revoked in cases prescribed in subparagraphs 1 and 4:

1. Where achieving the designation by fraud or other improper means;
2. Where the standards for designation under paragraph (1) are no longer met;
3. Where making a false claim for protection expenses;
4. Where violating provisions of Article 10 (1) through (4);
5. Where violating Article 46;
6. Where violating a corrective order under Article 86 (1) 3;
7. Where rejecting protective measures for a lost, abandoned, or abused animal three or more times without just cause;
8. Where selling an animal under protection for profit.

(5) The Mayor/Do Governor or the head of a Si/Gun/Gu shall not designate an institution, organization, etc. whose designation has been revoked pursuant to paragraph (4) as an animal protection center again for one year from the date on which the designation is revoked: Provided, That any institution or organization whose designation has been revoked pursuant to paragraph (4) 4 shall not be designated as an animal protection center again for five years from the date on which the designation is revoked.

(6) Details of the procedures for designation of animal protection centers under paragraph (1) shall be prescribed by City/Do ordinance, and Article 35 (5) through (7) shall apply mutatis mutandis to the designated animal protection centers.

### **Article 37 (Report of Private Animal Protection Facilities)**

(1) A person who intends to operate a private animal protection facility of a size larger than that prescribed by Presidential Decree (hereinafter referred to as “protection facility”) in order to temporarily protect, for non-profit purposes, lost, abandoned, or abused animals that are donated or taken over shall report the name, address, scale, etc. of the facility to the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of

Agriculture, Food and Rural Affairs.

(2) Where important matters prescribed by Presidential Decree among the matters reported pursuant to paragraph (1) are to be changed, such change shall be reported to the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu,

(3) Upon receipt of a report under paragraph (1) or a report on change under paragraph (2), the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall review the details thereof and accept the report if it complies with this Act.

(4) The operator of a protection facility for which a report has been accepted pursuant to paragraph (3) (hereinafter referred to as the “protection facility operator”) shall comply with the facilities and operating standards, etc. prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs and shall conduct follow-up management, such as maintenance of facilities, for animal protection.

(5) Where intending to temporarily suspend, permanently close, or resume the operation of the protection facility, the protection facility operator shall prepare a plan for management or disposal of animals under protection, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, and report it to the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu. In such cases, paragraph (3) shall apply mutatis mutandis.

(6) Those to whom subparagraph 1, 2, 6, or 7 of Article 74 is applicable are prohibited from becoming a protection facility operator or an employee of a protection facility.

(7) The Minister of Agriculture, Food and Rural Affairs, the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may subsidize part of the expenses incurred in the improvement of the environment of the protection facility and operation thereof.

(8) Matters concerning the facilities, operation, etc. of protection facilities under paragraphs (1) through (6) shall be prescribed by Presidential Decree.

### **Article 38 (Corrective Order and Facility Closure)**

(1) The Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may order a protection facility operator who has violated Article 37 (4) to take necessary measures to stop or correct the violation.

(2) The Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may order the closure of the protection facility if any of the following subparagraphs is applicable to the protection facility operator: Provided, That in cases prescribed in subparagraph 1 or 2, the closure of the protection facility must be ordered:

1. Where submitting a report on the protection facility or a report on change by fraud or other improper means;
2. Where being sentenced to a fine or heavier punishment for violating Article 10 (1) through (4);
3. Where failing to comply with an order to stop or correct under paragraph (1) three or more times within the latest two years;

4. Where operating the protection facility without filing a report under Article 37 (1);
5. Where operating the protection facility without filing a report on change under Article 37 (2).

### **Article 39 (Report)**

(1) Whoever discovers any of the following animals may report it to the competent local government or animal protection center:

1. Animals suffering abuse prohibited under Article 10;
2. Lost or abandoned animals.

(2) Where any of the following persons discovers an animal under paragraph (1) in the course of his or her duties, he or she shall report it to the competent local government or animal protection center without delay:

1. Executives and members of a private organization under Article 4 (3);
2. The head and employees of an animal protection center established under Article 35 (1) or designated under Article 36 (1);
3. Protection facility operators and employees of protection facilities under Article 37;
4. The head and employees of an animal testing institution that has established the Institutional Animal Care and Use Committee pursuant to Article 51 (1);
5. Members of the Institutional Animal Care and Use Committee under Article 53 (2);
6. A person who has obtained the animal welfare livestock farm certification pursuant to Article 59 (1);
7. A person who has obtained permission for business pursuant to Article 69 (1), or a person who has registered business pursuant to Article 73 (1), and employees thereof;
8. Veterinarians, and heads and employees of veterinary hospitals.

(3) The status of the reporter shall be guaranteed and his or her identity shall not be exposed against his or her will.

(4) A person who made a report or the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu who has received the report or notification pursuant to paragraph (1) or (2) may request the head of the competent City/Do livestock disease control agency or the head of the national livestock disease control agency to conduct an examination of the animal to determine whether it has been abused, etc.

### **Article 40 (Public Announcement)**

Where protecting animals under Article 34 (1) 1 or 2, the Mayor/Do Governor and the head of a Si/Gun/Gu shall make a public announcement thereof without delay for at least seven days so that the owner, etc. can know about the protective measures, as prescribed by Presidential Decree.

### **Article 41 (Return of Animals)**

(1) In any of the following cases, the Mayor/Do Governor and the head of a Si/Gun/Gu shall return the animal under Article 34 to the owner of the animal:

1. Where an animal under Article 34 (1) 1 or 2 is under protective measures and its owner claims the return of the animal;
2. Where, after the period of protection under Article 34 (3) has elapsed, the owner submits a raising plan pursuant to paragraph (2) for an animal under protective measures under Article 34 (1) 3, pays protection costs pursuant to Article 42 (2), and requests its return.

(2) An owner intending to get back the animal under Article 34 (1) 3 that is under protective measures by the Mayor/Do Governor or the head of a Si/Gun/Gu shall submit a raising plan for proper protection and management of the animal, such as prevention of recurrence of abuse, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) The Mayor/Do Governor and the head of a Si/Gun/Gu shall notify the owner of the animal of the period of protection, the deadline for payment of protection costs, exemption, etc. in relation to the return of animals under paragraph (1) 2.

(4) The Mayor/Do Governor and the head of a Si/Gun/Gu may have an animal protection officer under Article 88 (1) inspect whether the owner who has gotten the animal returned pursuant to paragraph (1) 2 complies with the raising plan submitted pursuant to paragraph (2).

#### **Article 42 (Bearing of Protection Costs)**

(1) The Mayor/Do Governor and the head of a Si/Gun/Gu may charge the owner or a purchaser under Article 45 (1) the cost of protecting animals under Article 34 (1) 1 and 2.

(2) The protection costs for an animal prescribed in Article 34 (1) 3 shall be paid by the owner of the animal by the deadline for payment, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. In such cases, the Mayor/Do Governor or the head of a Si/Gun/Gu may exempt the owner of the animal who relinquishes ownership thereof pursuant to subparagraph 2 of Article 43 from the payment of all or part of the protection costs.

(3) Matters concerning the collection of protection costs under paragraphs (1) and (2) shall be prescribed by Presidential Decree, and matters concerning the calculation criteria for protection costs shall be prescribed by the relevant City/Do ordinance within the extent prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 43 (Acquisition of Ownership of Animals)**

Cases where a City/Do or Si/Gun/Gu can acquire the ownership of animals are as follows:

1. Where the owner, etc. of the animal is unknown even after 10 days from the date of public announcement under Article 40, notwithstanding Article 12 of the Lost Articles Act and Article 253 of the Civil Act;

2. Where the owner of an animal prescribed in Article 34 (1) 3 relinquishes the ownership of the animal;
3. Where the owner of an animal prescribed in Article 34 (1) 3 fails to pay the protection costs even after 10 days from the date of the payment deadline for the protection costs under Article 42 (2) or fails to submit the raising plan under Article 41 (2);
4. Where the owner of an animal cannot be contacted without good cause even after 10 days from the date on which the owner of the animal is confirmed, or where the owner has not expressed the intention to get the animal returned.

#### **Article 44 (Acquisition of Animals Raising of Which Is Forsaken)**

- (1) An owner, etc. may apply to the Mayor/Do Governor or the head of a Si/Gun/Gu to acquire an animal that he or she owns, raises, manages, or protects.
- (2) Where the Mayor/Do Governor or the head of a Si/Gun/Gu approves an application for acquisition under paragraph (1), the ownership of the relevant animal shall belong to the City/Do and Si/Gun/Gu.
- (3) The Mayor/Do Governor and the head of a Si/Gun/Gu may charge a person applying for the acquisition of an animal pursuant to paragraph (1) the protection costs, etc. for the relevant animal, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.
- (4) The Mayor/Do Governor and the head of a Si/Gun/Gu may reject an application for the acquisition of an animal under paragraph (1) filed by a person who applies for the acquisition of an animal despite the absence of inevitable reasons prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as long-term hospitalization or medical treatment, or military service under the Military Service Act.

#### **Article 45 (Donation and Sale of Animals)**

- (1) In order for the animals acquired under Article 43 or 44 to be properly raised and managed, the Mayor/Do Governor and the head of a Si/Gun/Gu may donate or sell the animals to zoos, animal lovers (limited to those who meet the qualifications prescribed by City/Do ordinance), private organizations prescribed by Presidential Decree, etc., as prescribed by City/Do ordinance.
- (2) If the animals to be donated or sold under paragraph (1) fall into the category of animals subject to registration, the Mayor/Do Governor and the head of a Si/Gun/Gu shall check whether they are registered and, if not, shall complete the registration before the donation or sale.
- (3) The Mayor/Do Governor and the head of a Si/Gun/Gu may publicly announce the animals of which he or she has acquired the ownership under Article 43 or 44 so that they can be sold pursuant to paragraph (1).
- (4) Other necessary matters, such as the requirements and procedures for donation and sale under paragraph (1), shall be determined by City/Do ordinance.

#### **Article 46 (Humane Disposal of Animals)**

(1) If any ground prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as disease, becomes applicable to an animal under protective measures under Article 34 (1), the head of the animal protection center under Articles 35 (1) and 36 (1) shall dispose of the animal in a humane way that minimizes the suffering of the animal, such as anesthesia, as prescribed by the Minister of Agriculture, Food and Rural Affairs.

(2) The humane disposal of animals under paragraph (1) shall be performed by a veterinarian. In such cases, matters concerning the preparation and storage of records of the drugs used shall be in accordance with the Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) Where a carcass of an animal occurs under paragraph (1), the head of an animal protection center shall dispose of it in accordance with the Wastes Control Act or shall dispose of it at an animal funeral facility installed and operated by a person who has obtained permission for animal funeral business under Article 69 (1) 4 or at a public animal funeral facility under Article 71 (1).

### **CHAPTER IV MANAGEMENT OF ANIMAL TESTING**

#### **Article 47 (Principles of Animal Testing)**

(1) Animal testing shall be conducted in consideration of the enhancement of human welfare and the dignity of animal life.

(2) Before animal testing is conducted, alternative methods shall be considered first.

(3) Animal testing shall be conducted by a person with knowledge of and experience in the ethical handling and scientific use of laboratory animals, and shall use the minimum number of animals needed.

(4) Where testing that inflicts pain on laboratory animals is to be conducted, animals with low sensory ability shall be used and appropriate measures shall be taken to relieve pain through veterinary methods such as the use of analgesics, sedatives, and anesthetics.

(5) A person who has conducted animal testing shall examine the animal without delay after the testing, and if the examination results show that the animal has recovered normally, the animal may be donated or sold.

(6) Where it is deemed, after the examination under paragraph (5), that the animal will not recover or will have to live with continuous suffering, it shall be disposed of promptly in a way that does not cause pain.

(7) Except as provided in subparagraphs 1 through 6, the principles of animal testing and standards and methods for animal testing shall be determined and publicly notified by the Minister of Agriculture, Food and Rural Affairs.

#### **Article 48 (Full-Time Veterinarian)**

(1) The head of an animal testing institution that has laboratory animals exceeding the standards prescribed by Presidential Decree shall appoint a veterinarian exclusively in charge of laboratory animals

(hereinafter referred to as "full-time veterinarian") in order to promote the health and welfare of the laboratory animals.

(2) Matters necessary for the qualifications and scope of duties of the full-time veterinarians shall be prescribed by Presidential Decree.

#### **Article 49 (Prohibition of Animal Testing)**

No one shall conduct the following animal testing: Provided, That the foregoing shall not apply if the testing is deliberated upon and approved by the Public Institutional Animal Care and Use Committee under Article 52 in cases where there is a concern that serious harm to the health and safety of humans and animals may occur due to the spread of diseases such as zoonotic diseases or where research is conducted on the methods for selection and training of service animals:

1. Testing on lost or abandoned animals (including animals under protective measures);
2. Testing on service animals.

#### **Article 50 (Prohibition of Dissection Practice on Animals by Minors)**

No one shall let minors practice dissection of animals (including carcasses) for the purpose of experience, education, test, research, etc.: Provided, That the foregoing shall not apply to cases prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as cases implemented by schools under Article 2 of the Elementary and Secondary Education Act or animal testing institutions.

#### **Article 51 (Establishment of Institutional Animal Care and Use Committee)**

(1) For the protection and ethical handling of laboratory animals, the head of an animal testing institution shall establish and operate the Institutional Animal Care and Use Committee (hereinafter referred to as the "IACUC") in accordance with Article 53.

(2) Notwithstanding paragraph (1), the IACUC shall be deemed to have been established in any of the following cases:

1. Where an animal testing institution that does not meet a certain standard prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs enters into an agreement to entrust the functions of the IACUC under Article 54 to the Public Institutional Animal Care and Use Committee under Article 52;
  2. Where the laboratory animal management committee is established pursuant to Article 7 of the Laboratory Animal Act in the animal testing institution, and the composition of that committee meets the requirements under Article 53 (2) through (4).
- (3) Before conducting animal testing, the head of an animal testing institution shall go through the deliberation by the IACUC.
- (4) If there is a change of important matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs among the contents that have undergone deliberation under paragraph (3), the head of



the animal testing institution shall request the IACUC to deliberate on the change immediately after the change occurs: Provided, That If it is a minor change prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, it shall be approved by the chairperson under Article 53 (1) after review by the expert member designated under Article 56 (1).

(5) The Minister of Agriculture, Food and Rural Affairs shall give public notice of the standard guidelines for the operation of the IACUC as the IACUC Standard Operating Guidelines.

#### **Article 52 (Designation of the Public Institutional Animal Care and Use Committee)**

(1) The Minister of Agriculture, Food and Rural Affairs may designate or establish a Public Institutional Animal Care and Use Committee (hereinafter referred to as the “Public IACUC”) that can be used jointly by animal testing institutions or researchers.

(2) The Public IACUC shall conduct deliberation, guidance, and supervision over the following testing:

1. Testing entrusted by institutions that have signed an agreement with the Public IACUC pursuant to Article 51 (2) 1;
2. Animal testing under the subparagraphs of Article 49 to be subject to the deliberation on and approval from the Public IACUC pursuant to the proviso, with the exception of the subparagraphs, of Article 49;
3. Animal dissection practice applied for by a school, etc. under Article 2 of the Elementary and Secondary Education Act pursuant to Article 50;
4. Testing conducted jointly by two or more animal testing institutions for which the heads of the relevant animal testing institutions agreed to use the Public IACUC as it is deemed not appropriate for each individual IACUC to deliberate on, guide, and supervise the relevant testing;
5. Other testing prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) Articles 51 (4), 54 (2) and (3), and 55 shall apply mutatis mutandis to the deliberation, guidance, and supervision by the Public IACUC under paragraph (2).

(4) Matters necessary for the designation, establishment, functions, operation, etc. of the Public IACUC under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 53 (Composition of IACUC)**

(1) The IACUC shall be composed of at least three members, including one chairperson.

(2) The members shall be appointed by the head of the animal testing institution from among the following persons, and the chairperson shall be elected by and from among the members:

1. Veterinarians who meet the qualification standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs;
2. Persons with extensive knowledge of and experience in animal protection, recommended by the private organization under Article 4 (3), who meet the qualification standards prescribed by Ordinance

of the Ministry of Agriculture, Food and Rural Affairs;

3. Other persons necessary for the protection and ethical handling of laboratory animals as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) The IACUC shall include at least one member under paragraph (2) 1 and one member under paragraph (2) 2.

(4) At least one-third of the members of the IACUC shall be persons who have no interest in the relevant animal testing institution.

(5) The term of office of the members shall be two years.

(6) The head of an animal testing institution shall manage the process of recommendation and selection of members under paragraph (2) in a transparent and fair manner.

(7) Other matters concerning the composition of the IACUC and the scope of interests shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 54 (Functions of IACUC)**

(1) The IACUC shall perform the following functions:

1. Deliberation on animal testing (including deliberation on changes; hereinafter the same shall apply);

2. Confirmation and evaluation of the progress and termination of the testing deliberated upon under subparagraph 1;

3. Guidance and supervision so that animal testing is conducted in accordance with the principles under Article 47;

4. Requesting the head of an animal testing institution to take measures necessary for the protection and ethical handling of laboratory animals.

(2) Members involved in animal testing, which is the subject of deliberation by the IACUC, shall not participate in the deliberation on the relevant animal testing.

(3) Incumbent or former members of the IACUC shall not divulge or steal any secrets learned while performing their duties.

(4) Methods of deliberation, confirmation, evaluation, guidance, and supervision under paragraph (1) and other matters concerning the operation of the IACUC, etc. shall be prescribed by Presidential Decree.

#### **Article 55 (Supervision after Deliberation)**

(1) The head of an animal testing institution shall request the chairperson under Article 53 (1) to supervise whether animal testing is being conducted in accordance with the deliberation, as prescribed by Presidential Decree.

(2) If any testing is in progress that has not been deliberated upon by the IACUC, the chairperson shall immediately request the suspension of the testing: Provided, That in cases prescribed by Presidential Decree, such as where there is a concern that the suspension of the testing is likely to cause a serious harm to the welfare of the relevant laboratory animal, the chairperson may choose not to request the suspension

of the testing.

(3) The head of an animal testing institution who has received a request to stop testing under the main clause of paragraph (2) shall stop the relevant animal testing.

(4) Upon receipt of a request to stop testing under the main clause of paragraph (2), the head of an animal testing institution may resume animal testing after having the deliberation conducted pursuant to Article 51 (3) or (4).

(5) If any illegality is found from the supervision under paragraph (1), the head of the animal testing institution shall notify the Minister of Agriculture, Food and Rural Affairs without delay.

#### **Article 56 (Designation of and Review by Expert Members)**

(1) The chairperson of the IACUC may designate a member of the IACUC with expertise and capability of deliberating on the testing in the relevant field as an expert member.

(2) The chairperson may request the expert member designated under paragraph (1) to review the following matters:

1. Matters concerning minor changes under the proviso of Article 51 (4);
2. Confirmation and evaluation under Article 54 (1) 2.

#### **Article 57 (Education for IACUC Members and Employees)**

(1) Members of the IACUC shall regularly complete education on matters related to the protection and welfare of animals and the deliberation on animal testing, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) The head of an animal testing institution may provide educational opportunities for members and employees of the institution on the protection and welfare of animals and the deliberation on animal testing.

#### **Article 58 (Guidance and Supervision of Composition of IACUC)**

(1) The Minister of Agriculture, Food and Rural Affairs may guide and supervise the head of an animal testing institution that has established an IACUC pursuant to Article 51 (1) and (2), regarding the composition, operation, etc. of the IACUC in accordance with Articles 53 through 57.

(2) Where the IACUC is not composed and operated in accordance with Articles 53 through 57, the Minister of Agriculture, Food and Rural Affairs may order the head of the relevant animal testing institution to make improvements on the composition, operation, etc. of the relevant IACUC within a period set as prescribed by Presidential Decree.

## **CHAPTER V CERTIFICATION OF ANIMAL WELFARE LIVESTOCK FARMS**

### **Article 59 (Certification of Animal Welfare Livestock Farms)**

(1) In order to contribute to the promotion of animal welfare, the Minister of Agriculture, Food and Rural Affairs may certify livestock farms that manage livestock under subparagraph 1 of Article 2 which is specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs (hereinafter referred to as “farm animals”) in a manner that allows them to live normally while maintaining their original habits, etc. as animal welfare livestock farms.

(2) A person who intends to obtain certification under paragraph (1) shall file an application accompanied by the documents prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs with a certification institution designated under Article 60 (1) (hereinafter referred to as “certification institution”).

(3) Upon receipt of an application for certification, the certification institution shall conduct an examination according to the certification standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs and shall grant the certification if the standards are met.

(4) The validity period of certification prescribed in paragraph (3) shall be three years from the date of certification.

(5) In order to maintain certification, the business operator of an animal welfare livestock farm certified under paragraph (3) (hereinafter referred to as “certified farm”) shall apply for renewal to the certification institution at least two months before the expiration of the validity period under paragraph (4).

(6) A person who has an objection to the examination result for the certification under paragraph (3) or the certification renewal under paragraph (5) may request that the certification institution conduct a re-examination.

(7) The certification institution that has received an application for re-examination under paragraph (6) shall notify the applicant of whether or not to conduct the re-examine and the result thereof, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(8) Matters concerning the certification procedure for certified farms, renewal of certification, re-examination, etc. shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

### **Article 60 (Designation of Certification Institution)**

(1) The Minister of Agriculture, Food and Rural Affairs may designate a public institution or corporation prescribed by Presidential Decree as a certification institution to perform business affairs related to certification of farms and follow-up management of certified farms.

(2) A certification institution designated under paragraph (1) shall have personnel, organization, facilities, regulations pertaining to certification business, etc. that are necessary for certification of farms.

(3) The Minister of Agriculture, Food and Rural Affairs shall provide education to those who conduct certification examination at a certification institution designated under paragraph (1).

(4) Specific matters necessary for the designation of a certification institution under paragraphs (1) through (3), the scope of certification business, education for persons performing certification examination, follow-up management of certified farms, etc. shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 61 (Revocation of Designation of Certification Institution)**

(1) Where any of the following cases is applicable to a certification institution, the Minister of Agriculture, Food and Rural Affairs may revoke the designation thereof or order suspension of all or part of the certification business for a period not exceeding six months: Provided, That the designation must be revoked in cases falling under subparagraph 1 or 2:

1. Where the certification institution is designated by fraud or other improper means;
2. Where the certification institution conducts certification during the suspension period, in violation of the order for business suspension;
3. Where the standards for designation under Article 60 (2) are no longer met;
4. Where the certification institution grants certification to a livestock farm that does not meet the certification standards under Article 59 (3) by intent or gross negligence;
5. Where the certification institution does not conduct designated certification without good cause.

(2) Matters concerning the standards for revocation of designation and suspension of business, etc. under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 62 (Labeling of Certified Farms)**

(1) Certified farms may use the label of a certified farm, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) Standards and methods for labeling certified farms under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 63 (Labeling of Animal Welfare Livestock Products)**

(1) Livestock products produced by certified farms may be labeled as animal welfare livestock products on the packaging, container, etc. thereof according to the following classification:

1. Livestock products under subparagraphs 3 and 4 of Article 2 of the Livestock Products Sanitation Control Act: All of the following requirements shall be met:
  - (a) They shall be produced at certified farms;
  - (b) When farm animals are transported, a transport vehicle prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs shall be used;
  - (c) When farm animals are slaughtered, they shall be slaughtered at a slaughterhouse prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs;

2. Livestock products under subparagraphs 5 and 6 of Article 2 of the Livestock Products Sanitation Control Act: They shall be produced at certified farms;
  3. Livestock products under subparagraph 8 of Article 2 of the Livestock Products Sanitation Control Act: They may be labeled as animal welfare livestock products according to the content of ingredients meeting all the requirements under subparagraph 1;
  4. Livestock products under subparagraphs 9 and 10 of Article 2 of the Livestock Products Sanitation Control Act: They may be labeled as animal welfare livestock products according to the content of livestock products produced at certified farms.
- (2) When the animal welfare livestock products under paragraph (1) are sold unpackaged or sold individually, the label of animal welfare livestock products may be placed on a sign or signpost.
- (3) Matters concerning standards and methods for labeling animal welfare livestock products under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 64 (Support for Certified Farms)**

- (1) The Minister of Agriculture, Food and Rural Affairs may provide the following support for certified farms:
1. Expenses required for the improvement of livestock facilities in order to promote the protection and welfare of animals;
  2. Guidance, consultation, and education on environmental improvement and management of certified farms.
- (2) The Minister of Agriculture, Food and Rural Affairs, the Mayor/Do Governor, the head of a Si/Gun/Gu, private organizations under Article 4 (3), and livestock organizations under subparagraph 3 of Article 2 of the Creation and Management of Self-Help Livestock Funds Act shall actively utilize cases of the operation of certified farms for education and publicity.

#### **Article 65 (Revocation of Certification)**

- (1) The Minister of Agriculture, Food and Rural Affairs or a certification institution shall revoke certification where a certified person has obtained the certification by fraud or other improper means, and may revoke certification where a certified person no longer meets the certification standards under Article 59 (3).
- (2) A person whose certification has been revoked under paragraph (1) (including the representative if the person is a corporation) may not apply for certification of a certified farm within one year from the date the certification is revoked.

#### **Article 66 (Follow-Up Management)**

- (1) The Minister of Agriculture, Food and Rural Affairs shall have the certification institution annually inspect whether certified farms meet the certification standards under Article 59 (3).
- (2) A person who enters a certified farm for an investigation under paragraph (1) shall carry a certificate prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs and show it to relevant persons.
- (3) A person who has received a request for an investigation under paragraph (1) shall not refuse, obstruct, or evade it without good cause.

#### **Article 67 (Prohibition of Misconduct)**

- (1) No one shall engage in any of the following acts:
  1. Obtaining the certified farm certification by fraud or other improper means;
  2. Labeling a livestock farm that has not been certified under Article 59 (3) as a certified farm;
  3. Helping to conduct or receive certification examination and certification renewal examination and re-examination under Article 59 (3), (5) and (6) by fraud or other improper means;
  4. Using the label of an animal welfare livestock product as follows, in violation of Article 63 (1) through (3) (including similar labeling that is likely to be confused with an animal welfare livestock product):
    - (a) Labeling livestock products not produced at certified farms as animal welfare livestock products in violation of Article 63 (1) 1 (a) or 2;
    - (b) Labeling livestock products that do not comply with Article 63 (1) 1 (b) and (c) as animal welfare livestock products;
    - (c) Labeling as animal welfare livestock products in violation of the standards and methods for labeling animal welfare livestock products under Article 63 (3).
- (2) Detailed standards for similar labeling that are likely to be confused with animal welfare livestock products under paragraph (1) 4 shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 68 (Succession to Certification)**

- (1) Any of the following persons shall succeed to the status of a person who has obtained certification for a certified farm:
  1. An heir who intends to continue operating the farm when a person who has obtained the certification for a certified farm dies;
  2. A transferee in cases where a person who has obtained the certification for a certified farm transfers his or her business;
  3. A corporation surviving a merger or a corporation established as a result of a merger in cases where a corporation certified as a certified farm is merged.

(2) A person who succeeds to the status of a person who has obtained certification for a certified farm pursuant to paragraph (1) shall report the fact to the certification institution within 30 days.

(3) Matters necessary for reporting under paragraph (2) shall be determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

## CHAPTER VI COMPANION ANIMAL BUSINESS

### **Article 69 (Permission for Business)**

(1) A person who intends to run any of the following businesses related to companion animals (hereafter referred to as “animals” in this Chapter: Provided, That for animal funeral business and public animal funeral facility under Article 71 (1), animals defined in subparagraph 1 of Article 2 shall apply) shall obtain permission from the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs:

1. Animal breeding business;
2. Animal import business;
3. Animal selling business;
4. Animal funeral business.

(2) The detailed scope of business under the subparagraphs of paragraph (1) shall be determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) A person who intends to obtain permission under paragraph (1) shall meet the standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, in terms of facilities and manpower of the business place.

(4) Where a person intends to change any of the permitted matters after obtaining permission for business under paragraph (1), the person shall obtain permission for the change: Provided, That in cases of minor changes prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, the person shall report to the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu.

### **Article 70 (Special Cases concerning Fierce Dog Handling Business)**

(1) A person who intends to engage in the business of breeding, importing, or selling (hereinafter referred to as "handling") fierce dogs under subparagraph 5 (a) of Article 2 shall obtain permission from the Mayor/Do Governor (hereinafter referred to as “permission for handling fierce dogs”), as prescribed by Presidential Decree, in addition to permission for animal breeding, animal import, or animal selling under Article 69 (1). The same shall also apply where intending to change permitted matters.

(2) Article 19 shall apply mutatis mutandis to the grounds for disqualification of a person seeking permission to handle fierce dogs.



(3) A person who has obtained permission to handle fierce dogs shall report to the Mayor/Do Governor as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs in any of the following cases:

1. Where a fierce dog is bred;
2. Where a fierce dog has been imported;
3. Where a fierce dog has been transferred or acquired;
4. Where a fierce dog in possession has died.

(4) In addition to the standards under Article 69 (3), standards in terms of facilities and manpower for animal breeding, animal import, or animal selling for handling fierce dogs shall be separately determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 71 (Special Cases concerning Public Animal Funeral Facilities)**

(1) The head of a local government may install and operate funeral facilities for animals (hereinafter referred to as “public animal funeral facilities”). In such cases, the standards in terms of facilities, manpower, etc. prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs shall be met.

(2) The Minister of Agriculture, Food and Rural Affairs may provide funds necessary for the installation of facilities within the budget for local governments that install and operate public animal funeral facilities pursuant to paragraph (1).

(3) The amount, method of imposition, and purpose of use of usage fees or management fees imposed by the heads of local governments on users of public animal funeral facilities and other necessary matters shall be determined by ordinance of the relevant local government.

#### **Article 72 (Restriction on Installation of Animal Funeral Facilities)**

Animal funeral facilities and public animal funeral facilities for the operation of animal funeral business under Article 69 (1) 4 shall not be installed in any of the following areas:

1. Areas falling under Article 17 of the Act on Funeral Services;
2. Areas located within 300 meters of a densely populated area with 20 or more households, schools, and other facilities or places where the public frequently gathers: Provided, That this shall not be applied in cases where there is no impediment to the functions or use of the facility, taking into consideration the location or topography of the area, as recognized by the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu.

#### **Article 73 (Registration of Business)**

(1) A person intending to run any of the following animal-related businesses shall register with the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs:

1. Animal exhibition business;
2. Animal boarding business;
3. Animal grooming business;
4. Animal transport business.

(2) The detailed scope of business under each subparagraph of paragraph (1) shall be determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) A person intending to apply for business registration under paragraph (1) shall meet the standards in terms of facilities, manpower, etc. of a business place prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(4) If a person who has registered a business pursuant to paragraph (1) changes registered matters, he or she shall have the change registered: Provided, That for minor changes prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, he or she shall report to the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, and the head of a Si/Gun/Gu.

#### **Article 74 (Grounds for Disqualification of Permission or Registration)**

None of the following persons may obtain permission for business under Article 69 (1) or have his or her business registered under Article 73 (1):

1. A minor;
2. A person under adult guardianship;
3. A person who was declared bankrupt and has not been reinstated;
4. A person who has not completed the education under Article 82 (1);
5. A person who intends to obtain permission, or register, for the same type of business as the business, permission or registration for which was revoked under Article 83 (1), although a year has yet to pass since the revocation thereof (including the representative if the person is a corporation);
6. A person who was sentenced to a fine or heavier punishment for violating this Act and for whom three years (five years where for violations of Article 10) have not passed since the execution of the sentence was completed (including cases where execution is deemed completed) or exempted;
7. A person who was sentenced to a suspension of the execution of a fine or heavier punishment for violating this Act and is under the suspension period.

#### **Article 75 (Business Succession)**

(1) Where a person who has obtained permission for business pursuant to Article 69 (1) or has registered business pursuant to Article 73 (1) (hereinafter referred to as “business operator”) transfers the business or dies, or where the corporation is merged, the transferee, successor, or the corporation surviving the merger or the corporation established as a result of the merger (hereinafter referred to as “transferee, etc.”) shall succeed to the status of the business operator.

(2) A person who acquires all business facilities from a business operator through any of the following procedures shall succeed to the status of the business operator:

1. Auction under the Civil Execution Act;
2. Realization under the Debtor Rehabilitation and Bankruptcy Act;
3. Sale of seized assets under the National Tax Collection Act, the Customs Act, or the Local Tax Act;
4. Any other procedures equivalent to those prescribed in subparagraphs 1 through 3.

(3) A person who succeeds to the status of a business operator pursuant to paragraph (1) or (2) shall report to the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu within 30 days from the date of succession, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(4) With respect to succession under paragraphs (1) and (2), the provisions on grounds for disqualification under Article 74 shall apply mutatis mutandis: Provided, That the foregoing shall not apply for three months from the date of inheritance if subparagraph 1 or 2 of Article 74 is applicable.

#### **Article 76 (Report on Business Suspension and Closure)**

(1) Where intending to suspend, close, or resume its business, a business operator shall report to the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) Where intending to file a report on suspension or closure of business pursuant to paragraph (1), a business operator (animal funeral business operators are excluded; hereafter in this Article the same shall apply) shall submit a plan for appropriate raising and disposal of the animals he or she possesses (hereinafter referred to as "animal disposal plan") 30 days prior to the suspension or closure of business to the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) After disposing of animals according to the animal disposal plan, business operators shall report the results to the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, and the head of a Si/Gun/Gu, and upon receipt of the report, the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, and the head of a Si/Gun/Gu shall check whether the animal disposal plan is implemented.

(4) Matters concerning the submission of an animal disposal plan and reporting under paragraphs (2) and (3) shall be determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 77 (Ex Officio Cancellation)**

(1) Where a business operator fails to report on business closure pursuant to Article 76 (1), the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, and the head of a Si/Gun/Gu may cancel the permission or registered matters ex officio after confirming the business closure, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) Where necessary to confirm whether the business operator has closed down the business, the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, and the head of a Si/Gun/Gu may request the head of a competent tax office to provide information on whether the business operator has closed down the business. In such cases, the head of the competent tax office in receipt of the request may not reject it without good cause.

#### **Article 78 (Matters to Be Observed by Business Operators)**

(1) Business operators (including the representatives in cases of corporations) and their employees shall observe the following:

1. To raise, manage, or protect animals in a safe and sanitary manner;
2. To build a proper connection with a veterinary hospital for the health and safety of the animals;
3. Not to trade aged or diseased animals for the purpose of abandoning or discarding them;
4. To record and manage breeding, bringing-in, taking-out, etc. of animals and to keep such records;
5. To indicate the business permission number or business registration number under this Act and the transaction amount, when labeling or advertising matters related to the animals;
6. To properly dispose of the animal excreta, carcasses, etc. in accordance with relevant statutes and regulations;
7. To comply with the standards for facilities and manpower of a business place as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs;
8. To complete a regular training program under Article 82 (2) and provide training to the relevant employees;
9. To report business performance regarding animal handling, etc. as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs;
10. To give notification regarding obligations to register animals subject to registration and to file a report on change (including matters related to methods of such registration and reporting on change and penalties for violation);
11. Not to steal or borrow another person's business name, and not to allow another person to use one's own business name or trade name.

(2) Except as provided in paragraph (1), animal breeders shall observe the following:

1. Not to breed dogs and cats aged less than 12 months and not to make them give birth;
2. Not to artificially induce animals to get estrus or rutting by using drugs, etc.;
3. To conduct and record regular vaccination and health management according to the characteristics of the animals.

(3) Except as provided in paragraph (1), animal importers shall observe the following:

1. To report details of import to the Minister of Agriculture, Food and Rural Affairs when importing animals;

2. Not to use the animals for purposes other than those reported for importation.
- (4) Except as provided in paragraph (1), animal sellers (including cases where animal breeders and animal importers sell animals) shall observe the following:
1. Not to sell (including arrangement or brokerage thereof) dogs and cats under the age of two months;
  2. To deliver animals directly or through an animal transporter when selling or delivering the animals.
- (5) Except as provided in paragraph (1), animal funeral business operators shall observe the following:
1. Not to dispose of live animals (including disposing of them in a humane manner that minimizes animal suffering through anesthesia, etc.);
  2. To report to the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu in cases where carcasses of animals subject to registration is disposed of, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.
- (6) Specifics concerning matters to be observed by business operators under paragraphs (1) through (5) and other matters to be observed by business operators for the protection of animals and the prevention of harm to public health shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 79 (Application for Registration Following Sale of Animals Subject to Registration)**

- (1) When selling animals subject to registration, animal breeders, animal importers, and animal sellers shall explain how to register animals to buyers (excluding business operators) and file for animal registration with the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu in the name of the buyer beforehand.
- (2) Article 15 shall apply mutatis mutandis to the filing for registration of animals subject to registration under paragraph (1).

#### **Article 80 (Report of Transaction Details)**

- (1) Where handling animals subject to registration, animal breeders, animal importers, and animal sellers shall report the details of such transaction to the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.
- (2) The Minister of Agriculture, Food and Rural Affairs may have the details of transactions of animals subject to registration under paragraph (1) be reported through the national animal protection information system under Article 95 (2).

#### **Article 81 (Preparation and Dissemination of Standard Contract Form)**

- (1) In order to establish a sound trade order for animal protection and animal business, the Minister of Agriculture, Food and Rural Affairs may prepare or revise a standard contract form in consultation with the Fair Trade Commission and recommend business operators to use it.

(2) The Minister of Agriculture, Food and Rural Affairs may entrust the affairs concerning the standard contract form under paragraph (1) to an institution prescribed by Presidential Decree.

(3) Details of the standard contract form under paragraph (1) shall be determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 82 (Education)**

(1) A person who intends to obtain permission under Article 69 (1) or register under Article 73 (1) shall receive education on animal protection and prevention of harm to public health beforehand.

(2) Business operators shall receive the education under paragraph (1) on a regular basis.

(3) Business operators who have been subject to business suspension under Article 83 (1) shall receive additional education on animal protection and matters to be observed by business operators, other than the regular education under paragraph (2).

(4) A business operator who is required to receive education pursuant to paragraphs (1) through (3) but fails to do so may not operate the business.

(5) If a business operator required to receive education pursuant to paragraph (1) or (2) is not directly engaged in the business or operates in two or more places, a person in charge may be designated from among the employees to receive education on behalf of the business operator.

(6) The type, content, timing, and completion method of education under paragraphs (1) through (3) shall be determined by the Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

#### **Article 83 (Revocation of Permission or Registration)**

(1) Where any of the following cases is applicable to a business operator, the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may cancel the permission or registration or may order the suspension of all or part of the business for a specified period of up to six months, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: Provided, That in cases falling under subparagraph 1, 7 or 8, the permission or registration must be revoked:

1. Where the business operator is found to have obtained permission or registration by fraud or other improper means;
2. Where the business operator is in violation of any provision of Article 10 (1) through (4);
3. Where the business operator fails to commence his or her business even after one year has elapsed from the date of permission or the date of registration;
4. Where the business operator conducts business in a manner different from the matters permitted or registered pursuant to Article 69 (1) or 73 (1);
5. Where the business operator fails to obtain permission for change under Article 69 (4) or fails to file for registration for change Article 73 (4);

6. Where the business operator no longer meets the standards for facilities and manpower under Article 69 (3) or 73 (3);
  7. Where the business operator installs an animal funeral facility in a place where installation is prohibited under Article 72;
  8. Where any of the subparagraphs of Article 74 becomes applicable;
  9. Where the business operator fails to comply with the matters to be observed under Article 78.
- (2) Where revoking business permission or registration or suspending all or part of business pursuant to paragraph (1), the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall order the relevant business operator to take necessary measures for appropriate raising, management, or protection, such as having the business operator transfer the animals in possession.
- (3) The effect of the disposition under paragraph (1) shall be succeeded to the transferee, etc. for one year from the date the disposition period expires, and if the disposition procedure is in progress, the disposition procedure may be carried out on the transferee, etc.: Provided, That the foregoing shall not apply where the transferee, etc. proves that he or she was unaware of the disposition or violation at the time of transfer, inheritance, or merger.

#### **Article 84 (Imposition of Penalty Surcharges)**

- (1) Where a business operator is subject to suspension of business because any subparagraph of Article 83 (1) 4 through 6 and 9 is applicable and it is recognized that such suspension of business is likely to cause inconvenience to animals or users of the business or to significantly hinder the public interest, the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, and the head of a Si/Gun/Gu may impose a penalty surcharge not exceeding 100 million won in lieu of the suspension of business.
- (2) If a person imposed with a penalty surcharge pursuant to paragraph (1) fails to pay the penalty surcharge by the due date, the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, and the head of a Si/Gun/Gu shall collect the penalty surcharge in accordance with the Act on the Collection of Local Administrative Penalty Charges.
- (3) Where necessary to impose the penalty surcharge under paragraph (1), the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, and the head of a Si/Gun/Gu may request the head of the competent tax office, in writing with the following matters stated, to provide taxation information:
1. Personal information of the taxpayer;
  2. The purpose of using the tax information;
  3. The amount of sales as the basis for the penalty surcharge imposed.
- (4) The type of violation for which a penalty surcharge is imposed under paragraph (1), the scale of business, the amount of the penalty surcharge depending on the number of violations, etc., and other necessary matters shall be prescribed by Presidential Decree.

### **Article 85 (Closure of Business Place)**

(1) Where any of the following cases is applicable to the business under Article 69 or 73, the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may order a relevant public official to close the relevant business places, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs:

1. Where permission under Article 69 (1) is not obtained or registration under Article 73 (1) is not made;
2. Where the business continues to be operated despite the fact that the permission or registration is revoked or an order is issued to suspend the business pursuant to Article 83.

(2) The Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may have a relevant public official take the following measures in order to close a business places pursuant to paragraph (1):

1. Removal or deletion of signboards or other business signs of the relevant business place;
2. Attachment of a notice indicating that the relevant business place is not a legal business place;
3. Sealing essential facilities or instruments for business so that they cannot be used.

(3) Where intending to take measures to close down pursuant to paragraphs (1) and (2), the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall notify the business operator or his or her representative of the date and place of the measures for closure, the name of the relevant public official, etc. beforehand.

(4) Where closing down the relevant business place pursuant to paragraph (1), the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, and the head of a Si/Gun/Gu shall order the relevant business operator to take necessary measures for proper raising, management, or protection, such as transferring the animals in possession.

(5) Detailed standards and procedures for business closure under paragraph (1) shall be determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs in consideration of the type, severity, etc. of the violation.

## **CHAPTER VII SUPPLEMENTARY PROVISIONS**

### **Article 86 (Access and Inspection)**

(1) If necessary for the protection of animals and the prevention of harm to public health, the Minister of Agriculture, Food and Rural Affairs, the Mayor/Do governor, or the head of a Si/Gun/Gu may take the following measures against the owners, etc. of animals:

1. Demanding the submission of necessary data such as the current status of animals and management status;



2. Access to and inspection of places where animals are located;
3. Corrective orders prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as implementation of measures to prevent harm to animals.

(2) If necessary in relation to animal protection, etc., the Minister of Agriculture, Food and Rural Affairs, the Mayor/Do Governor, or the head of a Si/Gun/Gu may order any of the following persons to make a necessary report or to submit data, or may have a relevant public official enter the relevant facility, etc. to investigate the operational status or to inspect relevant documents:

1. The head of an animal protection center under Articles 35 (1) and 36 (1);
2. The operator of a protection facility under Article 37;
3. The head of an animal testing agency that has established the IACUC pursuant to Article 51 (1) and (2);
4. A person who has obtained certification of an animal welfare livestock farm under Article 59 (3);
5. The head of a certification institution designated under Article 60;
6. A person who uses the label of an animal welfare and livestock product pursuant to Article 63 (1);
7. A person who has obtained permission for business pursuant to Article 69 (1) or a person who has registered business pursuant to Article 73 (1).

(3) The Special Self-Governing City Mayor, the Special Self-Governing Province Governor, and the head of a Si/Gun/Gu may have public officials under their control regularly, at least once a year, inspect whether the operator of a protection facility under paragraph (2) 2 complies with the facilities and operating standards, etc. and conducts follow-up management, such as maintenance of facilities, for animal protection under Article 37 (4), and if necessary, may have them conduct inspections whenever necessary.

(4) The Mayor/Do Governor and the head of a Si/Gun/Gu may have public officials under their control regularly, at least once a year, inspect business operators under paragraph (2) 7 according to the following classification, and if necessary, have them conduct inspections whenever necessary:

1. Mayor/Do Governor: Whether the standards for facilities and manpower under Article 70 (4) are observed;
2. Special Self-Governing City Mayor, Special Self-Governing Province Governor, head of Si/Gun/Gu: Whether the standards for facilities and manpower under Articles 69 (3) and 73 (3) are observed, and whether the matters to be observed under Article 78 are complied with.

(5) The Mayor/Do Governor shall report the inspection results under paragraphs (3) and (4) (including the inspection results of the Si/Gun/Gu under his or her jurisdiction) to the Minister of Agriculture, Food and Rural Affairs by January 31 of the following year.

(6) In cases of the access or inspection under paragraph (1) 2 and the subparagraphs of paragraph (2) or the inspection under paragraphs (3) and (4) (hereinafter referred to as “access, inspection, etc.”), the Minister of Agriculture, Food and Rural Affairs, the Mayor/Do Governor, or the head of a Si/Gun/Gu shall notify relevant persons of the plan for access, inspection, etc., which shall include the following matters,

no later than seven days beforehand Provided, That if it is deemed that notifying the plan for access, inspection, etc. in advance makes it impossible to achieve the intended purpose, the notice may be given at the time of the commencement of the access, inspection, etc.:

1. Purpose of access, inspection, etc.;
2. Period and place of access, inspection, etc.;
3. Name and position of the relevant public officials;
4. Scope and content of access, inspection, etc.;
5. Data to be submitted.

(7) The Minister of Agriculture, Food and Rural Affairs, the Mayor/Do Governor, or the head of a Si/Gun/Gu may take necessary measures, such as ordering corrections, etc., according to the results of access, inspection, etc. under paragraphs (2) through (4).

### **Article 87 (Installation of Visual Data Processing Devices)**

(1) Any of the following persons shall install visual data processing devices in accordance with subparagraph 7 of Article 2 of the Personal Information Protection Act to prevent animal abuse:

1. The head of an animal protection center under Article 35 (1) or 36 (1);
2. The operator of a protection facility under Article 37;
3. A slaughterhouse operator under Article 63 (1) 1 (c);
4. A person who has obtained permission for business pursuant to Article 69 (1) or a person who has registered business pursuant to Article 73 (1).

(2) Necessary matters such as the target, location, standards, etc. of visual data processing devices under paragraph (1) shall be determined by Presidential Decree.

(3) A person who installs and manages visual data processing devices pursuant to paragraph (1) shall observe the following matters so that the human rights of data subjects, such as employees and users of animal protection centers, protection facilities, and business places are not infringed upon:

1. Not to arbitrarily manipulate the visual data processing devices or shoot other places for a purpose different from the intended purpose of installation;
2. Not to use the sound-recording function.

(4) A person who installs and manages the visual data processing device pursuant to paragraph (1) shall not provide any other person with video records shot by the visual data processing device, except in any of the following cases:

1. Where a request is made by the owner, etc. to confirm the safety of his or her animal;
2. Where a request is made by a public institution under subparagraph 2 of Article 2 of the Personal Information Protection Act for the performance of animal protection duties under Article 86 or other statutes or regulations;
3. Where it is necessary for the investigation of crimes, the institution and maintenance of public prosecution, and the performance of court trials.

(5) Except as provided in this Act, matters concerning the installation, operation, and management of visual data processing devices shall be governed by the Personal Information Protection Act.

#### **Article 88 (Animal Protection Officer)**

(1) The Minister of Agriculture, Food and Rural Affairs (including the heads of affiliated institutions determined by Presidential Decree), the Mayor/Do Governor, and the head of a Si/Gun/Gu shall designate an animal protection officer from among public officials under their jurisdiction to handle affairs related to animal protection, such as preventing animal abuse.

(2) Matters concerning the qualifications, appointment, scope of duties, etc. of an animal protection officer under paragraph (1) (hereinafter referred to as “animal protection officer”) shall be determined by Presidential Decree.

(3) When performing duties under paragraph (2), the animal protection officer shall carry a certificate prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs and show it to relevant persons.

(4) No one shall refuse, interfere with, or evade the performance of the duties of an animal protection officer under paragraph (2), except in unavoidable events such as parturition or disease treatment due to the characteristics of animals.

#### **Article 89 (Recommendation for Counseling and Education for Abusers)**

An animal protection officer may recommend that abusers receive necessary support, such as counseling, education, or psychological treatment.

#### **Article 90 (Honorary Animal Protection Officer)**

(1) The Minister of Agriculture, Food and Rural Affairs, the Mayor/Do Governor, and the head of a Si/Gun/Gu may appoint a honorary animal protection officer to provide guidance and enlightenment for animal protection, such as prevention of animal abuse.

(2) A person who was sentenced under Article 97 for violating Article 10 and whose sentence has been finalized cannot become an honorary animal protection officer under paragraph (1) (hereinafter referred to as “honorary animal protection officer”).

(3) Matters concerning the qualifications, appointment, dismissal, duties, scope of activities, payment of allowances, etc. of honorary animal protection officers shall be prescribed by Presidential Decree.

(4) An honorary animal protection officer shall not commit any misconduct or abuse his or her authority when performing his or her duties under paragraph (3).

(5) Where an honorary animal protection officer performs his or her duties, he or she shall carry a certificate indicating his or her position and show it to relevant persons.

### **Article 91 (Fees)**

Any of the following persons shall pay fees, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: Provided, That a person under subparagraph 1 may be exempt from such fees or pay reduced fees as prescribed by City/Do ordinance:

1. A person who intends to register an animal subject to registration pursuant to Article 15 (1);
2. A person who intends to apply for a qualification test under Article 31 or a person who intends to have a certificate reissued, etc.;
3. A person who intends to obtain animal welfare livestock farm certification or to undergo renewal or re-examination pursuant to Article 59 (3), (5) or (6);
4. A person who intends to obtain permission for business or permission for change in business, register business or register change in business, or report change pursuant to Articles 69, 70 and 73.

### **Article 92 (Hearings)**

The Minister of Agriculture, Food and Rural Affairs, the Mayor/Do Governor, or the head of a Si/Gun/Gu shall hold a hearing when intending to make any of the following dispositions:

1. Withdrawal of permission for breeding fierce dogs under Article 20 (1);
2. Revocation of the qualification of a companion animal behavior instructor under Article 32 (2);
3. Revocation of designation of an animal protection center under Article 36 (4);
4. Closure of protection facilities under Article 38 (2);
5. Revocation of designation of a certification institution under Article 61 (1);
6. Revocation of certification of animal welfare livestock farms under Article 65 (1);
7. Revocation of business permission or business registration under Article 83 (1).

### **Article 93 (Delegation or Entrustment of Authority)**

(1) The Minister of Agriculture, Food and Rural Affairs may delegate part of his or her authority under this Act to the head of an affiliated institution or the Mayor/Do Governor, as prescribed by Presidential Decree.

(2) The Minister of Agriculture, Food and Rural Affairs may entrust part of the duties under this Act and the duties concerning the promotion of animal welfare to the heads of institutions, corporations, and organizations that perform affairs related to agriculture, livestock, or animal protection, as prescribed by Presidential Decree.

(3) Where deemed necessary for the performance of the duties delegated under paragraph (1) and the duties entrusted under paragraph (2), the Minister of Agriculture, Food and Rural Affairs may establish and notify guidelines for conducting duties, or may provide necessary direction and supervision.

(4) Executive officers and employees of institutions, corporations, and organizations performing duties under this Act that are entrusted under paragraph (2) shall be deemed public officials in the application of Articles 129 through 132 of the Criminal Act.

(5) The Minister of Agriculture, Food and Rural Affairs may contribute or subsidize, within the budget, all or part of necessary funds to the institution entrusted with duties under paragraph (2).

#### **Article 94 (Fact-Finding Survey and Disclosure of Information)**

(1) The Minister of Agriculture, Food and Rural Affairs shall collect, investigate, and analyze the following information and data, and announce the results thereof regularly every year: Provided, That regarding the matters prescribed in subparagraph 2, the Minister may determine whether or not to announce the results in consultation with the head of the central administrative agency that manages the relevant animal and the head of the relevant agency:

1. Matters concerning the actual conditions of protection and welfare of animals for the establishment of a comprehensive animal welfare plan under Article 6 (1);
2. Matters concerning the number of State-owned service animals, among service animals under subparagraph 6 of Article 2, and the management of the relevant service animals;
3. Matters concerning registration of animals subject to registration under Article 15;
4. Matters concerning animal protection centers under Articles 34 through 36 and 39 through 46, and treatment, protection, etc. of lost or abandoned animals, etc.;
5. Matters concerning the operational status of protection facilities under Article 37;
6. Matters concerning the operation of the IACUC under Articles 51 through 56 and Article 58, the actual conditions of animal testing, guidance, supervision, etc.;
7. Matters concerning the actual status of certification of animal welfare livestock farms under Article 59;
8. Matters concerning the permission for, and registration of, business under Articles 69 and 73 and the current conditions of operation;
9. Matters concerning regular inspections of business operators under Article 86 (4);
10. Other matters related to the protection and welfare of animals.

(2) The Minister of Agriculture, Food and Rural Affairs may conduct a fact-finding survey to efficiently conduct the tasks under the subparagraphs of paragraph (1), and if necessary for the survey, may request the heads of relevant central administrative agencies, heads of local governments, and heads of public institutions (referring to public institutions under Article 4 of the Act on the Management of Public Institutions; hereinafter the same shall apply), relevant institutions and organizations, and animal owners, etc. to provide necessary data and information. In such cases, those requested to provide data and information shall provide the data and information unless there is good cause.

(3) The scope and method of fact-finding surveys under paragraph (2) (including on-site surveys) and other necessary matters shall be prescribed by Presidential Decree.

(4) The Mayor/Do Governor, the head of a Si/Gun/Gu, the head of an institution implementing animal testing, or a certification institution shall report the performance under the subparagraphs of paragraph (1) to the Minister of Agriculture, Food and Rural Affairs (including the head of an affiliated institution

prescribed by Presidential Decree) by January 31 of the following year.

### **Article 95 (Collection and Utilization of Animal Protection Information)**

(1) The Minister of Agriculture, Food and Rural Affairs shall collect and systematically manage the following information (hereinafter referred to as “animal protection information”) in order to protect animal life, guarantee safety, promote welfare, and create a sound and responsible raising culture:

1. Information on a person who has filed an import declaration of fierce dogs pursuant to Article 17 and on the fierce dogs owned by the person making the report;
2. Information on fierce dogs owned by a person who has obtained permission for raising fierce dogs or for whom such permission has been withdrawn pursuant to Articles 18 and 20, and information on the fierce dogs owned by the person who obtained the permission;
3. Information on animals that have undergone temperament evaluation under Articles 18 (3) and 24 and their owners;
4. Matters concerning permission for business under Articles 69 and 70 and business registration under Article 73 (including business permission and registration number, company name, phone number, location, etc.);
5. Information under the subparagraphs of Article 94 (1);
6. Other information on animal protection that the Minister of Agriculture, Food and Rural Affairs deems necessary to collect and manage.

(2) The Minister of Agriculture, Food and Rural Affairs shall establish and operate a national animal protection information system to systematically manage and comprehensively analyze animal protection information.

(3) The Minister of Agriculture, Food and Rural Affairs may request necessary data from the head of a relevant central administrative agency, the Mayor/Do Governor, the head of a Si/Gun/Gu, and the head of a police station, etc. to collect animal protection information. In such cases, the head of the relevant central administrative agency, the Mayor/Do Governor, the head of a Si/Gun/Gu, the head of a police station, etc. shall comply with the request unless there is good cause.

(4) The Mayor/Do Governor and the head of a Si/Gun/Gu may request the Minister of Agriculture, Food and Rural Affairs to provide relevant information registered with the National Animal Protection Information System, if necessary for the protection of animals or the prevention of animal abuse. In such cases, the purpose of information utilization and the scope of necessary information shall be specified.

(5) A person who acquires information under paragraph (4) shall neither use the information for any purpose other than the specified purpose under the latter part of that paragraph, nor shall the person provide or leak the information to others.

(6) The Minister of Agriculture, Food and Rural Affairs shall disclose business permission and registration numbers, business names, phone numbers, location, etc. among the information under paragraph (1) 4, as prescribed by Presidential Decree.

(7) Except as provided in paragraphs (1) through (6), matters necessary for the collection, management, and disclosure of animal protection information, etc., the method of requesting information, and the establishment and utilization of the national animal protection information system shall be prescribed by Presidential Decree.

#### **Article 96 (Publication of Violations)**

(1) Regarding animal protection centers or protection facilities for which an administrative disposition has been finalized under Article 36 (4) or Article 38, the Mayor/Do Governor or the head of a Si/Gun/Gu may publish matters prescribed by Presidential Decree, such as the acts of violation, names of relevant institutions, organizations, or facilities, and names of the representatives.

(2) Regarding business operators for whom an administrative disposition has been finalized under Articles 83 through 85, the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may publish matters prescribed by Presidential Decree, such as the acts of violation, names of relevant business places, and names of the representatives.

(3) Where deciding whether or not to publish under paragraphs (1) and (2), the motive, degree, frequency, and results of violations shall be considered.

(4) The Mayor/Do Governor or the head of a Si/Gun/Gu shall notify the person subject to the publication of the fact prior to making the publication under paragraphs (1) and (2), to give the person an opportunity to submit explanatory materials or to appear and express their opinions.

(5) Procedures and methods for publication under paragraphs (1) and (2) and other necessary matters shall be prescribed by Presidential Decree.

## **CHAPTER VIII PENALTY PROVISIONS**

#### **Article 97 (Penalty Provisions)**

(1) Any of the following persons shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won:

1. A person who violates any of the subparagraphs of Article 10 (1);
2. A person who violates Article 10 (3) 2 or Article 10 (4) 3;
3. A person who causes the death of another person in violation of Article 16 (1) or (2) 1;
4. A person who causes the death of another person in violation of the subparagraphs of Article 21 (1).

(2) Any of the following persons shall be punished by imprisonment with labor for not more than two years or by a fine not exceeding 20 million won:

1. A person who violates Article 10 (2) or Article 10 (3) 1, 3, or 4;
2. An owner, etc. who abandons a fierce dog in violation of Article 10 (4) 1;
3. An owner, etc. who violates Article 10 (4) 2;

4. A person who causes bodily injury to another person in violation of Article 16 (1) or (2) 1;
  5. A person who causes bodily injury to another person in violation of any subparagraph of Article 21 (1);
  6. A person who obtains certified farm certification by fraud or other improper means, in violation of Article 67 (1) 1;
  7. A person who labels a livestock farm that has not been certified as a certified farm, in violation of Article 67 (1) 2;
  8. A person who conducts certification examinations, re-examinations, and certification renewals or who assists therein by fraud or other improper means, in violation of Article 67 (1) 3;
  9. A person who conducts business without obtaining permission or permission for change, in violation of Article 69 (1) or (4);
  10. A person who obtains permission under Article 69 (1) or permission for change under paragraph (4) of that Article by fraud or other improper means;
  11. A person who engages in the business of handling fierce dogs without permission or permission for change, in violation of Article 70 (1);
  12. A person who has obtained permission for handling fierce dogs or permission for change under Article 70 (1) by fraud or other improper means;
  13. A person who installs animal funeral facilities in a place where installation is prohibited, in violation of Article 72;
  14. A person who continues to conduct business in violation of the measures to close the business place under Article 85 (1).
- (3) Any of the following persons shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding 10 million won:
1. A person who fails to obtain permission for raising fierce dogs in violation of Article 18 (1);
  2. A person who uses the name of a companion animal behavior instructor in violation of Article 33 (1);
  3. A person who allows another person to use the name of a companion animal behavior instructor or lends the certificate to another person, or a person who uses the name of a companion animal behavior instructor or borrows the certificate, in violation of Article 33 (2);
  4. A person who violates Article 33 (3);
  5. A person who conducts business without registration or registration for change, in violation of Article 73 (1) or (4);
  6. A person who registers under Article 73 (1) or changes registration under Article 73 (4) by fraud or other improper means;
  7. A person who steals or borrows another person's business name, or who allows another person to use his or her business name or trade name, in violation of Article 78 (1) 11;
  8. A person who conducts business during the period of business suspension, in violation of Article 83;



9. A person who arbitrarily manipulates a visual data processing device for a purpose different from the intended purpose of the installation, or a person who shoots elsewhere or uses a sound-recording function, in violation of Article 87 (3);

10. A person who provides video records to another person for a purpose other than the intended purpose, in violation of Article 87 (4).

(4) Any of the following persons shall be punished by a fine not exceeding five million won:

1. A current or former member of the Temperament Evaluation Committee who divulges confidential information obtained in the course of performing his or her duties, in violation of Article 29 (1);

2. A person who operates a protection facility without reporting thereon under Article 37 (1);

3. A person who fails to comply with the order of closure under Article 38 (2);

4. A current or former member of the IACUC who divulges or steals confidential information in violation of Article 54 (3) (including cases where Article 52 (3) applies mutatis mutandis);

5. A business operator who raises a dog or cat aged less than 12 months or makes it give birth, in violation of Article 78 (2) 1;

6. A business operator who induces animals to get estrous or rutting in violation of Article 78 (2) 2;

7. A business operator who disposes of live animals in violation of Article 78 (5) 1;

8. A person who uses information for purposes other than the requested purpose, or provides or leaks information to another person, in violation of Article 95 (5).

(5) Any of the following persons shall be punished by a fine not exceeding three million won:

1. An owner, etc. who abandons animals in violation of Article 10 (4) 1 (excluding cases where they abandon fierce dogs);

2. A person who sells, exhibits, conveys, shows, or posts on the Internet a photograph or video footage in violation of Article 10 (5) 1;

3. A person who uses animals for the purpose of gambling, or a person who advertises or publicizes in order to engage in gambling that uses animals, in violation of Article 10 (5) 2;

4. A person who offers animals as prizes or gifts of gambling, matches, lottery tickets, entertainment, amusement, advertisements, etc., in violation of Article 10 (5) 3;

5. A person who lends animals for profit in violation of Article 10 (5) 4;

6. An owner of a fierce dog who fails to comply with the order to dispose of it in a humane manner under the latter part of Article 18 (4);

7. An owner of a fierce dog who fails to comply with the order to dispose of it in a humane manner under Article 20 (2);

8. An owner of a non-fierce dog who fails to comply with the temperament evaluation order under Article 24 (1);

9. A person who disposes of an animal in a humane manner without consulting a veterinarian, in violation of Article 46 (2);

10. A person who conducts animal testing in violation of Article 49;
  11. A business operator who sells (including arrangement or brokerage) a dog or a cat aged less than two months in violation of Article 78 (4) 1;
  12. A person who removes or damages notices, etc. or seals under Article 85 (2).
- (6) A person who habitually commits any of the crimes under paragraphs (1) through (5) shall be subject to penalty aggravated by up to 1/2 of the penalty prescribed for the crime.

#### **Article 98 (Penalty)**

Where a person subject to a completion order under Article 100 (1) fails to follow an instruction issued by the head of a probation office or the head of a correctional facility regarding compliance with the completion order and thus receives a warning under the Act on Probation or the Administration and Treatment of Correctional Institution Inmates Act, but continues to fail to follow such an instruction without good cause, he or she shall be subject to the following:

1. Where such order is imposed concurrently with a fine, the person shall be punished by a fine not exceeding five million won;
2. Where such order is imposed concurrently with imprisonment with labor or heavier punishment, he or she shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding 10 million won.

#### **Article 99 (Joint Penalty Provisions)**

If the representative of a corporation or an agent or employee of, or any other person employed by, the corporation or an individual commits any violations referred to in Article 97 in conducting the business affairs of the corporation or individual, the corporation or individual shall, in addition to punishing the violator accordingly, be punished by a fine prescribed in the relevant Article: Provided, That the foregoing shall not apply where the corporation or individual has not been negligent in giving due attention and supervision concerning the relevant business affairs in order to prevent such violations.

#### **Article 100 (Concurrent Imposition of Punishment and Order to Attend Courses)**

(1) In delivering a guilty verdict (excluding suspended sentence) to a person who has committed any of the crimes under Article 97 (1) 1 and 2 and paragraph (2) 1 through 3 of that Article (hereafter in this Article referred to as “animal abuser”), the court may concurrently order such person to attend courses (referring to an order to attend courses under the Act on Probation; hereinafter the same shall apply) or to complete medical treatment program (hereinafter referred to as “completion order”) necessary for the prevention of recidivism within the limit of 200 hours.

(2) Where the execution of a sentence is suspended, the course attendance order imposed on the animal abuser shall be concurrently imposed within the period of suspension of execution, and the completion order shall be concurrently imposed when a fine or prison sentence is imposed.

(3) Where the execution of a sentence is suspended for an animal abuser, the court may concurrently impose at least one disposition of probation or community service within the period of suspension of execution, in addition to an order to attend courses under paragraph (1).

(4) A course attendance order or completion order under paragraph (1) shall be executed within the period of suspension of execution in cases where the execution of a sentence is suspended; within 6 months from the date the sentence is finalized in cases where a fine is imposed; and within the term of imprisonment in cases of a sentence of imprisonment with labor.

(5) Where the course attendance order or completion order under paragraph (1) is imposed concurrently with a fine or the suspension of execution of sentence, it shall be executed by the director of a probation office, and where it is imposed concurrently with the sentence of imprisonment with labor, it shall be executed by the director of a correctional facility: Provided, That where the sentence cannot be executed due to reasons such as release after service of sentence or provisional release, or counting of the number of the days of detention pending trial before the fulfillment of the completion order imposed concurrently with the sentence of imprisonment with labor, the head of the probation office shall execute the remaining completion order.

(6) The course attendance order or completion order under paragraph (1) shall include the following contents:

1. Diagnosis and counseling of animal abuse behaviors;
2. Education to help a person to acquire basic knowledge and attitude as an owner, etc.;
3. Other matters necessary to prevent recidivism of animal abusers.

(7) Except as provided in this Act with respect to course attendance orders and completion orders imposed concurrently with punishments, the Act on Probation shall apply *mutatis mutandis*.

#### **Article 101 (Administrative Fines)**

(1) Any of the following persons shall be subject to an administrative fine not exceeding five million won:

1. The head of an animal testing institution who fails to establish and operate an IACUC in violation of Article 51 (1);
2. The head of an animal testing institution that conducts animal testing without deliberation by the IACUC in violation of Article 51 (3);
3. The head of an animal testing institution that conducts animal testing without deliberation on changes by the IACUC in violation of Article 51 (4) (including cases where Article 52 (3) applies *mutatis mutandis*);
4. The head of a relevant animal testing institution, if supervision is not requested after deliberation in violation of Article 55 (1) (including cases where Article 52 (3) applies *mutatis mutandis*);
5. The head of an animal testing institution that fails to comply with the request to stop testing in violation of Article 55 (3) without good cause and conducts animal testing (including cases where Article 52 (3) applies *mutatis mutandis*);

6. The head of an animal testing institution that resumes animal testing without undergoing deliberation or deliberation on changes by the IACUC in violation of Article 55 (4) (including cases where Article 52 (3) applies *mutatis mutandis*);
7. The head of an animal testing institution who fails to comply with an improvement order in violation of Article 58 (2);
8. A person who uses the label of an animal welfare livestock product in violation of Article 67 (1) 4 (a);
9. A business operator who fails to comply with the standards for facilities and manpower for each business, in violation of Article 78 (1) 7.

(2) Any of the following persons shall be subject to an administrative fine not exceeding three million won:

1. A person who fails to file an import declaration of fierce dogs in violation of Article 17 (1);
2. An owner, etc. of fierce dogs who violates the subparagraphs of Article 21 (1);
3. A person who fails to receive education on the safe raising and management of fierce dogs, in violation of Article 21 (3);
4. An owner, etc. who allows fierce dogs to enter in violation of Article 22;
5. An owner who fails to purchase insurance in violation of Article 23 (1);
6. An owner who fails to comply with an order to complete education or an order to train dogs under Article 24 (5);
7. A person who fails to comply with facility and operation standards, etc. or fails to conduct follow-up management such as facility maintenance, in violation of Article 37 (4);
8. A person who suspends the operation of a protection facility or closes a protection facility without reporting under Article 37 (5);
9. A person who repeatedly fails to comply with the order to stop or correct under Article 38 (1) three or more times;
10. The head of an animal testing institution that does not have a full-time veterinarian, in violation of Article 48 (1);
11. A person who uses the label of an animal welfare livestock product in violation of Article 67 (1) 4 (b) or (c);
12. A business operator who fails to report the handling of fierce dogs in violation of Article 70 (3);
13. A business operator who fails to file a report on suspension, closure, or resumption of business, in violation of Article 76 (1);
14. A business operator who fails to submit an animal disposal plan in violation of Article 76 (2) or fails to report the disposal result under paragraph (3) of that Article;
15. A business operator who trades for the purpose of abandoning or discarding aged or diseased animals, in violation of Article 78 (1) 3;

16. A business operator who fails to record and manage breeding, bringing in and taking out of animals, etc., and keep such records, in violation of Article 78 (1) 4;
  17. A business operator who indicates the transaction amount without specifying the business permission number or business registration number, in violation of Article 78 (1) 5;
  18. A business operator who fails to file an import declaration in violation of Article 78 (3) 1 or file an import declaration by fraud or other improper means.
- (3) Any of the following persons shall be subject to an administrative fine not exceeding one million won:
1. A person who transports animals in violation of Article 11 (1) 4 or 5;
  2. A person who transports animals under Article 69 (1) in violation of Article 11 (1);
  3. A person who delivers a companion animal in violation of Article 12;
  4. The owner of an animal subject to registration who fails to have the animal registered, in violation of Article 15 (1);
  5. A person who refuses to attend or rejects the request to submit data or the investigation related to temperament evaluation without good cause, in violation of Article 27 (4);
  6. The head of an animal protection center and his or her employees who have not received education in violation of Article 35 (5) applied mutatis mutandis under Article 36 (6);
  7. A person who fails to report changes under Article 37 (2) or report resumption of operation under Article 37 (5);
  8. A person who has minors practice animal dissection, in violation of Article 50;
  9. A member of the IACUC who fails to complete education in violation of Article 57 (1);
  10. A person who refuses, interferes with, or evades an investigation under Article 66 (3) without good cause;
  11. A person who succeeds to the status of a person who has obtained certification in violation of Article 68 (2) and fails to report the fact;
  12. A business operator who fails to report minor changes in violation of the proviso of Article 69 (4) or the proviso of Article 73 (4);
  13. A person who fails to report his or her succession to the status of a business operator, in violation of Article 75 (3);
  14. A business operator who fails to provide education to employees in violation of Article 78 (1) 8;
  15. A business operator who fails to report business performance in violation of Article 78 (1) 9;
  16. A business operator who fails to notify the duty to register and report changes of animals subject to registration, in violation of Article 78 (1) 10;
  17. A business operator who uses animals for purposes other than those reported, in violation of Article 78 (3) 2;
  18. A business operator who fails to report after disposing of the carcass of an animal subject to registration, in violation of Article 78 (5) 2;

19. A business operator who fails to comply with matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs for the protection of animals and the prevention of harm to public health under Article 78 (6);
  20. A business operator who sells animals without applying for registration of animals subject to registration, in violation of Article 79;
  21. A person who engages in business without receiving education, in violation of Article 82 (2) or (3);
  22. An owner, etc. of animals who does not respond to the request for data submission under Article 86 (1) 1 or submits false data;
  23. An owner, etc. of animals who refuses, interferes with, or evades access and inspection under Article 86 (1) 2;
  24. A person who fails to report or submit data under Article 86 (2), or who falsely reports or submits false data, or who refuses, interferes with, or evades access, investigation, or inspection under that paragraph;
  25. A person who fails to comply with measures such as a corrective order under Article 86 (1) 3 or paragraph (7) of that Article;
  26. A person who refuses, interferes with, or evades the performance of duties of an animal protection officer in violation of Article 88 (4).
- (4) Any of the following persons shall be subject to an administrative fine not exceeding 500,000 won:
1. An owner who fails to report within a specified period, in violation of Article 15 (2);
  2. A person who fails to report within 30 days from the date of transfer of ownership in violation of Article 15 (3);
  3. An owner, etc. who lets an animal subject to registration escape from a place where it is raised without an owner, etc., in violation of Article 16 (1);
  4. An owner, etc. who fails to take safety measures under Article 16 (2) 1;
  5. An owner, etc. who fails to attach an identification tag in violation of Article 16 (2) 2;
  6. An owner, etc. who fails to collect excreta in violation of Article 16 (2) 3;
  7. A person who fails to provide data and information without good cause, in violation of Article 94 (2).
- (5) Administrative fines under paragraphs (1) through (4) shall be imposed and collected by the Minister of Agriculture, Food and Rural Affairs, the Mayor/Do Governor, or the head of a Si/Gun/Gu, as prescribed by Presidential Decree.

ADDENDA <Act No. 18853, Apr. 26, 2022>

#### **Article 1 (Enforcement Date)**

This Act shall enter into force one year after the date of its promulgation: Provided, That the amended provisions of Articles 17 through 21, 24 through 33, 52, 59 through 68, and 70 shall enter into force two years after the promulgation.

## **Article 2 (Applicability to Import Declaration of Fierce Dogs)**

The amended provisions of Article 17 shall begin to apply from the fierce dogs imported after the enforcement date under the proviso of Article 1 of this Addenda.

## **Article 3 (Applicability to Submission of Raising Plans)**

The amended provisions of Article 41 (1) 2 and (2) concerning the submission of a raising plan for the proper protection and management of animals shall begin to apply from the case of requesting the return of animals after this Act enters into force.

## **Article 4 (Applicability to Deliberation on Change by the IACUC, Supervision after Deliberation, and Review by Expert Members)**

The amended provisions of Articles 51 (4), 55 and 56 shall also apply to animal testing in progress at the time this Act enters into force.

## **Article 5 (Applicability to Grounds for Disqualification)**

(1) The amended provisions of subparagraph 3 of Article 74 shall begin to apply from the case where a bankruptcy is declared after this Act enters into force.

(2) The amended provisions of subparagraphs 5 through 7 of Article 74 shall also apply to cases where permission or registration is revoked under the previous provisions or a sentence of suspension of execution of a fine or heavier punishment is imposed for an act committed before this Act enters into force. The same shall also apply to cases where the registered business under the previous provisions is regarded as a permitted business under the amended provisions under Article 18 of the Addenda.

## **Article 6 (Applicability to Animal Disposal Plans)**

The amended provisions of Article 76 (2) through (4) shall begin to apply from the case of a report on business suspension or closure after this Act enters into force.

## **Article 7 (Applicability to Animal Registration by Animal Breeders and Animal Importers)**

The amended provisions of Article 79 shall begin to apply from the case where animal breeders and animal importers sell animals subject to registration after this Act enters into force.

## **Article 8 (Applicability to Reporting of Transaction Details)**

The amended provisions of Article 80 shall apply from the details of transactions relating to animals subject to registration handled by animal breeders, animal importers, and animal sellers after this Act enters into force.

## **Article 9 (Transitional Measures concerning Comprehensive Animal Welfare Plan and Animal Welfare Plan)**

Comprehensive animal welfare plans and animal welfare plans formulated under previous Article 4 at the time this Act enters into force shall be deemed comprehensive animal welfare plans and animal welfare plans formulated under the amended provisions of Article 6.

## **Article 10 (Transitional Measures concerning Animal Welfare Committee)**

The animal welfare committee (including the chairperson and members) established under previous Article 5 at the time this Act enters into force shall continue to exist until an animal welfare committee

is newly formed under the amended provisions of Article 7 after the enforcement date of this Act.

**Article 11 (Transitional Measures concerning Permission for Raising Fierce Dogs)**

A person who raises fierce dogs at the time this Act enters into force shall obtain permission for raising fierce dogs within six months after the date of enforcement under the proviso of Article 1 of the Addenda.

**Article 12 (Transitional Measures concerning Management of Fierce Dogs)**

Regarding the management of fierce dogs, previous Article 13-2 shall apply until the amended provisions of Article 21 enter into force pursuant to the proviso of Article 1 of the Addenda.

**Article 13 (Transitional Measures concerning Animal Protection Centers)**

(1) Animal protection centers and operating committees established or designated under previous Article 15 at the time this Act enters into force shall be regarded as animal protection centers and operating committees established or designated under the amended provisions of Articles 35 and 36.

(2) Previous provisions shall apply when revoking the designation of an animal protection center or applying the disqualification period for designation to an act performed before this Act enters into force.

**Article 14 (Transitional Measures concerning the Bearing of Protection Expenses)**

Animal protection expenses incurred under previous Article 19 at the time this Act enters into force may be governed by the amended provisions of Article 42.

**Article 15 (Transitional Measures concerning Acquisition of Ownership of Animals)**

Ownership of animals acquired by a City/Do or a Si/Gun/Gu pursuant to previous Article 20 at the time this Act enters into force shall be deemed acquired pursuant to the amended provisions of Article 43.

**Article 16 (Transitional Measures concerning the IACUC)**

(1) The IACUC established and operated under previous Article 25 (1) at the time this Act enters into force shall be regarded as the IACUC established under the amended provisions of Article 51 (1).

(2) The IACUC that an animal testing institution establishes and operates jointly with another animal testing institution pursuant to previous Article 25 (2) shall continue to exist after the effective date under the proviso of Article 1 of the Addenda until the Public IACUC is designated or established under the amended provisions of Article 52 (1).

(3) The chairperson and members of the IACUC elected or commissioned under previous Article 27 at the time this Act enters into force shall be deemed elected or commissioned under the amended provisions of Article 53. In such cases, the term of office of the chairperson and members shall be calculated from the original date of commencement of the term of office.

**Article 17 (Transitional Measures concerning Certification of Animal Welfare Livestock Farms)**

(1) Regarding the certification of animal welfare livestock farms, the previous provisions of Articles 29 through 31 shall apply until the amended provisions of Articles 59 through 68 enter into force.

(2) Where, at the time this Act enters into force, an application for certification was filed with the Minister of Agriculture, Food and Rural Affairs (including the head of the affiliated institution entrusted with certification business under previous Article 44; hereinafter the same shall apply) under previous



Article 29 (2), but the certification has not been obtained by the day before the enforcement date under the proviso of Article 1 of the Addenda, the application for certification shall be made to the certification institution once again, pursuant to the amended provisions of Article 59. In such cases, the Minister of Agriculture, Food and Rural Affairs may, at the request of the applicant, transfer the data under examination to the certification institution, and in cases of the transfer, shall inform the applicant of the fact.

(3) The certification of an animal welfare livestock farm obtained under previous Article 29 at the time of the enforcement date under the proviso of Article 1 of the Addenda shall be regarded as a certification of an animal welfare livestock farm under the amended provisions of Article 59. In such cases, the validity period of the certification shall be until the date specified in the following, notwithstanding the amended provisions of Article 59 (4):

1. Livestock farms for which less than 2 years have elapsed from the date of certification as of the enforcement date under the proviso of Article 1 of the Addenda: Four years from the enforcement date under the proviso of Article 1 of the Addenda;

2. Livestock farms for which at least two years but less than five years have elapsed from the date of certification as of the enforcement date under the proviso of Article 1 of the Addenda: Three years from the enforcement date under the proviso of Article 1 of the Addenda;

3. Livestock farms for which at least five years have elapsed from the date of certification as of the enforcement date under the proviso of Article 1 of the Addenda: Two years from the enforcement date under the proviso of Article 1 of the Addenda.

(4) Previous provisions shall apply when revoking the certification of an animal welfare livestock farm or applying the disqualification period for certification to an act performed before this Act enters into force.

#### **Article 18 (Transitional Measures concerning Permission for or Registration of Business)**

(1) A person who has obtained permission for animal breeding under previous Article 34 at the time this Act enters into force shall be regarded to have obtained permission for animal breeding under the amended provisions of Article 69.

(2) A person who has registered an animal funeral business, animal selling business, or animal import business under previous Article 33 at the time this Act enters into force shall be regarded to have obtained permission for the animal funeral business, animal selling business, or animal import business under the amended provisions of Article 69 (1). In such cases, the standards for facilities and manpower for the animal funeral business, animal selling business, or animal import business under the amended provisions of Article 69 (3) shall be fulfilled within one year from the enforcement date of this Act and if the standards are not fulfilled within that period, the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may revoke the permission.

(3) A person who has registered an animal exhibition business, animal boarding business, animal grooming business, or animal transport business under previous Article 33 at the time this Act enters

into force shall be regarded to have registered the animal exhibition business, animal boarding business, animal grooming business, or animal transport business under the amended provisions of Article 73 (1). (4) Where any report is filed on changes to the permitted or registered matters in accordance with the previous provisions in relation to companion animal business before this Act enters into force, it shall be deemed that permission for change or report on change under the amended provisions of Article 69 (4) or the registration for change or report on change under the amended provisions of Article 73 (4) has been obtained or filed.

**Article 19 (Transitional Measures concerning Regulations on Completion of Education)**

A person who is regarded to have obtained permission for an animal funeral business under Article 18 (2) of the Addenda shall receive education under the amended provisions of Article 82 (1) within one year after the date this Act enters into force.

**Article 20 (Transitional Measures concerning Revocation of Permission or Registration)**

Notwithstanding the amended provisions of Article 83, previous Articles 35 and 38 shall apply to the revocation of permission or registration, suspension of business, and succession to the effects of dispositions for an act performed before this Act enters into force.

**Article 21 (Transitional Measures concerning Animal Protection Officers)**

Animal protection supervisors designated under previous Article 40 before this Act enters into force shall be regarded as animal protection officers designated under the amended provisions of Article 88; and the honorary animal protection guards commissioned under previous Article 41 shall be regarded as the honorary animal protection officers commissioned under the amended provisions of Article 90.

**Article 22 (Transitional Measures concerning Penalty Provisions and Administrative Fines)**

In applying the provisions regarding penalty or administrative fines to an act committed before this Act enters into force, previous provisions shall apply.

**Article 23 (Transitional Measures concerning Scope of Application of Previous Addenda)**

The previous Addenda prescribed in accordance with the amendment of the previous Animal Protection Act shall continue to apply even after the enforcement of this Act to the extent that they do not violate the provisions of this Act, except for cases where they have already lost their effect before this Act enters into force.

**Article 24 (Applicability to Persons Sentenced to a Fine or Heavier Punishment for Animal Abuse)**

The amended provisions of subparagraph 6 of Article 74 shall apply from the case where a sentence of a fine or heavier punishment is imposed for violating previous Article 8 and the sentence is finalized, after March 25, 2019.

**Article 25 (Transitional Measures concerning the Effect of Municipal Ordinances)**

Municipal ordinances under the previous proviso of Article 12 (1) and paragraph (5) of that Article, Article 13 (3), subparagraph 4 of Article 13-3, Article 15 (10), Article 19 (3), Article 21 (1) and (3), the former part of Article 33-3, and the proviso, with the exception of the subparagraphs, of Article 42 shall be regarded as municipal ordinances under the amended provisions of the proviso of Article 15 (1) and

paragraph (7) of that Article, Article 16 (3), subparagraph 8 of Article 22, Article 35 (7) (including cases applied mutatis mutandis under Article 36 (6)), Article 42 (3), Article 45 (1) and (4), Article 71 (3), and the proviso, with the exception of the subparagraphs, of Article 91.

**Article 26 Omitted.**

**Article 27 (Relationship with Other Statutes and Regulations)**

Where the previous Animal Protection Act or its provisions are cited in other statutes or regulations (including municipal ordinances) at the time this Act enters into force and there are corresponding provisions in this Act, this Act or the relevant provisions of this Act shall be deemed cited in lieu of the previous provisions.

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