

# ACT ON THE PUBLIC SERVICE VETERINARIANS FOR PREVENTION OF EPIDEMICS

Act No. 7914, Mar. 24, 2006

Amended by Act No. 8852, Feb. 29, 2008

Act No. 9955, Jan. 25, 2010

Act No. 10310, May 25, 2010

Act No. 11090, Nov. 22, 2011

Act No. 11642, Mar. 22, 2013

Act No. 11690, Mar. 23, 2013

Act No. 11849, jun. 4, 2013

Act No. 12410, Mar. 11, 2014

Act No. 14183, May 29, 2016

## Article 1 (Purpose)

The purpose of this Act is to contribute to the development of the livestock industry and improvement in public health by having public veterinarians efficiently support livestock disease control services provided by the State and local governments and by prescribing special cases on personnel affairs, service, etc. of public veterinarians under the State Public Officials Act. *<Amended by Act No. 9955, Jan. 25, 2010>*

## Article 2 (Definitions)

The terms used in this Act shall be defined as follows: *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 10310, May 25, 2010; Act No. 11642, Mar. 22, 2013; Act No. 11690, Mar. 23, 2013>*

1. The term "public veterinarian" means a person ordered to provide livestock disease control services by the Minister of Agriculture, Food and Rural Affairs, as a veterinarian assigned as a public service veterinarian pursuant to Article 34-7 of the Military Service Act in order to provide livestock disease control services;
2. The term "livestock disease control services" means livestock disease control, animal quarantine and livestock products sanitary control services provided by livestock disease control agencies in accordance with the provisions of the Act on the Prevention of Contagious Animal Diseases and the Livestock Products Sanitary Control Act;
3. The term "livestock disease control agencies" means state quarantine and inspection agencies prescribed by Presidential Decree (hereinafter referred to as "state quarantine and inspection agencies") and local governments and agencies that belong to local governments and provides livestock disease

control services.

### **Article 3 (Status of Public Veterinarians)**

(1) A public veterinarian shall be a public official of the Ministry of Agriculture, Food and Rural Affairs with a term of service under Article 26-5 of the State Public Officials Act. *<Amended by Act No. 11530, Dec. 11, 2012; Act No. 11690, Mar. 23, 2013>*

(2) Where a public veterinarian receives an order to provide livestock disease control services from the Minister of Agriculture, Food and Rural Affairs pursuant to Article 6 (1), he/she shall be deemed to have been appointed as a public official with a term of service pursuant to Article 26-5 of the State Public Officials Act. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11530, Dec. 11, 2012; Act No. 11690, Mar. 23, 2013>*

### **Article 4 (Grounds for Disqualification)**

No one who falls under any subparagraph of Article 33 of the State Public Officials Act shall be appointed as a public veterinarian. *<Amended by Act No. 9955, Jan. 25, 2010>*

### **Article 5 (Notification, etc. of Lists of Names)**

(1) The Minister of Agriculture, Food and Rural Affairs shall fix the number of public veterinarians required each year in advance, in consultation with the Commissioner of Military Manpower Administration and then request the budget based on such required number of public veterinarians. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>*

(2) The Commissioner of Military Manpower Administration shall notify the Minister of Agriculture, Food and Rural Affairs of the list of names of veterinarians assigned as public service veterinarians pursuant to Article 34-7 of the Military Service Act immediately after such assignment. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>*

### **Article 6 (Orders, etc. to Provide Livestock Disease Control Services)**

(1) Where the Minister of Agriculture, Food and Rural Affairs is notified of the list of names pursuant to Article 5 (2), he/she shall determine a livestock disease control agency with which the relevant veterinarian is to take service and order him/her to provide livestock disease control services, and notify the heads of state quarantine and inspection agencies or a Special Metropolitan City Mayor, a Metropolitan City Mayor, a Self-Governing City Mayor, a Do Governor, the Governor of a Special Self-Governing Province (hereinafter referred to as "Mayor/Do Governor") and the Commissioner of Military Manpower Administration of such an order. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11090, Nov. 22, 2011; Act No. 11642, Mar. 22, 2013; Act No. 11690, Mar. 23, 2013>*

(2) Where the heads of state quarantine and inspection agencies and a Mayor/Do Governor is notified of the list of names pursuant to paragraph (1), he/she shall call the relevant public veterinarian and conduct on-the-job training necessary for providing livestock disease control services without delay, and report the result thereof to the Minister of Agriculture, Food and Rural Affairs without delay. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11642, Mar. 22, 2013; Act No. 11690, Mar. 23, 2013>*

(3) Where the Minister of Agriculture, Food and Rural Affairs deems it specially necessary for livestock disease control, he/she may conduct on-the-job training first-hand. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>

(4) A period of on-the-job training referred to in paragraphs (2) and (3) shall be included in an obligatory term of service pursuant to Article 9 (1). <Amended by Act No. 9955, Jan. 25, 2010>

(5) Matters necessary for issuing orders to provide livestock disease control services referred to in paragraph (1) and on-the-job training referred to in paragraphs (2) and (3) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>

#### **Article 7 (Change, etc. of Agency with Which Public Veterinarian Takes Service)**

(1) Where the Minister of Agriculture, Food and Rural Affairs deems it necessary, he/she may change a livestock disease control agency with which a public veterinarian takes service: Provided, That in cases of a change in the same Special Metropolitan City, Metropolitan City, Self-Governing City, Do and Special Self-Governing Province (hereinafter referred to as "City/Do"), the relevant Mayor/Do Governor shall make such change. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11090, Nov. 22, 2011; Act No. 11690, Mar. 23, 2013>

(2) A Mayor/Do Governor who has changed a livestock disease control agency with which a public veterinarian takes service pursuant to the proviso to paragraph (1) shall report the result thereof to the Minister of Agriculture, Food and Rural Affairs without delay. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>

#### **Article 8 (Detached Services)**

(1) Where the Minister of Agriculture, Food and Rural Affairs deems veterinary human resources are urgently required by reason of the outbreak of a contagious animal disease or the occurrence of a disaster, etc, he/she may dispatch public veterinarians to other livestock disease control agencies and have them take service there: Provided, That in cases of dispatch in the same City/Do, the relevant Mayor/Do Governor shall conduct such dispatch. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>

(2) A Mayor/Do Governor who has ordered public veterinarians to be dispatched pursuant to the proviso to paragraph (1) shall report the result thereof to the Minister of Agriculture, Food and Rural Affairs without delay. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>

(3) Detached services pursuant to paragraph (1) may be provided to another agency that is not a livestock disease control agency. In such cases, a Mayor/Do Governor shall obtain approval from the Minister of Agriculture, Food and Rural Affairs. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>

#### **Article 9 (Obligatory Term of Service)**

(1) The obligatory term of service of a public veterinarian shall be three years in addition to the period of draft for military education which he/she receives pursuant to Article 55 of the Military Service Act. *<Amended by Act No. 9955, Jan. 25, 2010; Act No. 14183, May 29, 2016>*

(2) A public veterinarian who has completed his/her obligatory term of service pursuant to paragraph (1) shall be deemed to have completed the service as a social service agent pursuant to Article 34-7 (2) of the Military Service Act. *<Amended by Act No. 9955, Jan. 25, 2010; Act No. 11849, Jun. 4, 2013>*

(3) The Minister of Agriculture, Food and Rural Affairs shall notify the Commissioner of Military Manpower Administration of the list of names of public veterinarians who have completed the obligatory term of service pursuant to paragraph (1). *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>*

#### **Article 10 (Prohibition, etc. of Absence without Leave from Workplace)**

(1) No public veterinarian shall be absent from an agency with which he/she takes service during the working hours without leave unless the head of a livestock diseases control agency permits to do so. *<Amended by Act No. 9955, Jan. 25, 2010>*

(2) Where there exist considerable reasons why a public veterinarian ought to live in an area of his/her service, such as urgent disease control of the relevant jurisdiction, etc., the Minister of Agriculture, Food and Rural Affairs, a Mayor/Do Governor, the head of a Si/Gun/autonomous Gu (hereinafter referred to as "the head of a Si/Gun/Gu") may order that he/she should be prohibited from being absent without leave from the area of his/her service under his/her jurisdiction. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11642, Mar. 22, 2013; Act No. 11690, Mar. 23, 2013>*

(3) The coverage of an area of service pursuant to paragraph (2) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>*

(4) Where a Mayor/Do Governor or the head of a Si/Gun/Gu has ordered that a public veterinarian should not be absent without leave from the area of service pursuant to paragraph (2), a Mayor/Do Governor shall report the details thereof to the Minister of Agriculture, Food and Rural Affairs, and the head of a Si/Gun/Gu shall report the details thereof to a Mayor/Do Governor without delay. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11642, Mar. 22, 2013; Act No. 11690, Mar. 23, 2013>*

#### **Article 11 (Service of Public Veterinarians)**

(1) A public veterinarian shall faithfully provide livestock disease control services during his/her obligatory term of service and shall not provide any other services than livestock disease control services assigned pursuant to Article 6 (1). *<Amended by Act No. 9955, Jan. 25, 2010>*

(2) Where a public veterinarian has been absent without leave from an agency with which he/she takes service in violation of an order under Article 10 (1) or an area of service in violation of an order under Article 10 (2) for a period not exceeding seven days in total during his/her obligatory term of service, the Minister of Agriculture, Food and Rural Affairs may order him/her to serve for a period extended to five times the days he/she has been absent without leave. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955,*

*Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>*

(3) Where a public veterinarian has been providing any other services than livestock disease control services for a period not exceeding seven days in total in violation of paragraph (1), the Minister of Agriculture, Food and Rural Affairs may order him/her to serve for a period extended to five times the days he/she has been providing such services. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>*

(4) Where a public veterinarian is unable to serve for one month or more due to reasons other than his/her duties, such as long-term hospitalization, recuperation, etc., the Minister of Agriculture, Food and Rural Affairs may order him/her to serve for a period extended to that period. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>*

(5) Except matters prescribed by this Act, the State Public Officials Act shall apply to service of public veterinarians. *<Amended by Act No. 9955, Jan. 25, 2010>*

## **Article 12 (Loss and Deprivation of Status)**

(1) Where a public veterinarian falls under any of the following subparagraphs, his/her status as a public veterinarian shall be lost: *<Amended by Act No. 9955, Jan. 25, 2010; Act No. 12410, Mar. 11, 2014>*

1. Where he/she falls under any subparagraph of Article 33 of the State Public Officials Act: Provided, That subparagraph 5 of Article 33 of the State Public Officials Act shall be applied only when a person who commits any crime described in Article 355 or 356 of the Criminal Act in relation to his/her duties described in Articles 129 through 132 of the Criminal Act is under suspension of the execution or sentence of his/her imprisonment without labor or greater punishment declared by a court;

2. Where he/she is disqualified for a veterinarian or his/her qualification for a veterinarian is suspended.

(2) Where a public veterinarian falls under any of the following subparagraphs, the Minister of Agriculture, Food and Rural Affairs may deprive him/her of his/her status ex officio: Provided, That where he/she falls under the provisions of subparagraphs 1 through 3, the Minister of Agriculture, Food and Rural Affairs shall deprive him/her of his/her status: *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>*

1. Where he/she fails to receive on-the-job training pursuant to Article 6 (2) and (3) without good cause;

2. Where he/she absents himself/herself from an agency where he/she works or an area of his/her service for a period not less than eight days in total during his/her obligatory term of service, in violation of an order issued under Article 10 (1) or (2), without good cause;

3. Where he/she provides services other than livestock disease control services for a period not less than eight days in total, in violation of Article 11 (1), without good cause;

4. Where he/she is unable to return to his/her duties within one year or to perform his/her duties on account of physical or mental disorders.

(3) Where the Minister of Agriculture, Food and Rural Affairs intends to deprive a public veterinarian of his/her status pursuant to paragraph (2), he/she shall hold a hearing. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>*

### **Article 13 (Notification of Disposition on Status)**

Where a public veterinarian has lost or has been deprived of his/her status pursuant to Article 12, the Minister of Agriculture, Food and Rural Affairs shall notify the Commissioner of Military Manpower Administration of his/her name without delay. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>

### **Article 14 (Report, etc. of Violation of Duties)**

Where a public veterinarian falls under any of the following subparagraphs, the heads of state quarantine and inspection agencies and a Mayor/Do Governor shall report such a fact to the Minister of Agriculture, Food and Rural Affairs with the grounds therefor specified without delay: <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11642, Mar. 22, 2013; Act No. 11690, Mar. 23, 2013>

1. Where he/she falls under any of the subparagraphs of Article 33 of the State Public Officials Act;
2. Where he/she is unable to serve on account of physical or mental disorder or because his/her life or death or whereabouts is unknown;
3. Where he/she is prosecuted for a criminal case;
4. Where he/she violates this Act or an order issued under this Act, or violates or neglects other official obligations.

### **Article 15 (Assessment and Report of Status of Service)**

The heads of state quarantine and inspection agencies and a Mayor/Do Governor shall assess the state of service and the performance of duties of a public veterinarian and report the same to the Minister of Agriculture, Food and Rural Affairs within one month after each half year ends. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11642, Mar. 22, 2013; Act No. 11690, Mar. 23, 2013>

### **Article 16 (Remuneration, etc.)**

(1) The Minister of Agriculture, Food and Rural Affairs shall remunerate a public veterinarian and compensate him/her for traveling expenses, etc. incurred in performing his/her duties within the limit of pay to military personnel. <Amended by Act No. 9955, Jan. 25, 2010>

(2) Standards of remuneration pursuant to paragraph (1) and other related matters shall be prescribed by Presidential Decree. <Amended by Act No. 9955, Jan. 25, 2010>

### **Article 17 (Supervision of Service)**

The heads of state quarantine and inspection agencies, a Mayor/Do Governor and the head of a Si/Gun/Gu shall direct and supervise service of public veterinarians under his/her control. <Amended by Act No. 9955, Jan. 25, 2010; Act No. 11642, Mar. 22, 2013>

### **Article 18 (Assessment, etc. of Appropriateness of Disposition of Public Veterinarians)**

(1) In order to efficiently utilize public veterinarians, the Minister of Agriculture, Food and Rural Affairs may assess the appropriateness of disposition of public veterinarians and reflect the result thereof in disposition of the next year. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>

(2) Where it is necessary for assessing the appropriateness of disposition of public veterinarians pursuant to paragraph (1), the Minister of Agriculture, Food and Rural Affairs may conduct a field research or hear opinions from related persons. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>

(3) Where the Commissioner of Military Manpower Administration requests the Minister of Agriculture, Food and Rural Affairs to conduct research on the actual conditions of agencies to which public veterinarians have been disposed in connection with the calculation of the appropriate number of public veterinarians required and the disposition thereof, etc., the Minister of Agriculture, Food and Rural Affairs shall actively cooperate therewith. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013>

### **Article 19 (Delegation of Authority)**

(1) The Minister of Agriculture, Food and Rural Affairs may delegate part of his/her authority under this Act to the head of state quarantine and inspection agencies and a Mayor/Do Governor, as prescribed by Presidential Decree. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9955, Jan. 25, 2010; Act No. 11642, Mar. 22, 2013; Act No. 11690, Mar. 23, 2013>

(2) A Mayor/Do Governor may delegate part of his/her authority under this Act to the head of a Si/Gun/Gu, as prescribed by Presidential Decree. <Amended by Act No. 9955, Jan. 25, 2010; Act No. 11642, Mar. 22, 2013>

### **ADDENDUM**

This Act shall enter into force six months after the date of its promulgation.

ADDENDA <Act No. 8852, Feb. 29, 2008>

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

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

### **Articles 2 through 7 Omitted.**

ADDENDA <Act No. 9955, Jan. 25, 2010>

(1) (Enforcement Date) This Act shall enter into force six months after the date of its promulgation.

(2) (Transitional Measures Following Change of Title of Public Veterinarian) A public service veterinarian under the former provisions as at the time this Act enters into force shall be deemed a public veterinarian under this Act.

(3) Omitted.

ADDENDA <Act No. 10310, May 25, 2010>

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

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 14 Omitted.**

ADDENDUM <Act No. 11090, Nov. 22, 2011>

This Act shall enter into force from July 1, 2012.

ADDENDA <Act No. 11530, Dec. 11, 2012>

**Article 1 (Enforcement Date)**

This Act shall enter into force one year after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 7 Omitted.**

ADDENDUM <Act No. 11642, Mar. 22, 2013>

This Act shall enter into force on the date of its promulgation.

ADDENDA <Act No. 11690, Mar. 23, 2013>

**Article 1 (Enforcement Date)**

(1) This Act shall enter into force on the date of its promulgation.

(2) Omitted.

**Articles 2 through 7 Omitted.**

ADDENDA <Act No. 11849, Jun. 4, 2013>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 7 Omitted.**

ADDENDUM <Act No. 12410, Mar. 11, 2014>

This Act shall enter into force on the date of its promulgation.

ADDENDA <Act No. 14183, May 29, 2016>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 5 Omitted.**