

## **WILDLIFE PROTECTION AND MANAGEMENT ACT**

Act No. 10977, Jul. 28, 2011

Amended by Act No. 11666, Mar. 22, 2013

Act No. 11862, jun. 4, 2013

Act No. 11912, Jul. 16, 2013

Act No. 12248, Jan. 14, 2014

Act No. 12412, Mar. 11, 2014

Act No. 12521, Mar. 24, 2014

### **CHAPTER I GENERAL PROVISIONS**

#### **Article 1 (Purpose)**

The purpose of this Act is to prevent the extinction of wildlife by systematically protecting and managing wildlife and the habitats thereof, to maintain the equilibrium of the ecosystem by promoting biodiversity, and at the same time to ensure a healthy natural environment in which wildlife coexists with human beings.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### **Article 2 (Definitions)**

The terms used in this Act shall be defined as follows: <Amended by Act No. 11257, Feb. 1, 2012; Act No. 12521, Mar. 24, 2014>

1. The term "wildlife" means species of animals, plants, fungi, lichens, protists, and prokaryotes that inhabit or grow in nature, such as around mountains, plains, or rivers;
2. The term "endangered wildlife" means any of the following species prescribed by Ordinance of the Ministry of Environment after consulting with the heads of the relevant central administrative agencies:
  - (a) Class I endangered wildlife: Wildlife threatened with extinction as the population has decreased substantially due to natural or artificial threats, the species of which meet the standards prescribed by Presidential Decree;
  - (b) Class II endangered wildlife: Wildlife that are feared to be threatened with imminent extinction where present threats are not eliminated or alleviated as the population has decreased substantially due to natural or artificial threats, the species of which meet the standards prescribed by Presidential Decree;

3. The term "globally endangered species" means any of the following animals and plants, the international transaction of which is regulated by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (hereinafter referred to as the "Convention on International Trade in Endangered Species"), which are announced by the Minister of Environment:

(a) Among endangered species, those affected or may be affected by international transactions, which are included in Appendix I of the Convention on International Trade in Endangered Species;

(b) Species unendangered at present but may be endangered, if the international transaction thereof is not strictly regulated, and other species that must be regulated to effectively control the transaction of the endangered species, which are included in Appendix II of the Convention on International Trade in Endangered Species;

(c) Species that are verified to be regulated in the jurisdiction of a party to the Convention on International Trade in Endangered Species with a purpose of restricting the use thereof by the party and are deemed in need of cooperation of other parties to regulate international transactions, which are included in Appendix III of the Convention on International Trade in Endangered Species;

4. Deleted; <by Act No. 11257, Feb. 1, 2012>

5. The term "harmful wild animal" means wild animals that harm the life and property of people, the species of which are prescribed by Ordinance of the Ministry of Environment;

6. The term "artificial reproduction" means breeding, cultivating, or reproducing wildlife in a certain place or facility;

7. The term "biological resource" means the biological resources defined in subparagraph 3 of Article 2 of the Act on the Conservation and Use of Biological Diversity;

8. The term "wild animal disease" means a disease prescribed by Ordinance of the Ministry of Environment, the condition of which has caused abnormalities to a wild animal due to the infection by a pathogen or any other cause;

9. The term "diagnosis of a disease" means verifying whether a wild animal which is dead or verified to be, or likely to be, diseased is infected with a disease, through an autopsy, clinical test, serum test, or other tests.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 3 (Basic Principles of Protection and Use of Wildlife)

(1) The current generation shall recognize that wildlife is the common property of the current generation and future generations, and ensure that the benefits therefrom go to future generations by proactively protecting the natural habitats thereof.

(2) Each person shall strive to effectively protect wildlife habitats in order to prevent wildlife from becoming extinct and to ensure the equilibrium of the ecosystem.

(3) The State, local governments, and people shall use wildlife so as to ensure sustainability, so that the wildlife does not become extinct or that the biodiversity is not decreased.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 4 (Duty of the State, etc.)

- (1) The State shall formulate and implement a comprehensive policy on the protection of wildlife by identifying the actual condition, etc., of habitation of wildlife, comply with international agreements relating to the protection of wildlife, and endeavor to protect wildlife and to conserve the natural habitats thereof through cooperation with related international organizations.
- (2) Local governments shall proactively cooperate with the State's policy to protect wildlife, and formulate and implement measures to protect wildlife and to conserve the natural habitats thereof under their jurisdiction based upon the characteristics of each area.
- (3) All people shall endeavor to protect wildlife, such as cooperating with the State and local governments in their policies to protect wildlife.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

### CHAPTER II PROTECTION OF WILDLIFE

#### SECTION 1 General Provisions

#### Article 5 (Formulation, etc. of Master Plans for Protection of Wildlife)

- (1) The Minister of Environment shall formulate a master plan for the protection of wildlife (hereinafter referred to as "master plan") every five years for the protection of wildlife and for the conservation of the natural habitats thereof.
- (2) When the Minister of Environment formulates or amends a master plan, he/she shall preconsult with the heads of related central administrative agencies, and notify the heads of related central administrative agencies and Special Metropolitan City Mayors, Metropolitan City Mayors, Mayors of Special Self-Governing Cities, Do Governors and a Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor") of the formulated or amended master plan. <Amended by Act No. 12521, Mar. 24, 2014>
- (3) In order to formulate or amend a master plan, the Minister of Environment may request the head of each related central administrative agency and Mayor/Do Governor to submit necessary data.
- (4) A Mayor/Do Governor shall formulate a detailed plan for the protection of wildlife (hereinafter referred to as "detailed plan") under his/her jurisdiction in accordance with the relevant master plan.
- (5) Where a Mayor/Do Governor intends to formulate or amend a detailed plan, he/she shall hear the opinion of the Minister of Environment in advance.
- (6) Matters to be included in master plans and detailed plans, and other necessary matters, shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

Article 5-2 Deleted. <by Act No. 11257, Feb. 1, 2012>

Article 6 (Investigation into Status of Habitation of Wildlife, etc.)

(1) The Minister of Environment shall closely investigate the status of habitation of wildlife that needs special protection or management, such as endangered wildlife and organisms disturbing the ecosystem defined in subparagraph 8 of Article 2 of the Act on the Conservation and Use of Biological Diversity. <Amended by Act No. 11257, Feb. 1, 2012>

(2) Where wildlife or its habitats requiring protection or management are likely to be harmed or damaged due to any natural or artificial cause, the Minister of Environment may conduct at any time a fact-finding survey or examination by designating species to be observed. <Newly Inserted by Act No. 12521, Mar. 24, 2014>

(3) Matters necessary for the details, method, etc. of investigations conducted under paragraphs (1) and (2), shall be prescribed by Ordinance of the Ministry of Environment. <Amended by Act No. 12521, Mar. 24, 2014>

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

Article 7 (Designation, etc. of Ex-Habitat Conservation Agencies)

(1) Where it is impracticable to conserve wildlife in its habitat or it is necessary to conserve wildlife outside the habitats for the conservation, etc., of species, the Minister of Environment may designate an agency to conserve wildlife outside its habitats after hearing the opinion of the head of a related central administrative agency: Provided, That where he/she intends to require an ex-habitat conservation agency to conserve wildlife outside its habitat (hereinafter referred to as "ex-habitat conservation agency") to conserve natural monuments prescribed in Article 25 of the Cultural Heritage Protection Act, he/she shall consult with the Administrator of the Cultural Heritage Administration.

(2) Where it is necessary to require an ex-habitat conservation agency to conserve endangered wildlife, the Minister of Environment may fully or partially subsidize expenses incurred therein.

(3) Matters necessary for the designation of an ex-habitat conservation agency shall be prescribed by Presidential Decree, and matters necessary for the operation of such agency and issuance of a designation notice shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

Article 7-2 (Revocation of Designation of Ex-Habitat Conservation Agencies)

(1) Where an ex-habitat conservation agency falls under any of the following, the Minister of Environment may revoke designation thereof: Provided, That he/she shall revoke such designation in cases falling under subparagraph 1: <Amended by Act No. 11912, Jul. 16, 2013; Act No. 12521, Mar. 24, 2014>

1. Where it has been designated by deceit or any other unlawful means;
2. Where it has abused wildlife, in violation of Article 8;

3. Where it has acquired (excluding eating food or extraction processed food made from wildlife designated by Ordinance of the Ministry of Environment), transferred, received, transported, or stored, or aided such act, wildlife captured, imported, or brought into Korea in violation of Article 9 (1) or food or processed products made using such wildlife, upon knowing such fact;
  4. Where it has captured, collected, etc. endangered wildlife, in violation of Article 14 (1);
  5. Where it has installed or used explosives, snares, traps, nooses, trap pits, electricity, or nets, or sprayed or injected toxic substances, agricultural chemicals, or other similar materials for the capture, collection, etc. of endangered wildlife, in violation of Article 14 (2);
  6. Where it has exported, imported, removed from Korea or brought into Korea globally endangered species and products processed therefrom without a license, in violation of Article 16 (1);
  7. Where it has used globally endangered species and products processed therefrom for any purpose other than importation or bringing in, in violation of Article 16 (3);
  8. Where it has captured, collected, or purchased, transferred or received, assisted or mediated the transfer or receipt, possessed, owned, or displayed globally endangered species and products processed therefrom, in violation of Article 16 (4);
  9. Deleted; <by Act No. 11912, Jul. 16, 2013>
  10. Where it has captured, collected, or defoliated wildlife of any species prescribed by Ordinance of the Ministry of Environment, in violation of Article 19 (1);
  11. Where it has installed or used explosives, snares, traps, nooses, pitfalls, electric power, or nets, or sprayed or injected toxic substances, agricultural chemicals or other similar materials, to capture, collect or defoliate wildlife, in violation of Article 19 (3);
  12. Where it has exported, imported, removed from Korea or brought into Korea, wildlife of any species prescribed by Ordinance of the Ministry of Environment without a permit, in violation of Article 21 (1).
- (2) A person whose designation has been revoked pursuant to paragraph (1), shall return the designation notice to the Minister of Environment within seven days from the date of revocation thereof.

[This Article Newly Inserted by Act No. 10977, Jul. 28, 2011]

#### Article 8 (Prevention of Cruelty to Wild Animals)

No one shall treat any of the following wild animals with cruelty without a justifiable ground:

<Amended by Act No. 12521, Mar. 24, 2014>

1. Killing wild animals in a manner disgusting to other persons, such as beating or burning alive;
2. Causing pain to the wild animals or inflicting any wound on them after capturing and caging them;

3. Installing any device in the body of any wild animal to collect blood, gallbladder, internal organs, or parts of the living body of wild animals or collecting them;
4. Killing wild animals cruelly, such as strangulation or the use of toxic chemicals.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

Article 9 (Prohibition against Acquisition, etc. of Illegally-Captured Wild Animals)

- (1) No one shall acquire (including eating foods or extraction processed foods made from wild animals prescribed by Ordinance of the Ministry) transfer, receive, transport, or store wild animals captured, imported, or brought into Korea, in violation of this Act, and foods or processed products made therefrom, or aid or abet such conduct with awareness of such fact.
- (2) The Minister of Environment or the head of a local government may take necessary measures, such as confiscating wild animals captured, imported or brought into Korea, in violation of this Act, and foods or products processed therefrom.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

Article 10 (Prohibition, etc. against Making Snares, Traps, and Nooses)

No one shall make, sell, carry or keep snares, traps, nooses, or other implements by which wild animals can be captured: Provided, That the same shall not apply in cases prescribed by Ordinance of the Ministry of Environment, such as scientific research, observation or exhibition.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

Articles 11 and 11-2 Deleted. <by Act No. 12521, Mar. 24, 2014>

Article 12 (Prevention of Damage from Wild Animals and Compensation therefor)

- (1) The State and local governments may fully or partially subsidize expenses incurred by persons who install facilities necessary to prevent human casualties (referring to where a person is physically injured or dies; hereinafter the same shall apply) or damage to agriculture, forestry, and fisheries from wild animals. <Amended by Act No. 11666, Mar. 22, 2013>
- (2) The State and local governments may compensate human casualties or those whose agricultural, forestry, or fisheries production has been damaged by endangered wild animals, wild animals, the capture of which is prohibited pursuant to Article 19 (1) or City/Do-protected wild animals under Article 26, or human casualties or those whose agricultural, forestry or fisheries production has been damaged by wild animals in any of the following areas for damage within budgetary limits: <Amended by Act No. 11666, Mar. 22, 2013>

1. Special wildlife protection districts prescribed in Article 27;
2. Wildlife protection districts prescribed in Article 33;
3. Ecological and scenery conservation areas prescribed in Article 12 of the Natural Environment Conservation Act;

4. Wetlands protection areas prescribed in Article 8 of the Wetlands Conservation Act;
  5. Natural parks prescribed in subparagraph 1 of Article 2 of the Natural Parks Act;
  6. Urban parks prescribed in subparagraph 3 of Article 2 of the Act on Urban Parks, Greenbelts, Etc.;
  7. Other areas prescribed by Ordinance of the Ministry of Environment for the protection of wild animals.
- (3) Criteria and procedures for subsidizing expenses incurred in installing facilities to prevent damage under paragraph (1) and matters necessary for standards, procedures, etc. for compensation for damage prescribed in paragraph (2) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

## SECTION 2 Protection of Endangered Wildlife

### Article 13 (Formulation, etc. of Measures for Conservation of Endangered Wildlife)

- (1) The Minister of Environment shall formulate and implement mid-term and long-term measures for the conservation of endangered wildlife, as prescribed by Presidential Decree.
- (2) The Minister of Environment shall devise measures for the protection of habitats, etc. of endangered wildlife, and take necessary measures, such as reproduction, restoration, etc. of species determined to lack ability to survive continuously in nature at the present population level.
- (3) Where necessary for implementing mid-term and long-term measures for the conservation of endangered wildlife and for the reproduction, restoration, etc. of endangered wildlife, the Minister of Environment may request the head of a related central administrative agency and a Mayor/Do Governor for cooperation.
- (4) Where necessary for protecting endangered wildlife, the Minister of Environment may recommend methods for proper utilization of land, etc. to the owner, occupant or custodian of the relevant land, as prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

### Article 13-2 (Frequency of Designation of Endangered Wildlife)

- (1) The Minister of Environment shall re-designate the endangered wildlife every five years to protect wildlife and to prevent their extinction: Provided, That he/she may frequently re-designate endangered wildlife when deemed necessary.
- (2) For the effective enforcement of provisions of paragraph (1), the Minister of Environment may hear opinions from relevant experts.

[This Article Newly Inserted by Act No. 12521, Mar. 24, 2014]

### Article 14 (Prohibition against Capture, Collection, etc. of Endangered Wildlife)

(1) No one shall capture, collect, release, naturalize, process, distribute, keep, export, import, remove, bring in (including dead animals in cases of processing, distribution, keeping, exporting, importing, removing, or bringing in), damage, or defoliate (hereinafter referred to as "capture, collect, etc.") endangered wildlife: Provided, That the same shall not apply in any of the following cases, which has been permitted by the Minister of Environment: <Amended by Act No. 12521, Mar. 24, 2014>

1. Where it is for scientific research or for the protection, reproduction and restoration of endangered wildlife;
2. Where it is for watching or exhibition at any biological resource conservation facility registered under Article 35 or biological resource center established under Article 39;
3. Where it is essential to protect endangered wildlife after relocating or transplanting them to implement public works prescribed in Article 4 of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects or to implement projects authorized, permitted, etc. under the provisions of other Acts and subordinate statutes;
4. Where the head of a related central administrative agency requests the Minister of Environment to diagnose and medically treat or prevent disease of people or animals;
5. Where artificially reproduced endangered wildlife is exported, imported, taken out, or brought in, as prescribed by Presidential Decree;
6. Where an Ordinance of the Ministry of Environment prescribes within the extent that does not hinder the protection of endangered wildlife.

(2) No one shall do any of the following acts to capture, collect, etc. endangered wildlife: Provided, That the same shall not apply in cases falling under any subparagraph of paragraph (1), which are prescribed by Ordinance of the Minister of Environment, such as a case in which he/she has been permitted by the Minister of Environment after determining the method of the capture, collection thereof, etc.: <Amended by Act No. 12521, Mar. 24, 2014>

1. Laying or using explosives, snares, traps, nooses, pitfalls, electric power, and nets;
2. Scattering or injecting poisonous objects, agrochemicals, or similar objects.

(3) The main sentence of paragraph (1) shall not apply in any of the following cases: <Amended by Act No. 12521, Mar. 24, 2014>

1. Where they are captured for fear of imminent danger to human safety;
2. Where a wild animal is involved in an accident or an injured wild animal is captured because rescue and medical treatment are urgent;
3. Where permission is obtained for a natural monument prescribed in Article 25 of the Cultural Heritage Protection Act as prescribed in Article 35 of the same Act;
4. Where an ex-habitat conservation agency has been authorized, permitted, etc. to capture, collect, etc. endangered wildlife under the provisions of related Acts and subordinate statutes;



5. Where they are kept after making a statement of custody prescribed in paragraph (5);
6. Where artificially reproduced endangered wildlife are processed, distributed, or kept, as prescribed by Presidential Decree.
- (4) Those who intend to capture, collect, etc. endangered wildlife after being permitted under the proviso to paragraph (1) shall carry a permit, and report the results to the Minister of Environment where they have captured, collected, etc. them. <Amended by Act No. 12521, Mar. 24, 2014>
- (5) Those who have been keeping wildlife or stuffed wild animals at the time wildlife is designated as endangered wildlife shall file a report to the Minister of Environment, as prescribed by Ordinance of the Ministry of Environment, within one year from the date of designation: Provided, That where they have made a statement under Article 40 of the Cultural Heritage Protection Act, this shall not apply.
- (6) Paragraph (1) (limited to permission for exportation, importation, taking out and bringing in) shall not apply to the globally endangered species and products processed therefrom for which approval for exportation, importation, taking out, or bringing in is obtained in accordance with the main sentence of Article 16 (1) and for which permission for exportation, importation, taking out, and bringing in is exempted pursuant to the proviso to the same paragraph.
- (7) Matters necessary for standards, procedures, issuance of a certificate of permission, etc. under the proviso to paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 15 (Revocation of Permission for Capture, Collection, etc. of Endangered Wildlife)

- (1) Where a person permitted to capture, collect, etc. endangered wildlife under the proviso to Article 14 (1) falls under any of the following subparagraphs, the Minister of Environment may revoke such permission: Provided, That the Minister of Environment shall revoke such permission in cases falling under subparagraph 1:
  1. Where he/she has obtained permission by deceit or any other unlawful means;
  2. Where he/she has violated any of the conditions of permission in capturing, collecting, etc. endangered wildlife;
  3. Where he/she is using endangered wildlife for a purpose or use other than permitted under Article 14 (1) 1 or 2.
- (2) Those whose permission has been revoked under paragraph (1) shall return the certificate of permission within seven days from the date such permission was revoked.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 16 (Restrictions on International Trade, etc. of Globally Endangered Species)

(1) Those who intend to export, import, take out, or bring in globally endangered species and products processed therefrom shall obtain permission from the Minister of Environment: Provided, That the same shall not apply to medical supplies permitted for exportation, importation or bringing in under the Pharmaceutical Affairs Act, which have been processed from globally endangered species, and to the globally endangered species and products processed therefrom: <Amended by Act No. 10977, Jul. 28, 2011>

1. That they shall be compatible with the restriction on transactions according to the species involved in the Annex (I, II and III) to the Convention on International Trade in Endangered Species;

2. That the exportation, importation, taking out, or bringing in of an animal or plant does not jeopardize the existence of the species;

3. That it shall be compatible with the detailed conditions for permission for each Appendix to the Convention on International Trade in Endangered Species prescribed by Presidential Decree.

(2) Deleted. <by Act No. 8467, May 17, 2007>

(3) The globally endangered species and products processed therefrom that have been imported or brought in with permission under the main sentence of paragraph (1) shall not be used for any purpose other than importation or bringing in: Provided, That the same shall not apply where it is unavoidable to modify the use, which has been approved by the Minister of Environment, as prescribed by Ordinance of the Ministry of Environment. <Amended by Act No. 10977, Jul. 28, 2011>

(4) No one shall capture, collect or purchase, transfer or acquire, assist or mediate transfer or acquisition, possess, own, or exhibit globally endangered species and products processed therefrom for which no permission has been obtained under the main sentence of paragraph (1). <Amended by Act No. 10977, Jul. 28, 2011; Act No. 11912, Jul. 16, 2013>

(5) The species reproduced from the globally endangered species imported or brought in with permission under the main sentence of paragraph (1) shall be deemed permitted for importation or bringing in under the main sentence of paragraph (1), and to have the same use as that of the globally endangered species originally imported or brought in. In such cases, the use of the species reproduced from the globally endangered species, the use of which has been modified under the proviso to paragraph (3) shall be deemed the same as the modified use. <Amended by Act No. 10977, Jul. 28, 2011>

(6) When a person intends to transfer or acquire (including the moving of breeding ground or cultivating field; hereinafter the same shall apply) globally endangered species imported or brought in with permission under the main sentence of paragraph (1), he/she shall file a report thereon at least one month prior to the transfer or acquisition, or when it is impracticable to breed the relevant species due to death or a disease, he/she shall file a report thereon immediately, with the Minister of Environment as prescribed by Ordinance of the Ministry of Environment <Amended by Act No. 10977, Jul. 28, 2011; Act No. 11912, Jul. 16, 2013>

(7) When a person has reproduced any globally endangered species imported or brought in with permission under the main sentence of paragraph (1), he/she shall be issued a certificate for

artificial reproduction of globally endangered species, as prescribed by Ordinance of the Ministry of Environment: Provided, That a person who intends to reproduce any globally endangered species prescribed by Presidential Decree shall obtain prior permission for the artificial reproduction thereof as prescribed by Ordinance of the Ministry of Environment. <Amended by Act No. 11912, Jul. 16, 2013>

(8) A person who intends to capture, collect or purchase, transfer or acquire, assist or mediate transfer or acquisition, possess, own, or exhibit globally endangered species and products processed therefrom shall retain a document certifying the exact account of lawful acquisition, etc. which is prescribed by Ordinance of the Ministry of Environment. <Newly Inserted by Act No. 11912, Jul. 16, 2013>

#### Article 16-2 (Registration, etc. of Breeding Facilities for Globally Endangered Species)

(1) For the purpose of protecting globally endangered species and creation of a sound breeding environment, a person who intends to breed globally endangered species prescribed by Presidential Decree shall be registered with the Minister of environment after being equipped with an adequate breeding facility.

(2) A person with a breeding facility for globally endangered species registered under paragraph (1) (hereinafter referred to as "breeding facility registerer") who intends to modify any matter prescribed by Ordinance of the Ministry of Environment among the registered matters, shall have the modification registered or file a report on the modification as prescribed by Ordinance of the Ministry of Environment.

(3) In granting registration under paragraph (1), the Minister of Environment may impose conditions necessary for the appropriate management of the relevant species.

(4) Matters necessary for standards for installation of breeding facilities, procedures for registration, etc. under paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Newly Inserted by Act No. 11912, Jul. 16, 2013]

#### Article 16-3 (Disqualification of Breeding Facility Registrants)

Neither of the following persons shall be qualified to be a breeding facility registrant:

1. An adult-ward;
2. A bankrupt who has not been reinstated;
3. A person for whom two years have not passed since the execution of his/her imprisonment without labor or heavier punishment as declared by a court was terminated (including where such execution is deemed to have been terminated) or exempted;
4. A person for whom two years have not passed since his/her registration was revoked under Article 16-8.

[This Article Newly Inserted by Act No. 11912, Jul. 16, 2013]

#### Article 16-4 (Management, etc. of Breeding Facilities for Globally Endangered Species)

(1) A person who operates a breeding facility prescribed by Presidential Decree among the breeding facility registrants shall undergo inspections conducted by the Minister of Environment regularly or at any time, as prescribed by Ordinance of the Ministry of Environment.

(2) Matters necessary for the detailed methods, etc. of conducting inspections under paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Newly Inserted by Act No. 11912, Jul. 16, 2013]

#### Article 16-5 (Improvement Order)

In any of the following cases, the Minister of Environment may issue an improvement order to the relevant breeding facility registrant, fixing a period as prescribed by Ordinance of the Ministry of Environment:

1. Where the breeding facility fails to meet any of the standards referred to in Article 16-2 (4);
2. Where the improvement is deemed necessary following a regular or occasional inspection conducted under Article 16-4 (1);
3. Where the standards for management of breeding animals referred to in subparagraphs of Article 16-6 are breached.

[This Article Newly Inserted by Act No. 11912, Jul. 16, 2013]

#### Article 16-6 (Standards for Management of Breeding Animals)

A breeding facility registrant shall comply with the following standards for the management of breeding animals:

1. The breeding facility shall be maintained and managed so that the equipment and functions can be operated suitable for the characteristics of breeding animals;
2. He/she shall devise preventive measures against the occurrence of any hazard to the health and safety in the course of raising breeding animals, and shall prepare the equipment, medicines, etc. for taking emergency measures if any accident occurs;
3. Measures shall be taken so that no accident, disturbance of ecosystem, etc. may be caused by the escape or death of breeding animals in the course of transfer or transport;
4. Other matters prescribed by Ordinance of the Ministry of Environment, which correspond to subparagraphs 1 through 3 and are deemed necessary to protect and manage breeding animals.

[This Article Newly Inserted by Act No. 11912, Jul. 16, 2013]

#### Article 16-7 (Reports on Closure, etc.)

(1) If a breeding facility registrant intends to close or suspend operation of his/her facility referred to in Article 16-2, he/she shall file a report thereon with the Minister of Environment, as prescribed by Ordinance of the Ministry of Environment.

(2) If, as a result of reviewing the details of a report on closure filed under paragraph (1), the health or safety of the breeding animals in the facility of the relevant breeding facility registerer is worrisome, or if any disturbance to the ecosystem, etc. is likely to result therefrom, the Minister of Environment may order the relevant breeding facility registerer to take necessary measures, such as the transfer of the relevant breeding animals to a third person, protective facilities, etc. before the closure.

[This Article Newly Inserted by Act No. 11912, Jul. 16, 2013]

#### Article 16-8 (Revocation, etc. of Registration)

(1) Where a breeding facility registrant falls under any of the following cases, the Minister of Environment shall revoke his/her registration:

1. Where the registration referred to in Article 16-2 (1) is made by deceit or any other unlawful means;
2. Where he/she falls under any subparagraph of Article 16-3;

(2) Where a breeding facility registrant falls under any of the following cases, the Minister of Environment may revoke his/her registration or issue an order to close all or part of the breeding facility for a period of up to six months:

1. Where he/she allows a third party to use the registration certificate by lending his/her name;
2. Where he/she receives at least three orders of closure in one year;
3. Where the escape or death of a breeding animal or the damage of human life is caused by intention or gross negligence;
4. Where he/she fails to raise breeding animals within two years since registration was made under Article 16-2 (1) or to operate the breeding facility continuously for at least two years without any justifiable ground;
5. Where he/she fails to have his/her registration modified, in violation of Article 16-2 (2);
6. Where he/she fails to report on modification, in violation of Article 16-2 (2);
7. Where he/she fails to comply with the conditions referred to in Article 16-2 (3);
8. Where he/she fails to undergo a regular or occasional inspection referred to in Article 16-4 (1);
9. Where he/she fails to execute an improvement order issued under Article 16-5;
10. Where he/she operates the facility during the period of a closure order;

11. Where he/she violates any of the standards for management of breeding animals prescribed in Article 16-6.

[This Article Newly Inserted by Act No. 11912, Jul. 16, 2013]

Article 16-9 (Succession, etc. to Rights and Duties)

(1) When a breeding facility registerer dies or transfers his/her facility to a third party, the inheritor or the transferee shall succeed to the relevant rights and duties of the breeding facility registerer. In such cases, if the inheritor falls under any of the subparagraphs 1 through 3 of Article 16-3, he/she shall transfer the facility to a third party within 90 days from the date of succession.

(2) A person who has succeeded to the rights and duties of a breeding facility registerer under paragraph (1) shall file a report thereon with the Minister of Environment within 30 days from the date of succession, as prescribed by Ordinance of the Ministry of Environment.

[This Article Newly Inserted by Act No. 11912, Jul. 16, 2013]

Article 17 (Revocation, etc. of Permission for Export and Import of Globally Endangered Species)

(1) Where a person permitted to export, import, take out, or bring in globally endangered species and products processed therefrom under the main sentence of Article 16 (1), falls under any of the following subparagraphs, the Minister of Environment may revoke such permission: Provided, That the Minister of Environment shall revoke such permission in cases falling under subparagraph 1:

1. Where he/she has obtained permission by deceit or other unlawful means;
2. Where he/she has violated the conditions of permission in exporting, importing, taking out, or bringing in globally endangered species and products processed therefrom;
3. Where he/she has used globally endangered species for any use other than for importing or bringing them into Korea, in violation of Article 16 (3).

(2) Where it is urgent for the existence of living animals and plants among any of the following globally endangered species, the Minister of Environment or the head of a related administrative agency may take necessary protective measures immediately: <Amended by Act No. 11912, Jul. 16, 2013>

1. Those used other than for importing or bringing them into Korea, in violation of main sentence of Article 16 (3);
2. Those captured, collected or purchased, transferred or acquired, assisted or mediated transfer or acquisition, possessed, owned, or exhibited without permission, in violation of Article 16 (4).
- (3) The Minister of Environment or the head of a related administrative agency may return the globally endangered species regarding which protective measures have been taken under paragraph (2) or have been confiscated for a violation of this Act following the consultation with the country of export or country of origin, or transport them to a protection facility or other appropriate facilities.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

Article 18 (Restrictions on Advertisement of Endangered Wildlife, etc.)

No one shall publish advertisements which could accelerate the extinction of or diminish endangered wildlife and globally endangered species, or induce cruelty thereto: Provided, That the same shall not apply where he/she is authorized, permitted, etc. under other Acts.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

SECTION 3 Protection, etc. of Wildlife other than Endangered Wildlife

Article 19 (Prohibition, etc. against Capture and Collection of Wildlife)

(1) No one shall capture, collect, or defoliate any species prescribed by Ordinance of the Ministry of Environment (excluding the marine life, the only habitat of which is the ocean, and limited to species cleared from endangered wild life status in cases of plants; hereafter the same shall apply in this Article) among the wildlife not amounting to endangered wildlife: Provided, That the same shall not apply to any of the following cases, which has been permitted by the Mayors of Special Self-Governing Cities, Special Self-Governing Province Governors and the heads of Sis/Guns/Gus (referring to the heads of autonomous Gus in cases of Gus; hereinafter referred to as "heads of Sis/Guns/Gus"): <Amended by Act No. 12521, Mar. 24, 2014>

1. Where it is intended for scientific research or for the protection, reproduction, and restoration of wildlife;
  2. Where it is intended for observation or exhibition at a biological resource conservation facility registered under Article 35 or at a biological resource center installed under Article 39;
  3. Where it is inevitable to move or transplant wildlife for protection in order to implement public works under Article 4 of the Act on Acquisition of and Compensation for Land, etc. for Public Works, or to implement projects authorized, permitted, etc. under other Acts and subordinate statutes;
  4. Where the head of a related central administrative agency requests the head of a Si/Gun/Gu to diagnose, treat, or prevent disease of the people or animals;
  5. Where wildlife prescribed by Ordinance of the Ministry of Environment is artificially reproduced or cultivated according to the standards, methods, etc. prescribed by Ordinance of the Ministry of Environment.
- (2) When the Minister of Environment intends to designate any fishery resources on the inland waters as the species under the main sentence of paragraph (1), he/she shall preconsult with the Minister of Oceans and Fisheries. <Newly Inserted by Act No. 12521, Mar. 24, 2014>
- (3) No one shall engage in any of the following activities to capture, collect, or defoliate wildlife under the main sentence of paragraph (1): Provided, That the same shall not apply to cases falling under any subparagraph of paragraph (1), which are prescribed by Ordinance of the Ministry of

Environment, such as where permitted after determining the method of capture, collection, or defoliation: <Amended by Act No. 12521, Mar. 24, 2014>

1. Laying or using explosives, snares, traps, nooses, pitfalls, electric power, and nets;
  2. Scattering or injecting poisonous objects, agrochemical or similar objects.
- (4) In any of the following cases, the main sentence of paragraph (1) shall not apply: <Amended by Act No. 12521, Mar. 24, 2014>
1. Where a wild animal is captured for fear of any imminent injury to the human body;
  2. Where a wild animal faces an accident or an injured wild animal is captured for urgent rescue and medical treatment;
  3. Where permission is obtained for a natural monument prescribed in Article 25 of the Cultural Heritage Protection Act, as prescribed in Article 35 of the same Act;
  4. Where authorization, permission, etc. is obtained from an ex-habitat conservation agency for the capture or collection under the relevant Acts;
  5. Where permission to capture harmful wild animals is obtained from the head of the competent Si/Gun/Gu as prescribed in Article 23 (1);
  6. Where approval for hunting has been obtained from the establisher of a hunting ground as prescribed in Article 50 (1);
  7. Where any incidental capture has occurred inevitably due to fishing activities and has been reported to the Minister of Oceans and Fisheries within three months.
- (5) Those who capture, collect, or defoliate wildlife under the proviso to paragraph (1) shall report thereon to the head of the competent Si/Gun/Gu, as prescribed in Ordinance of the Ministry of Environment. <Amended by Act No. 12521, Mar. 24, 2014>
- (6) Matters necessary for the standards and procedures for permission, the issuance of certificates of permission, etc. under the proviso to paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 20 (Revocation, etc. of Permission for Capturing or Collecting Wild Animals)

- (1) Where a person permitted to capture, collect, or defoliate wildlife under the proviso to Article 19 (1) falls under any of the following subparagraphs, the head of a Si/Gun/Gu may revoke such permission: Provided, That he/she shall revoke such permission in cases falling under subparagraph 1: <Amended by Act No. 12521, Mar. 24, 2014>
1. Where he/she has obtained permission by deceit or other unlawful means;
  2. Where he/she has violated any condition of permission in capturing, collecting, or defoliating wildlife;



3. Where he/she has used any wild animal for a purpose other than permitted purposes under Article 19 (1) 1 or 2;

4. Where he/she has failed to artificially reproduce or cultivate wildlife according to the standards or methods permitted under Article 19 (1) 5.

(2) Each person whose permission has been revoked under paragraph (1), shall return the certificate of permission to the head of the competent Si/Gun/Gu within seven days from the date of such revocation.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 21 (Exportation, Importation, etc. of Wildlife)

(1) Those who intend to export, import, remove, or bring in, a species (including products processed therefrom; hereinafter the same shall apply) prescribed by Ordinance of the Ministry of Environment among the wildlife not falling under endangered wildlife, shall obtain permission from the head of the competent Si/Gun/Gu according to the following standards for permission:

<Amended by Act No. 12521, Mar. 24, 2014>

1. In cases of exportation or removal:

(a) That the exportation or removal of wildlife shall not jeopardize the existence of the species;

(b) That the wildlife to be exported or brought out has been legitimately obtained according to the Acts and subordinate statutes relating to the protection of the wild animals;

(c) That the living wildlife shall be shipped after minimizing the probability of being injured or of harm to its health, or after minimizing the risk of cruelty or damage;

2. In cases of importation or bringing-in:

(a) That the importation or bringing-in of wildlife shall not jeopardize the existence of the species;

(b) That the person expected to receive wildlife shall be equipped with a proper facility to admit and protect the wildlife;

(c) That it shall meet the detailed standards for permission for importation or bringing in by use prescribed by Presidential Decree.

(2) In any of the following cases, paragraph (1) shall not apply: <Amended by Act No. 11257, Feb. 1, 2012; Act No. 12521, Mar. 24, 2014>

1. Where it obtains a permit for natural monument prescribed in Article 25 of the Cultural Heritage Protection Act as prescribed in Article 39 of the same Act;

2. Medical supplies processed from wildlife, the importation of which is permitted under Article 42 of the Pharmaceutical Affairs Act;

3. Where the biological resources designated and announced by the Minister of Environment prescribed in Article 11 of the Act on the Conservation and Use of Biological Diversity are intended for exportation or removal.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 22 (Revocation of Permission for Exportation, Importation, etc. of Wildlife)

Where a person permitted to export, import, remove, or bring in wildlife prescribed in Article 21 (1) falls under any of the following subparagraphs, the head of a Si/Gun/Gu may revoke such permission: Provided, That he/she shall revoke such permission in cases falling under subparagraph 1: <Amended by Act No. 12521, Mar. 24, 2014>

1. Where he/she obtains permission by deceit or other unlawful means;
2. Where he/she violates any condition of permission in exporting, importing, removing, or bringing in wildlife and products processed therefrom;
3. Where he/she uses wildlife and products processed therefrom for a use other than the purpose of importation or bringing-in.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 23 (Permission for Capturing, Management, etc. of Harmful Wild Animals)

(1) Those who intend to capture harmful wild animals shall obtain permission from the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Environment.

(2) When the head of a Si/Gun/Gu intends to grant permission under paragraph (1), he/she shall investigate the extent of damage to crops due to harmful wild animals, the kinds, number, etc. of harmful wild animals and prevent any disturbance to the ecosystem caused by excessive capture.

(3) Upon a request by a person who applied for permission under paragraph (1), the head of a Si/Gun/Gu may allow a third party permitted to hunt wild animals under Article 44 with hunting insurance under Article 51 to perform the capture on behalf of him/her. In such cases, a person who engages in capture on behalf of a third party shall be deemed to have obtained permission under paragraph (1).

(4) When the head of a Si/Gun/Gu has granted permission as prescribed in paragraph (1), he/she shall notify the chief of the Korea Forest Service and other heads of related administrative agencies thereof without delay.

(5) Where necessary for the management of harmful wild animals, the Minister of Environment may request the heads of related central administrative agencies or heads of local governments to take appropriate measures, such as activities to prevent damage or diseases, organization and operation of a harvest damage prevention group. <Amended by Act No. 12521, Mar. 24, 2014>

(6) A person who has captured a harmful wild animal prescribed in paragraph (1) or (3) shall file a report on the results of the capture to the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Environment. <Newly Inserted by Act No. 11666, Mar. 22, 2013>

(7) Matters necessary for the standards for permission, safety regulations, method of capture, issuance of permits, etc. under paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

(8) Matters necessary for the methods of organizing a harvest damage prevention group, timing for operation, target animals, etc., under paragraph (5), shall be prescribed by Ordinance of the Ministry of Environment. <Newly Inserted by Act No. 12521, Mar. 24, 2014>

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 23-2 (Revocation of Permission for Capturing Harmful Wild Animals)

(1) Where a person who has obtained permission to capture harmful wild animals pursuant to Article 23 (1) falls under any of the following, the head of a Si/Gun/Gu may revoke such permission: Provided, That he/she shall revoke such permission in cases falling under subparagraph 1:

<Amended by Act No. 11666, Mar. 22, 2013>

1. Where a person has obtained permission by deceit or other unlawful means;
2. Where a person has failed to file a report prescribed in Article 23 (6);
3. Where a person has violated the standards for permission, safety regulations, methods of capture, etc. prescribed by Ordinance of the Ministry of Environment pursuant to Article 23 (7) in capturing harmful wild animals.

(2) Each person whose permission has been revoked pursuant to paragraph (1), shall return his/her permit to the head of a Si/Gun/Gu within seven days from the date of such revocation.

[This Article Newly Inserted by Act No. 10977, Jul. 28, 2011]

#### Article 24 (Management of Animals Reverted to Wild State)

(1) Where the ecosystem is disturbed or is at risk of being disturbed, such as wild animals' infection or decrease in biodiversity, etc. due to domesticated animals and pet animals that have reverted to the wild after having been abandoned or having escaped, the Minister of Environment may designate and announce such domesticated animals and pet animals as animals reverted to the wild after consultations with the heads of related central administrative agencies and take necessary measures.

(2) Where necessary to prevent disturbance to the ecosystem by animals reverted to the wild, the Minister of Environment may request the heads of related central administrative agencies or the heads of local governments to take appropriate measures, such as the capture of animals reverted to the wild.

[This Article Newly Inserted by Act No. 10977, Jul. 28, 2011]

Articles 25 and 25-2 Deleted. <by Act No. 11257, Feb. 1, 2012>

#### Article 26 (Designation of City/Do-Protected Wildlife)

(1) A Mayor/Do Governor may designate and announce wildlife in the areas under his/her jurisdiction that are acknowledged as requiring protection corresponding to the wildlife because the population thereof is decreasing, as the City/Do protected wildlife, as prescribed by ordinance of the relevant Special Metropolitan City, Metropolitan City, Special Self-Governing City, Do or Special Self-Governing Province (hereinafter referred to as "City/Do"). <Amended by Act No. 12521, Mar. 24, 2014>

(2) A Mayor/Do Governor may take measures necessary for protecting wildlife, such as the prohibition, etc. against capture and collection of City/Do protected wildlife.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### SECTION 4 Designation and Management of Special Protection Districts for Wildlife

##### Article 27 (Designation of Special Protection Districts for Wildlife)

(1) The Minister of Environment may designate an area especially in need of conservation to protect and reproduce endangered wildlife as a special protection district for wildlife (hereinafter referred to as "special protection district") after hearing the opinions of interested parties, such as land owners, and the heads of local governments, and consulting with the heads of related central administrative agencies.

(2) Where a special protection district has lost its significance or the need to conserve the special protection district ceases due to military purposes, natural disaster, or other causes, the Minister of Environment shall modify or cancel the designation. In such cases, procedures prescribed in paragraph (1) shall apply mutatis mutandis.

(3) Where the Minister of Environment designates, modifies, or cancels a special protection district, he/she shall determine and announce the location and scale of the protection district, date of designation, and other necessary matters.

(4) Except as otherwise expressly prescribed in paragraphs (1) through (3), matters necessary for the standards for designation, procedures therefor, etc. of a special protection district shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

##### Article 28 (Restrictions on Acts in Special Protection Districts)

(1) No one shall do any of the following damaging activities in any special protection district: Provided, That cultural heritage (including protected zones) defined in Article 2 of the Cultural Heritage Protection Act shall be governed by such Act:

1. New construction and enlargement (limited to the enlargement in which existing total floor space is enlarged by at least two times) of buildings and structures, and changing the form and quality of land;
2. Modifying the formation of river, lake, etc. or changing the water level or water volume;
3. Gathering soil and stone;

4. Other damaging activities deemed harmful to wildlife, which are prescribed by Presidential Decree.

(2) In any of the following cases, paragraph (1) shall not apply:

1. Where it is necessary for military purposes;

2. Where urgent measures are necessary because a natural disaster or other disasters prescribed by Presidential Decree as corresponding thereto have occurred;

3. Where an activity prescribed by Presidential Decree is committed, such as an activity necessary to continue farming that has been continued in the special protection district;

4. Where an activity announced by the Minister of Environment as deemed unlikely to hinder the protection of wildlife is committed.

(3) No one shall do any of the following activities in any special protection district: Provided, That the same shall not apply to cases falling under paragraph (2) 1 and 2: <Amended by Act No. 11862, Jun. 4, 2013>

1. Dumping specific substances compromising to water quality prescribed in subparagraph 8 of Article 2 of the Water Quality and Aquatic Ecosystem Conservation Act, wastes prescribed in subparagraph 1 of Article 2 of the Wastes Control Act or poisonous substances prescribed in subparagraph 2 of Article 2 of the Chemicals Control Act;

2. Carrying inflammables prescribed by Ordinance of the Ministry of Environment, cooking, or camping;

3. Spoiling, damaging or arbitrarily moving an information board or other signs concerning the protection of wildlife;

4. Other activities to be prohibited for the protection of wildlife, prescribed by Presidential Decree.

(4) Where it is inevitable for the protection of endangered wildlife, the Minister of Environment or a Mayor/Do Governor may restrict activities prescribed in paragraph (2) 3.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 29 (Restrictions on Access)

(1) Where it is necessary for the protection of wildlife and for prevention of extinction thereof, the Minister of Environment or a Mayor/Do Governor may restrict or prohibit entry to all or some part of a special protection district specifying a certain period: Provided, That the same shall not apply to entry for doing any of the following activities, and he/she shall consult with the Administrator of the Cultural Heritage Administration on the cultural heritage (including protected zones) prescribed in Article 2 of the Cultural Heritage Protection Act:

1. An activity prescribed by Ordinance of the Ministry of Environment as necessary for the protection of wildlife;

2. An activity necessary for military purposes;
3. Taking urgent measures or measures necessary for restoration from a natural disaster or disaster prescribed by Presidential Decree as corresponding thereto has occurred;
4. Where an activity prescribed by Presidential Decree is committed, such as an activity necessary to continue farming that has continued in the special protection district;
5. Other activities prescribed by Ordinance of the Ministry of Environment as deemed unlikely to hinder the protection of wildlife.

(2) When the Minister of Environment or a Mayor/Do Governor intends to restrict or prohibit entry under paragraph (1), he/she shall announce the location and space of the relevant area, period, method of entry, and other matters prescribed by Ordinance of the Ministry of Environment.

(3) Where any ground for the restriction or prohibition against entry prescribed in paragraph (1) has ceased, the Minister of Environment or a Mayor/Do Governor shall cancel the restriction or prohibition without delay and announce the same.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 30 (Orders of Suspension, etc.)

The Minister of Environment or a Mayor/Do Governor may order a person who has violated the subparagraphs of Article 28 (1) in a special protection district to suspend such activity or to reinstate, within a reasonable period: Provided, That if reinstatement is impractical, he/she may order the person to take measures equivalent thereto.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 31 (Purchase of Land, etc. in Special Protection Districts)

(1) Where it is necessary for the effective protection of wildlife, the Minister of Environment may purchase a special protection district, and land, etc. in an area which he/she intends to designate as a special protection district and environments after consultations with the owners.

(2) Where any person suffers loss by the designation of a special protection district, the Minister of Environment may compensate him/her for loss, within budgetary limits, as prescribed by Presidential Decree.

(3) The purchase price of land, etc. prescribed in paragraph (1) shall be based on the price assessed under the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 32 (Conclusion of Endangered Species Management Contracts, etc.)

(1) Where it is necessary for the protection of endangered wildlife in a special protection district and its environment (referring to an area that has direct effects, such as compromised water quality, etc. on the special protection district; hereafter the same shall apply in this Article), the Minister of

Environment or a Mayor/Do Governor may conclude a contract stipulating the method for management of land, such as modification of farming methods, reduction in the use of chemical substances, etc. with the owner, occupier, etc. of land (hereinafter referred to as "endangered species management contract"), and recommend the heads of related central administrative agencies or the heads of local governments to conclude an endangered species management contract.

(2) Where the Minister of Environment, the head of a central administrative agency or the head of a local government concludes an endangered species management contract, he/she shall compensate the person who has suffered loss from the implementation of the contract.

(3) Where a resident of a surrounding area extends, etc. his/her house in the environment, the Minister of Environment may fully or partially subsidize expenses incurred in installing a private sewage treatment facility defined in subparagraph 13 of Article 2 of the Sewerage Act.

(4) The Minister of Environment shall preferentially formulate a plan for assistance in the treatment of dirty water, wastewater, and livestock wastewater for special protection districts and environments, and may request the heads of related central administrative agencies to take measures necessary for such assistance and for fostering eco-friendly agriculture, forestry, and fisheries.

(5) Matters necessary for the conclusion, compensation, and cancellation of endangered species management contracts and the kinds, procedures, methods, etc. of assistance to environments shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 33 (Designation, etc. of Wildlife Protection Districts)

(1) In order to protect endangered wildlife, a Mayor/Do Governor or the head of a Si/Gun/Gu may designate an area in need of protection corresponding to a special protection district as a wildlife protection district (hereinafter referred to as "protection district").

(2) When a Mayor/Do Governor or the head of a Si/Gun/Gu intends to designate, modify, or cancel a protection district, he/she shall preconsider opinions of residents pursuant to Article 8 of the Framework Act on the Regulation of Land Use and consult with the heads of related administrative agencies.

(3) Where a Mayor/Do Governor or the head of a Si/Gun/Gu designates, modifies, or cancels a protection district, he/she shall announce the location, scale, date of designation of the protection district, and other matters prescribed by ordinance of the relevant local government, as prescribed by Ordinance of the Ministry of Environment.

(4) A Mayor/Do Governor or the head of a Si/Gun/Gu may take measures necessary for the conservation of a protection district, such as restriction on access, etc. as prescribed by ordinance of the relevant local government by applying mutatis mutandis Articles 28 through 32.

(5) Those who intend to enter a protection district in the breeding season of wild animals determined and announced by the Minister of Environment shall file a report with a Mayor/Do

Governor or the head of a Si/Gun/Gu: Provided, That the same shall not apply in any of the following cases:

1. Where they enter the protection district to extinguish a forest fire, or to prevent, restore, etc. a disaster pursuant to the Countermeasures against Natural Disasters Act;
2. Where it is for performing duties of the armed forces;
3. Other cases prescribed by Ordinance of the Ministry of Environment, such as investigation of the natural environment.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 34 (Consultations on Development Activities, etc. in Protection Districts)

When the State or a local government intends to engage in utilization, development, etc. in a protection district, or to authorize, permit, etc. utilization, development, etc. under other Acts and subordinate statutes, he/she shall consult with a Mayor/Do Governor or the head of a Si/Gun/Gu having jurisdiction over the protection district.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 34-2 (Investigation and Assessment of Management Status of Protection Districts)

If necessary for the efficient management of a protection district, the Minister of Environment may investigate and assess the appropriateness, etc. of the designation, modification, or cancellation of the protection district and recommend that the head of the relevant local government make improvements thereto.

[This Article Newly Inserted by Act No. 10977, Jul. 28, 2011]

### SECTION 5 Control of Wild Animal Diseases

#### Article 34-3 (Formulation, etc. of Master Plans for Control of Wild Animal Diseases)

(1) To prevent the outbreak and spread of wild animal diseases (in cases of aquatic animals, limited to the species designated as endangered wildlife or the species designated as those prevented from capture or collection under Article 19 (1); hereafter the same shall apply in this Section), the Minister of Environment shall formulate and implement a master plan for the control of wild animal diseases every five years. In such cases, the Minister of Environment shall consult with the related central administrative agencies before the plan is established.

(2) Each master plan for the control of wild animal diseases prescribed in paragraph (1), shall include the following matters:

1. Establishment of a reporting system for the prevention and early detection of wild animal diseases;
2. Establishment and implementation of emergency countermeasures for each wild animal disease;
3. Domestic and international cooperation to address wild animal diseases;



4. Diagnosis, investigation, and research of wild animal diseases;
5. Collection and analysis of information and data on wild animal diseases;
6. Training of professional human resources for the investigation and research of wild animal diseases;
7. Other matters concerning the policies, etc. for prevention of wild animal diseases.

(3) To formulate or amend a master plan for the control of wild animal diseases, the Minister of Environment may request necessary data from the heads of the related central administrative agencies and Mayors/Do Governors.

(4) The Minister of Environment shall notify Mayors/Do Governors of the master plan for the control of wild animal diseases formulated under paragraph (1), and the Mayors/Do Governors shall formulate detailed plans for the control of wild animal diseases within a district under their jurisdiction in accordance with the master plan for the control of wild animal diseases.

(5) Matters necessary for the formulation, etc. of a master plan for the control of wild animal diseases and detailed plans therefor other than those prescribed in paragraphs (1) through (4) shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 12521, Mar. 24, 2014]

#### Article 34-4 (Research of Wild Animal Diseases and Rescue and Medical Treatment of Wild Animals)

(1) For researching wild animal diseases and the rescue and medical treatment of distressed or injured wild animals, the Minister of Environment and Mayors/Do Governors shall take necessary measures including the establishment and operation of facilities for the research, rescue and medical treatment of the wild animals (hereinafter referred to as "wild animal treatment institutions"), as prescribed by Presidential Decree.

(2) For researching wild animal diseases and the rescue and medical treatment of wild animals, the Minister of Environment and Mayors/Do Governors may designate the relevant institutions or organizations as wild animal treatment institutions, as prescribed by Ordinance of the Ministry of Environment.

(3) The Minister of Environment and Mayors/Do Governors may fully or partially subsidize expenses necessary for the research of wild animal diseases and the rescue and medical treatment of wild animals performed by the wild animal treatment institutions established or designated under paragraph (1) or (2).

(4) Matters necessary for the standards for designation of wild animal treatment institutions, the issuance of designation certificates, etc. under paragraph (2) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Newly Inserted by Act No. 12521, Mar. 24, 2014]

#### Article 34-5 (Revocation of Designation of Wild Animal Treatment Institutions)

(1) If a wild animal treatment institution falls under any of the following cases, the Minister of Environment or the competent Mayor/Do Governor may revoke the designation: Provided, That the designation shall be revoked in cases falling under subparagraph 1:

1. Where the designation is obtained by deceit or any other unlawful means;
2. Where it refuses to rescue, or provide medical treatment to, distressed or injured wild animals at least three times without any special reason;
3. Where it mistreats a wild animal, in violation of Article 8;
4. Where wild animals illegally captured, imported, or brought in or the foods or products processed from are acquired (excluding eating foods or extraction processed food made of wild animals prescribed by Ordinance of the Ministry), transferred, received, transported, or stored, or assist such activity, upon knowing such fact, in violation of Article 9 (1);
5. Where it fails to file a report, in violation of Article 34-6 (1), knowing that a wild animal is confirmed to be infected or has a ground to suspend being infected by a disease;
6. Where it fails to execute an order to cull a wild animal, in violation of Article 34-10 (1);
7. Where it fails to incinerate or bury the carcasses of culled wild animals, in violation of Article 34-10 (2).

(2) A person whose designation is revoked under paragraph (1) shall return his/her designation certificate to the Minister of Environment or the competent Mayor/Do Governor within seven days from the date the designation is revoked.

[This Article Newly Inserted by Act No. 12521, Mar. 24, 2014]

#### Article 34-6 (Reports on Dead or Diseased Wild Animals)

(1) A person who finds a wild animal (including a dead wild animal) confirmed as infected by a disease or which has a ground for suspicion of being infected by a disease shall report thereon to the Minister of Environment or the head of the competent local government without delay, as prescribed by Ordinance of the Ministry of Environment.

(2) No head of any administrative agency in receipt of a report referred to in paragraph (1), shall disclose the reporter's identity, if requested by him/her.

[This Article Newly Inserted by Act No. 12521, Mar. 24, 2014]

#### Article 34-7 (Diagnosis of Disease)

(1) The Minister of Environment may designate a university or college, private research institute, wild animal treatment institution, etc. equipped with facilities and human resources and capable of disease diagnosis as a wild animal disease diagnosis institution.

(2) The Minister of Environment or the head of a competent local government, in receipt of a report under Article 34-6 (1), may request the head of a wild animal disease diagnosis institution or

the head of an administrative agency prescribed by Presidential Decree to perform the duties related to the wild animal diseases (hereafter referred to as "head of an animal disease diagnosis institution, etc." in this Article) to diagnose the disease of the relevant wild animal.

(3) Where deemed necessary to probe the situations of emergence of a wild animal disease, the head of an animal disease diagnosis institution, etc. may diagnose, investigate, or research the wild animal disease nationwide or in a fixed area.

(4) When a wild animal disease is confirmed as a result of disease diagnosis, investigation, and research conducted under paragraph (2) or (3), the head of an animal disease diagnosis institution, etc. shall notify the Minister of Environment and the head of the competent local government thereof. In such cases, the Minister of Environment, in receipt of such notice, shall inform the heads of the related administrative agencies thereof as classified below:

1. Where the disease of a wild animal amounts to a contagious animal disease defined in subparagraph 2 of Article 2 of the Act on the Prevention of Contagious Animal Diseases: Minister of Agriculture, Food and Rural Affairs;

2. Where the disease of a wild animal amounts to a contagious aquatic animal disease defined in subparagraph 6 of Article 2 of the Aquatic Life Disease Control Act: Minister of Oceans and Fisheries;

3. Where the disease of a wild animal amounts to a zoonosis defined in subparagraph 11 of Article 2 of the Infectious Disease Control and Prevention Act: The head of an institution prescribed by Presidential Decree and belonging to the Ministry of Health and Welfare.

(5) The know-how for diagnosis of wild animal diseases, preservation and management of pathogens of wild animal diseases, the packaging, transport, and handling of specimens, and other necessary matters shall be prescribed and publicly notified by the Minister of Environment.

(6) Matters necessary for the standards, procedure, method, etc. for designation of a wild animal treatment institution prescribed in paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Newly Inserted by Act No. 12521, Mar. 24, 2014]

#### Article 34-8 (Disclosure of Status of Outbreak of Wild Animal Diseases)

(1) For the prevention of outbreak and spread of wild animal diseases, the Minister of Environment and a Mayor/Do Governor shall disclose the status of the outbreak of wild animal diseases.

(2) The subject-matter and details of, and the procedures and methods for, the disclosure thereof, etc. under paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Newly Inserted by Act No. 12521, Mar. 24, 2014]

#### Article 34-9 (Epidemiological Investigation)

(1) In any of the following cases, the Minister of Environment or a Mayor/Do Governor may request a wild animal treatment institution or animal disease diagnosis institution, etc. to conduct an epidemiological investigation to find causes, etc.:

1. Where a wild animal disease has emerged or is deemed likely to emerge;
2. Where an adverse reaction has occurred after a wild animal was vaccinated against a disease.

(2) Where an epidemiological investigation is conducted by the Minister of Environment or a Mayor/Do Governor under paragraph (1), no person shall reject, interfere with, or evade it without just cause.

(3) Matters necessary for the timing, methods, etc. for the epidemiological investigation conducted under paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Newly Inserted by Act No. 12521, Mar. 24, 2014]

#### Article 34-10 (Restrictions on Culling, Disposal of Carcasses, etc.)

(1) Where deemed necessary for the prevention of spread of a wild animal disease, the Minister of Environment and a Mayor/Do Governor shall issue a cull order to the institutions or organizations that protect or manage wild animals including wild animal treatment institutions, etc. as prescribed by Ordinance of the Ministry of Environment: Provided, That where it is necessary to conduct a disease diagnosis, epidemiological investigation, etc., the culling may be postponed for a period prescribed by Ordinance of the Ministry of Environment.

(2) The carcasses of wild animals culled under paragraph (1) shall be either incinerated or buried without delay, as prescribed by Ordinance of the Ministry of Environment.

(3) If it is intended to incinerate or bury wild animals prescribed in paragraph (2), measures necessary to prevent contamination of surrounding environment shall be taken, as prescribed by Ordinance of the Ministry of Environment.

(4) If it is intended to move wild animals incinerated or buried under paragraph (2) to another place, the permission therefor shall be obtained from the Minister of Environment or the competent Mayor/Do Governor.

(5) Matters necessary for the objects, procedures, and methods for culling, and other relevant matters prescribed in paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Newly Inserted by Act No. 12521, Mar. 24, 2014]

#### Article 34-11 (Prohibition against Excavation)

(1) No land where the carcasses of wild animals are buried under Article 34-10 (2) shall be excavated within three years: Provided, That the same shall not apply where permission is obtained from the Minister of Environment or the competent Mayor/Do Governor under Article 34-10 (4).

(2) A Mayor/Do Governor shall install a signpost prescribed by Ordinance of the Ministry of Environment at the land where the excavation is prohibited under paragraph (1).

[This Article Newly Inserted by Act No. 12521, Mar. 24, 2014]

### CHAPTER III CONSERVATION OF BIOLOGICAL RESOURCES

#### Article 35 (Registration of Facilities for Conservation of Biological Resources)

(1) Those who intend to install and operate a facility for the conservation of biological resources may register with the Minister of Environment or the competent Mayor/Do Governor upon being equipped with facilities and meeting requirements prescribed by Ordinance of the Ministry of Environment: Provided, That an arboretum registered under Article 9 of the Creation and Furtherance of Arboretums Act, shall be deemed a facility for the conservation of biological resources registered under this Act. <Amended by Act No. 10977, Jul. 28, 2011>

(2) When a person operating a registered facility for the conservation of biological resources prescribed in paragraph (1) intends to modify matters prescribed by Ordinance of the Ministry of Environment among the registered matters, he/she shall file for registration of such modification with the Minister of Environment or the Mayor/Do Governor at the seat of the registration. <Amended by Act No. 10977, Jul. 28, 2011>

(3) Matters necessary for the issuance, etc. of registration certificates prescribed in paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment. <Newly Inserted by Act No. 10977, Jul. 28, 2011>

#### Article 36 (Revocation of Registration)

(1) Where a person who has obtained registration of a facility for the conservation of biological resources prescribed in Article 35 (1) falls under any of the following subparagraphs, the Minister of Environment or a Mayor/Do Governor may revoke such registration: Provided, That where he/she falls under subparagraph 1, the Minister of Environment shall revoke such registration:

1. Where registration has been made by deceit or any other unlawful means;
2. Where he/she fails to be equipped with the facilities prescribed by Ordinance of the Ministry of Environment pursuant to Article 35 (1) and fails to meet the requirements under the same paragraph.

(2) Those whose registration has been revoked under paragraph (1) shall return his/her registration certificate to the Minister of Environment or a Mayor/Do Governor within seven days from the date of such revocation.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 37 (Subsidization to Facilities for Conservation of Biological Resources)

(1) Where necessary for the efficient conservation of biological resources, such as wildlife, the Minister of Environment may have endangered wildlife conserved in a facility for the conservation of

biological resources registered under Article 35 and may fully or partially subsidize expenses incurred therein, within budgetary limits.

(2) The Minister of Environment may fully or partially subsidize expenses, within budgetary limits, to facilities for conservation of biological resources (excluding arboretums prescribed in Article 4 of the Creation and Furtherance of Arboretums Act) installed by the head of a local government for efficient conservation of biological resources, such as wildlife or for exhibition or education.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 38 (Information Exchange Systems between Facilities for Conservation of Biological Resources)

In order to promote efficient management and use of information on biological resources and to facilitate cooperation between facilities for the conservation of biological resources, the Minister of Environment shall establish an information exchange system with the following functions:

1. Distribution of information and data through a computer information system;
2. Exchange of information on biological resources in possession;
3. Scientific management of facilities for the conservation of biological resources;
4. Other matters concerning cooperation between facilities for the conservation of biological resources.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 39 (Establishment, Operation, etc. of Biological Resource Centers)

(1) The State and local governments may establish biological resource centers for the efficient conservation of biological resources.

(2) Where a biological resource center is established under paragraph (1), persons specialized in the classification, conservation, etc. of biological resources shall be employed for the efficient operation and management of the biological resource center.

(3) Matters necessary for the establishment, operation, etc. of a biological resource center shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 40 (Registration, etc. of Taxidermists)

(1) Those who intend to engage in business making or selling stuffed wild animals shall register with the head of a Si/Gun/Gu. The same shall apply when they modify registered matters prescribed by Ordinance of the Ministry of Environment.

(2) Persons registered under paragraph (1) (hereinafter referred to as "taxidermist") shall prepare a book stating matters prescribed by Ordinance of the Ministry of Environment, such as the

source, kinds, quantity, etc. of stuffed articles (including wild animals for taxidermy; hereinafter the same shall apply).

(3) For the protection and reproduction of wild animals, the head of a Si/Gun/Gu may issue necessary orders to taxidermists, such as filing a report on stuffed articles, etc.

(4) Matters necessary for registration and issuance of registration certificates prescribed in paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

(5) When a taxidermist has violated paragraphs (1) through (3) or any order, the head of a Si/Gun/Gu may suspend business for a period of up to six months or revoke the registration.

(6) Those whose registration is revoked under paragraph (5) shall return his/her registration certificate to the head of a Si/Gun/Gu within seven days from the date of such revocation.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

Articles 41 and 41-2 Deleted. <by Act No. 11257, Feb. 1, 2012>

#### CHAPTER IV MANAGEMENT OF HUNTING

##### Article 42 (Establishment of Hunting Grounds, etc.)

(1) The head of a Si/Gun/Gu may establish a place for hunting (hereinafter referred to as "hunting ground") in a certain area for the protection of wild animals and healthy hunting activities of the people, as prescribed by Presidential Decree: Provided, That where a hunting ground is needed to be established over at least two jurisdictions of a Si/Gun/Gu, it must be established by the competent Mayor/Do Governor, as prescribed by Presidential Decree.

(2) No one shall hunt wild animals in a place other than hunting grounds:

(3) When a Mayor/Do Governor or head of a Si/Gun/Gu intends to establish a hunting ground, he/she shall preconsider the opinions of the interested parties, such as land owners, etc. and when he/she has established a hunting ground, he/she shall announce such fact without delay.

(4) Where it is necessary for the protection of wild animals after establishment of a hunting ground, a Mayor/Do Governor or head of a Si/Gun/Gu may cancel or modify the establishment of the hunting ground, and upon so cancelling or modifying the establishment of the hunting ground, he/she shall announce such fact without delay.

(5) Where a Mayor/Do Governor or head of a Si/Gun/Gu intends to establish a hunting ground under paragraph (1), he/she shall obtain approval from the Minister of Environment. The same shall apply to the modification or cancellation of the establishment of the hunting ground.

(6) When a Mayor/Do Governor or head of a Si/Gun/Gu has established a hunting ground prescribed in paragraph (1), he/she shall prepare facilities, equipment, etc. necessary to prevent danger from hunting and for the healthy hunting activities of users, and formulate the management regulations of the hunting ground.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 43 (Designation, etc. of Game Animals)

- (1) The Minister of Environment shall designate and announce game animals (hereinafter referred to as "game animal") that can be hunted in the hunting grounds.
- (2) Where the Minister of Environment or the head of a Si/Gun/Gu intends to restrict hunting in a hunting ground for the protection and reproduction of game animals, he/she shall determine and announce a period during which game animals can be captured (hereinafter referred to as "hunting season"), types and quantity of game animals in the relevant hunting ground, hunting implements, hunting method, number of hunters, etc.
- (3) The Minister of Environment shall periodically investigate the kinds of wild animals, the density of habitation, etc. for the designation of game animals.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 44 (Hunting Licenses)

- (1) Anyone who intends to hunt game animals in hunting grounds shall obtain a license from the head of a Si/Gun/Gu having jurisdiction over his/her address, as prescribed by Presidential Decree.
- (2) The types of hunting licenses shall be as follows:
  1. Class 1 hunting license: Hunting with firearms;
  2. Class 2 hunting license: Hunting with hunting implements other than firearms.
- (3) Those who have obtained a hunting license prescribed in paragraph (1) shall renew the hunting license every five years, as prescribed by Ordinance of the Ministry of Environment.
- (4) Those who intend to obtain a hunting license prescribed in paragraph (1), to renew a hunting license under paragraph (3), or to have a hunting license reissued under Article 48 (3) shall pay a fee prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 45 (Hunting License Examinations, etc.)

- (1) Those who intend to obtain hunting licenses shall pass an examination administered by a Mayor/Do Governor on matters prescribed by Ordinance of the Ministry of Environment, such as Acts and subordinate statutes concerning hunting by type of hunting license.
- (2) The methods of administering hunting license examinations prescribed in paragraph (1), procedures therefor and other necessary matters shall be prescribed by Presidential Decree.
- (3) Those who intend to take a hunting license examination prescribed in paragraph (1) shall pay a fee prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 46 (Grounds for Disqualification)



None of the following persons can obtain a hunting license:

1. A minor;
2. An insane person;
3. A mentally ill person defined in subparagraph 1 of Article 3 of the Mental Health Act;
4. Persons addicted to narcotics, etc. defined in subparagraph 1 of Article 2 of the Narcotics Control Act;
5. A person for whom two years have not passed since the date the enforcement of sentence was completed (including cases where enforcement is deemed completed) or he/she was exempt from the enforcement of sentence after he/she had been sentenced to imprisonment without labor or a heavier punishment for violation of this Act;
6. Person who is subject to a suspend sentence after having been sentenced to suspension of imprisonment without labor or a heavier punishment for violation of this Act;
7. Person for whom one year has not passed since his/her hunting license was revoked.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 47 (Training Courses for Hunting)

- (1) Those who intend to obtain a hunting license shall take lessons about the history and culture of hunting, safety regulations to comply with at the time of hunting, etc. at a specialized agency designated by the Minister of Environment (hereinafter referred to as "hunting training agency"), as prescribed by Ordinance of the Ministry of Environment, after passing the hunting license examination prescribed in Article 45 (1).
- (2) The head of a hunting training agency shall issue a certificate of completion of training courses to each person who has taken lessons prescribed in paragraph (1).
- (3) The head of a hunting training agency may collect rates prescribed by Ordinance of the Ministry of Environment from those who intend to take hunting lessons prescribed in paragraph (1).
- (4) Matters necessary for the criteria for designation of a hunting training agency, issuance of designation certificates, etc. shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 47-2 (Revocation of Designation of Hunting Training Agencies)

- (1) Where a hunting training agency falls under any of the following, the Minister of Environment may revoke designation thereof: Provided, That he/she shall revoke such designation in cases falling under subparagraph 1:
  1. Where an agency has been designated by deceit or any other unlawful means;

2. Where an agency has issued a certificate of course completion to a person who has not taken hunting lessons prescribed in Article 47 (1);

3. Where an agency fails to fulfill any of the requirements, such as the criteria for designation prescribed by Ordinance of the Ministry of Environment pursuant to Article 47 (4).

(2) A person whose designation has been revoked pursuant to paragraph (1) shall return his/her certificate of designation to the Minister of Environment within seven days from the date of such revocation.

[This Article Newly Inserted by Act No. 10977, Jul. 28, 2011]

#### Article 48 (Issuance, etc of Hunting Licenses)

(1) The head of a Si/Gun/Gu shall issue a hunting license certificate, as prescribed by Ordinance of the Ministry of Environment, to those who have passed the hunting license examination prescribed in Article 45 (1) and have been issued a certificate of course completion prescribed in Article 47 (2).

(2) A hunting license shall become effective from the time a certificate of a hunting license under paragraph (1) is issued to the principal or his/her agent, and no issued certificate of a hunting license shall be leased to another person.

(3) When the certificate of a hunting license prescribed in paragraph (1) is lost or is defaced because of damage, it shall be re-issued, as prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 49 (Revocation and Suspension of Hunting Licenses)

(1) Where a person who has obtained a hunting license falls under any of the following subparagraphs, the head of a Si/Gun/Gu may revoke the hunting license, or suspend the validity of the hunting license specifying a period of up to one year: Provided, That when he/she falls under subparagraphs 1 and 2, the head of a Si/Gun/Gu shall revoke the hunting license: <Amended by Act No. 12521, Mar. 24, 2014>

1. Where he/she has obtained the hunting license by deceit or any other unlawful means;

2. Where he/she falls under subparagraphs 1 through 6 of Article 46;

3. Where he/she has harmed the safety, health, or property of a third party, intentionally or by negligence while hunting;

4. Where he/she has committed a crime with hunting implements;

5. Where he/she has captured an endangered wild animal in violation of Article 14 (1) or (2);

6. Where he/she has captured a wild animal in violation of Article 19 (1) or (3);

7. Where he/she has captured a harmful wild animal in violation of Article 23 (1);

8. Where he/she has not renewed a hunting license in violation of Article 44 (3);
9. Where he/she has hunted a wild animal, in violation of Article 50 (1);
10. Where he/she has hunted a wild animal at a place or time falling under any subparagraph of Article 55.

(2) Any person subject to disposition for revocation of his/her hunting license or disposition for suspension of his/her hunting license prescribed in paragraph (1) shall return the hunting license to the head of a Si/Gun/Gu within seven days from the date he/she was issued such disposition of revocation or disposition for suspension.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 50 (Approval for Hunting, etc.)

(1) Those who intend to hunt game animals in a hunting ground shall pay hunting ground usage fees to a person who has established the hunting ground (hereinafter referred to as "establisher of a hunting ground") pursuant to Article 42 (1), as prescribed by Ordinance of the Ministry of Environment, and obtain approval for hunting.

(2) Those who have hunted game animals with approval for hunting pursuant to paragraph (1) shall affix a mark indicating a game animal to the animal they have hunted, as prescribed by Ordinance of the Ministry of Environment.

(3) The establisher of a hunting ground shall use the revenue, such as hunting ground usage fees, etc. for the installation and maintenance of hunting ground facilities, and for a project prescribed by Presidential Decree: Provided, That an amount of up to 40/100 of the revenue may be used as the financial source for revenue of special accounts for environmental improvement prescribed in the Framework Act on Environmental Policy, and an amount of up to 10/100 of the revenue may be used as the financial source for revenue of accounts for forestry promotion projects under the Act on Special Accounts for the Structural Improvement of Agricultural and Fishing Villages. <Amended by Act No. 12412, Mar. 11, 2014>

(4) Each establisher of a hunting ground shall file a report on operational performance of the hunting ground to the Minister of Environment, as prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 51 (Hunting Insurance)

Those who intend to hunt game animals in a hunting ground shall be insured, as prescribed by Presidential Decree, to compensate for damage if they inflict harm on the safety, health, or property of a third party due to hunting.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 52 (Duty of Carrying Certificates of Hunting Licenses)

Those who intend to hunt game animals in a hunting ground shall carry a certificate of a hunting license prescribed in Article 48 (1).

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 53 (Entrustment of Management of Hunting Grounds)

(1) Where necessary for the protection and reproduction of game animals and the efficient management of hunting grounds, the establisher of a hunting ground may entrust the management and operation of the hunting ground to a person meeting the requirements prescribed by Presidential Decree.

(2) When the establisher of a hunting ground entrusts the management and operation of the hunting ground as prescribed in paragraph (1), he/she shall file a report thereon to the Minister of Environment, as prescribed by Presidential Decree.

(3) Each person who has been entrusted with the management and operation of a hunting ground as prescribed in paragraph (1), shall prepare facilities, equipment, etc. necessary for the prevention of danger from hunting and for the healthy hunting activities of users, determine the management regulations of hunting ground and obtain approval from the establisher of a hunting ground, and file a report on operational performance of the hunting ground to the establisher of the hunting ground.

(4) Matters necessary for the facilities and equipment of a hunting ground, and statement of management regulations of a hunting ground and filing reports on operational performance of a hunting ground prescribed in paragraph (3) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 54 (Areas Restricted in Establishing Hunting Grounds)

None of the following areas shall be designated as a hunting ground:

1. Special protection districts and protection districts;
2. Wetland protection areas designated under Article 12 of the Natural Environment Conservation Act and City/Do ecological and scenery conservation areas prescribed in Article 23 of the same Act;
3. Wetlands protection areas designated under Article 8 of the Wetlands Conservation Act;
4. Natural parks defined in subparagraph 1 of Article 2 of the Natural Parks Act, and urban parks defined in subparagraph 3 of Article 2 of the Act on Urban Parks, Greenbelts, Etc.;
5. Military bases and military installations protection areas defined in subparagraph 6 of Article 2 of the Protection of Military Bases and Installations Act;
6. Urban areas prescribed in Article 36 of the National Land Planning and Utilization Act;

7. Places where cultural heritage defined in Article 2 of the Cultural Heritage Protection Act exists, and protected zones designated under Article 27 of the same Act;
8. Tourist destinations, etc. designated under Article 52 of the Tourism Promotion Act;
9. Natural recreation forests prescribed in Article 13 of the Forestry Culture and Recreation Act, forests for seed collection prescribed in Article 19 of the Creation and Management of Forest Resources Act and mountainous districts in forest hereditary resources protection areas prescribed in Article 7 (1) 5 of the Forest Protection Act;
10. Arboretums prescribed in Article 4 of the Creation and Furtherance of Arboretums Act;
11. Precincts of a tomb, temple, or church;
12. Other places prescribed by Ordinance of the Ministry of Environment for protection, etc. of wild animals.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 55 (Restrictions on Hunting)

Hunting shall be prohibited at any of the following places and times, even in a hunting ground:

<Amended by Act No. 12248, Jan. 14, 2014>

1. Vicinity of towns or human habitation, or other places where people frequent or gather;
2. Between sunset and sunrise;
3. Automobile, vessel, or aircraft in motion;
4. Places within 100 meters from a road defined in subparagraph 1 of Article 2 of the Road Act: Provided, That when hunting is engaged in towards a road, it shall include places within 600 meters from the road;
5. Places where cultural heritage defined in Article 2 of the Cultural Heritage Protection Act exists or which are within one kilometer from the protected zones designated under Article 27 of the same Act;
6. A third party's land enclosed with a fence or on which crops are cultivated: Provided, That the same shall apply where he/she has obtained approval from the occupier;
7. Other places and time prescribed by Ordinance of the Ministry of Environment, which are apprehended to inflict harm on human life, livestock, cultural heritage, buildings, automobiles, rolling stock, vessels, or aircraft.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### CHAPTER V SUPPLEMENTARY PROVISIONS

##### Article 56 (Reporting, Examination, etc.)

(1) Where necessary, the Minister of Environment and a Mayor/Do Governor may order any of the following persons (limited to a person prescribed in subparagraph 6, in cases of the Mayor/Do Governor) to file a report or to submit data, as prescribed by Presidential Decree, and require a related public official to enter the office, place of business, etc. of the relevant business operator to examine any book, document, animal, or plant (including collection, etc. of blood and hair roots), or other objects or to ask questions to interested parties: <Amended by Act No. 11912, Jul. 16, 2013>

1. An operator of an ex-habitat conservation agency;
2. A person permitted to capture, collect, etc. endangered wildlife as prescribed in the proviso to Article 14 (1);
3. A person who has filed a report on the custody of endangered wildlife as prescribed in Article 14 (5);
4. A person permitted to export, import, remove, or bring in globally endangered species and products processed therefrom, as prescribed in Article 16 (1), or who has filed a report on transfer and acquisition, disease, death, etc. as prescribed in Article 16 (6);
5. Deleted; <by Act No. 11257, Feb. 1, 2012>
6. A person with a registered biological resource conservation facility as prescribed in Article 35 (1);
7. Deleted; <by Act No. 11257, Feb. 1, 2012>
8. A person with a registered breeding facility prescribed in Article 16-2 (1);
9. A person who has captured, collected, etc. endangered wildlife, globally endangered species or wildlife, the capture of which is prohibited under Article 19 (1), in violation of this Act.

(2) Where it is necessary to verify whether a person permitted to capture, collect, etc. endangered wildlife as prescribed in the proviso to Article 14 (1) has captured and collected them illegally, whether the duty to carry a certificate of a hunting license as prescribed in Article 52 is performed, etc., the Minister of Environment or the head of a local government may require affiliated public officials to examine the endangered wildlife that has been captured, collected, etc., and whether he/she is carrying a certificate of a hunting license, etc.

(3) In order to take necessary measures, such as protective measures, return, confiscation, etc. prescribed in Articles 17 and 71, the Minister of Environment or the head of a related administrative agency may require affiliated public officials to enter a place where globally endangered species and products processed therefrom exist to examine the animal or plant (including collection, etc. of blood and hair roots), related documents and other necessary articles. <Amended by Act No. 11912, Jul. 16, 2013>

(4) Public officials who enter a place or conduct an examination as prescribed in paragraphs (1) through (3) shall carry a certificate indicating his/her authority and produce it to relevant parties.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

## Article 57 (Rewards)

The Minister of Environment or the head of a local government may grant a reward, as prescribed by Presidential Decree, to a person who has filed a report, or complained to an environmental administrative agency or investigation agency of another person falling under any of the following subparagraphs before he/she was detected by the relevant agency, or to a person who has personally arrested him/her at the scene of violation, filed a report on illegally captured wild animals, etc., collected illegal capturing devices, or filed a report on a wild animal confirmed to be, or is likely to be, infected by a disease (including dead wild animals): <Amended by Act No. 11257, Feb. 1, 2012; Act No. 12521, Mar. 24, 2014>

1. A person who has acquired, transferred, received, transported, or stored wild animals illegally captured, imported, or brought in and foods or products processed therefrom, in violation of Article 9 (1), or has abided or abetted such conduct;
2. A person who has made, sold, possessed, or kept snares, traps, nooses, or other implements with which it is possible to capture wild animals in violation of Article 10;
3. A person who has captured, collected, etc. endangered wildlife, in violation of Article 14 (1);
4. A person who has laid or used explosives, snares, traps, nooses, pitfalls, electric power or nets, or has scattered or injected poisonous objects, agrochemical, or similar objects to capture or collect, etc. endangered wildlife, in violation of Article 14 (2);
5. A person who has exported, imported, removed, or brought in globally endangered species and products processed therefrom without permission, in violation of Article 16 (1);
6. A person who has captured, collected, or defoliated wildlife, in violation of Article 19 (1), or has laid or used explosives, snares, traps, nooses, pitfalls, electric power or nets, or has scattered or injected poisonous objects, agrochemical, or similar objects in order to capture, collect, or defoliate wildlife, in violation of Article 19 (3);
7. A person who has exported, imported, removed, or brought in wildlife and products processed therefrom, in violation of Article 21 (1);
8. A person who has imported, brought in, bred, cultivated, set loose, transplanted, transferred, acquired, kept, transported, or distributed living things disturbing the ecosystem, in violation of Article 24 (1) of the Act on the Conservation and Use of Biological Diversity;
9. A person who has hunted animals in a place other than the hunting grounds in violation of Article 42 (2);
10. A person who has hunted animals other than game animals in violation of Article 43 (1);
11. A person who has hunted animals other than during the hunting season designated and publicly notified pursuant to Article 43 (2) and has failed to comply with matters designated and announced to restrict hunting in the hunting grounds;

12. A person who has hunted animals without obtaining approval from the establisher of a hunting ground, in violation of Article 50 (1);
13. A person who has not abided by the restrictions on hunting in violation of Article 55;
14. A person who carries any firearm and live ammunition together for the purposes of capturing wild animals in violation of this Act;
15. A person who has failed to comply with a cull order issued under Article 34-10 (1).

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 58 (Financial Assistance)

When it is necessary to achieve the purpose of this Act, the State may fully or partially subsidize local governments or wildlife protection organizations prescribed by Ordinance of the Ministry of Environment in performing any of the following projects, within budgetary limits: <Amended by Act No. 12521, Mar. 24, 2014>

1. Investigations into the distribution of habitation of wildlife;
2. Research on the breeding, reproduction, restoration, etc. of wildlife and exhibition and education on wildlife for the efficient conservation of biological resources;
3. Deleted; <by Act No. 11257, Feb. 1, 2012>
4. Prevention of illegal capture, collection, etc. of wildlife, and control of hunting;
5. Prevention of damage from wild animals and compensation therefor;
6. Research on diseases of wild animals, and rescue and medical treatment thereof;
- 6-2. Epidemiologic investigation, culling, and incineration and burial of the carcasses;
7. Management of protection districts;
8. Other projects necessary to protect wildlife.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 58-2 (Wildlife Management Association)

(1) In order to perform business affairs for the protection and management of wildlife, the Wildlife Management Association (hereinafter referred to as the "Association") may be established: <Amended by Act No. 11257, Feb. 1, 2012>

1. Assistance in the duty of protection, such as prohibition against poaching, clandestine transaction of wild animals and endangered plants;
2. Assistance in the duty of managing harmful wild animals and living things disturbing the ecosystem defined in subparagraph 8 of Article 2 of the Act on the Conservation and Use of Biological Diversity;



3. Management of hunting, such as assistance in the operation of hunting grounds;
  4. Education on and publicity of protection and management of wildlife, such as training courses for hunting.
- (2) The Association shall be a corporation.
  - (3) Those who can be a member of the Association shall be holders of a hunting license prescribed in Article 44 and those who are willing to actively participate in the protection and management of wildlife.
  - (4) Expenses incurred in performing the business affairs of the Association shall be appropriated from membership fees, revenues from business affairs, etc.
  - (5) The State or local governments may fully or partially expenses incurred by the Association within budgetary limits.
  - (6) Where necessary for supervision, the Minister of Environment may require the Association to file a report on performance of duties or to submit data, and may require affiliated public officials to examine the duty.
  - (7) Except as otherwise prescribed in this Act, the provisions of Civil Act concerning an incorporate association shall apply mutatis mutandis to the Association.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 58-3 (Fees)

Each person who intends to obtain any of the following permits, registration, etc., shall pay a fee prescribed by Ordinance of the Ministry of Environment:

1. Permit to export, import, remove, or bring in globally endangered species prescribed in Article 16 (1);
2. Registration, registration of modification, or reports on modification, of a breeding facility for globally endangered species prescribed in Article 16-2 (1) or (2).

[This Article Newly Inserted by Act No. 11912, Jul. 16, 2013]

#### Article 59 (Wildlife Wardens)

- (1) The Minister of Environment or the head of a local government may appoint wildlife wardens to assist public officials in charge of the duty of protection, management, and hunting of endangered wildlife, living things disturbing the ecosystem defined in subparagraph 8 of Article 2 of the Act on the Conservation and Use of Biological Diversity, harmful wild animals, etc. <Amended by Act No. 11257, Feb. 1, 2012>
- (2) Matters necessary for the qualification, appointment and scope of duty of wildlife wardens prescribed in paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 60 (Disqualification of Wildlife Wardens)

None of the following persons may become a wildlife warden: <Amended by Act No. 12521, Mar. 24, 2014>

1. An adult-ward;
2. A person declared bankrupt and not yet reinstated;
3. A person for whom three years have not passed since the date the enforcement of sentence was completed (including where enforcement is deemed completed) or he/she was exempted from the enforcement of sentence after he/she had been sentenced to imprisonment without labor or a heavier punishment for violation of this Act;
4. A person who is subject to a suspended sentence after having been issued a suspended sentence of imprisonment without labor or a heavier punishment for violation of this Act.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 61 (Honorary Wildlife Wardens)

The Minister of Environment or the head of a local government may appoint a person prescribed by Ordinance of the Ministry of Environment, such as the members of an organization relating to the protection of wildlife, as a wildlife warden.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 62 (Dismissal or Revoking Appointment of Wildlife Wardens, etc.)

Where a wildlife warden prescribed in Article 59 (1) or an honorary wildlife warden prescribed in Article 61 falls under any of the following subparagraphs, the Minister of Environment or the head of a local government may dismiss him/her or revoke his/her appointment: Provided, That where he/she falls under subparagraph 1 or 2, he/she shall be dismissed or his/her appointment shall be revoked.

1. When a wildlife warden falls under any of the subparagraphs of Article 60;
2. When an honorary wildlife warden loses membership in the organization under Article 61;
3. When he/she neglects, or is incompetent to perform his/her duties;
4. When he/she disobeys an order to perform a duty.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 63 (Standards for Administrative Disposition)

Standards for administrative dispositions prescribed in Articles 7-2 (1), 15 (1), 16-8 (2), 17 (1), 20 (1), 22, 23-2 (1), 34-5 (1), 36 (1), 40 (5), 47-2 (1) and 49 (1) shall be prescribed by Ordinance of the Ministry of Environment. <Amended by Act No. 11257, Feb. 1, 2012; Act No. 11912, Jul. 16, 2013; Act No. 12521, Mar. 24, 2014>

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 63-2 (Succession to Effects of Administrative Measures)

When a person who keeps and manages wild animals or plants prescribed in this Act transfers the relevant facility, dies, or merges the corporation, the effect of administrative measures taken against the former manager shall be succeeded by the transferee, inheritor, or the corporation newly established or surviving the merger for one year from the date the period for taking measures is terminated; and when the process of the administrative measures is in progress, it can remain in effect against the transferee, inheritor, or the corporation newly incorporated in the course of or surviving the merger: Provided, That the same shall not apply where the transferee or the corporation newly incorporated in the course of or surviving the merger proves that it was unaware of the disposition or violation at the time the acquisition or merger was conducted.

[This Article Newly Inserted by Act No. 11912, Jul. 16, 2013]

#### Article 64 (Hearings)

The Minister of Environment, a Mayor/Do Governor or the head of a Si/Gun/Gu shall hold a hearing in order to revoke designation, approval, permission, registration, or a license prescribed in Article 7-2 (1), 15 (1), 16-8 (1) and (2), 17 (1), 20 (1), 22, 23-2 (1), 34-5 (1), 36 (1), 40 (5), 47-2 (1), or 49 (1). <Amended by Act No. 11257, Feb. 1, 2012; Act No. 11912, Jul. 16, 2013; Act No. 12521, Mar. 24, 2014>

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 65 (Agency, etc. in Charge of Marine Natural Environment)

(1) The Minister of Oceans and Fisheries may request the Minister of Environment to designate marine life in danger of extinction as the population has decreased substantially as endangered wildlife. In such cases, the Minister of Environment shall accept it, except in extenuating circumstances. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Where the Minister of Environment intends to establish mid-term and long-term conservation policies on marine life as prescribed in Article 13 (1), he/she shall preconsult with the Minister of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

(3) The term "Minister of Environment" shall be construed as "Minister of Oceans and Fisheries" for the purposes of matters relating to the marine natural environment prescribed in Articles 7 and 56. <Amended by Act No. 11257, Feb. 1, 2012; Act No. 11690, Mar. 23, 2013>

(4) Deleted. <by Act No. 11257, Feb. 1, 2012>

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 66 (Delegation and Entrustment)

(1) Part of the authority of the Minister of Environment or the Minister of Oceans and Fisheries bestowed under this Act may be delegated to the head of an affiliated agency or the head of a local government, as prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Part of the authority of a Mayor/Do Governor prescribed in this Act may be delegated to the head of a Si/Gun/Gu, as prescribed by Presidential Decree.

(3) The Minister of Environment or a Mayor/Do Governor may entrust some of his/her duties bestowed under this Act to the Association or related specialized agencies, as prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 66-2 (Legal Fiction of Public Officials for Purpose of Penal Provisions)

Executives and employees of the Association or related specialized agencies engaging in the duties entrusted pursuant to Article 66 (3) shall be deemed public officials for the purposes of Articles 129 through 132 of the Criminal Act.

[This Article Newly Inserted by Act No. 10977, Jul. 28, 2011]

### CHAPTER VI PENAL PROVISIONS

#### Article 67 (Penal Provisions)

(1) Any person who captures, collects, damages, or defoliates Class I endangered wildlife, in violation of Article 14 (1), shall be punished by imprisonment for not more than five years or by a fine of at least 5 million won but not exceeding 50 million won. <Amended by Act No. 12521, Mar. 24, 2014>

(2) Any person who repeatedly commits any crime prescribed in paragraph (1) shall be punished by imprisonment for not more than seven years. In such cases, a fine not exceeding 70 million won may be imposed concurrently. <Amended by Act No. 12521, Mar. 24, 2014>

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 68 (Penal Provisions)

(1) Any of the following persons shall be punished by imprisonment for not more than three years or by a fine of at least 3 million won but not exceeding 30 million won: <Amended by Act No. 11912, Jul. 16, 2013; Act No. 12521, Mar. 24, 2014>

1. A person who captures, collects, damages, or defoliates Class II endangered wildlife, in violation of Article 14 (1);

2. A person who processes, distributes, keeps, exports, imports, removes, or brings in Class I endangered wildlife, in violation of Article 14 (1);

3. A person who lays or uses explosives, snares, traps, nooses, pitfalls, electric power, or nets, or scattered or injected poisonous objects, agrochemical, or similar objects to capture, collect, etc. endangered wildlife, in violation of Article 14 (2);

4. A person who exports, imports, removes, or brings in globally endangered species or products processed therefrom, in violation of Article 16 (1);

5. A person who engages in a damaging act in a special protection district, in violation of Article 28 (1);

6. A person who fails to obtain the modification registration of the breeding facility prescribed in Article 16-2 (1) or obtains the modification registration by falsehood.

(2) Any person who repeatedly commits any crimes prescribed in paragraph (1) 1 or 3 shall be punished by imprisonment for not more than five years. In such cases, a fine not exceeding 50 million won may be imposed concurrently. <Amended by Act No. 12521, Mar. 24, 2014>

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 69 (Penal Provisions)

(1) Any of the following persons shall be punished by imprisonment for not more than two years or by a fine not exceeding 20 million won: <Amended by Act No. 11912, Jul. 16, 2013; Act No. 12521, Mar. 24, 2014>

1. A person who processes, distributes, keeps, exports, imports, removes, or brings in Class II endangered wildlife, in violation of Article 14 (1);

2. A person who releases or naturalizes endangered wildlife, in violation of Article 14 (1);

3. A person who uses globally endangered species and products processed therefrom for a use other than the purpose of importing or bringing them into Korea, in violation of Article 16 (3);

4. A person who captures, collects or purchases, transfers or acquires, assists or mediates transfer or acquisition, possesses, occupies, or exhibits globally endangered species and products processed therefrom, in violation of Article 16 (4);

5. Deleted: <by Act No. 11912, Jul. 16, 2013>

6. A person who captures, collects, or defoliates wildlife, in violation of Article 19 (1);

7. A person who lays or uses explosives, snares, traps, nooses, pitfalls, electric power or nets, or scatters or injects poisonous objects, agrochemical, or similar objects to capture, collect, or defoliate wildlife, in violation of Article 19 (3);

8. and 9. Deleted; <by Act No. 11257, Feb. 1, 2012>

10. A person who disobeys an order issued under Article 30;

11. Deleted; <by Act No. 11257, Feb. 1, 2012>

12. A person who hunts animals in a place other than a hunting ground, in violation of Article 42 (2);

13. A person who hunts animals other than game animals or hunts animals other than during a hunting season, in violation of Article 43 (1) or (2);

14. A person who hunts animals without obtaining a hunting license, in violation of Article 44 (1);

15. A person who hunts animals without obtaining approval from the establisher of a hunting ground, in violation of Article 50 (1);

16. A person who fails to obtain the modification registration of the breeding facility prescribed in Article 16-2 (2) or obtains the modification registration by falsehood.

(2) Any person who repeatedly commits any crime prescribed in paragraph (1) 6 or 7 shall be punished by imprisonment for not more than three years. In such cases, a fine not exceeding 30 million won may be imposed concurrently. <Amended by Act No. 12521, Mar. 24, 2014>

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 70 (Penal Provisions)

Any of the following persons shall be punished by imprisonment for not more than one year or by fine not exceeding 10 million won: <Amended by Act No. 11912, Jul. 16, 2013; Act No. 12521, Mar. 24, 2014>

1. A person who treats wild animals with cruelty, in violation of Article 8;

2. A person who acquires (including eating food or extraction processed food), transfers, receives, transports, or stores wild animals captured, imported, or brought into Korea in violation of Article 9 (1) and foods or products processed therefrom, or assists such act upon knowing the fact;

3. A person who makes, sells, possesses or keeps snares, traps, nooses or other implements with which it is possible to capture wild animals, in violation of Article 10;

4. A person who obtains permission for capture, collection, etc. under the proviso to Article 14 (1) by deceit or any other unlawful means;

5. A person who obtains permission for exportation, importation, removal, or bringing in under the main sentence of Article 16 (1) by deceit or any other unlawful means;

5-2. A person who fails to obtain permission for artificial reproduction under the proviso to Article 16 (7);

5-3. A person who fails to receive a regular or occasional inspection under Article 16-4 (1);

5-4. A person who fails to implement an improvement order issued under Article 16-5;

6. A person who publishes advertisements that could accelerate the extinction or depletion of the population of endangered wildlife or cause cruelty to globally endangered species, in violation of the main sentence of Article 18;

7. A person who obtains permission for capture, collection, or defoliation under the proviso to Article 19 (1) by deceit or any other unlawful means;

8. A person who exports, imports, removes, or brings in wildlife without permission, in violation of Article 21 (1);
9. A person who fails to comply with a cull order issued under Article 34-10 (1);
10. A person who fails to incinerate or bury the carcasses of culled wild animals, in violation of Article 34-10 (2);
11. A person who makes or sells stuffed wild animals without registration in violation of Article 40 (1);
12. A person who violates any matter (excluding during hunting season) determined and announced in order to restrict hunting in the hunting grounds as prescribed in Article 43 (2);
13. A person who obtains a hunting license prescribed in Article 44 (1) by deceit or any other unlawful means;
14. A person who leases his/her hunting license to a third party, in violation of Article 48 (2);
15. A person who fails to abide by any restriction on hunting, in violation of Article 55;
16. A person who carries firearms and live ammunition together for capturing wild animals, in violation of this Act.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 71 (Confiscation)

Any of the following globally endangered species and products processed therefrom shall be confiscated: <Amended by Act No. 11912, Jul. 16, 2013>

1. Globally endangered species and products processed therefrom imported or brought in without permission or used for any purpose other than for importing or bringing them into Korea, in violation of Article 16;
2. Globally endangered species and products processed therefrom that are captured, collected or purchased, transferred or acquired, assisted or mediated transfer or acquisition, possessed, occupied, or exhibited without obtaining permission, approval, etc., in violation of Article 16.

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

#### Article 72 (Joint Penal Provisions)

When the representative of a corporation, an organization or an agent, employee or other servant of a corporation, an organization or an individual commits a violation under Article 67 (1), 68 (1), 69 (1) or 70 in connection with the business of the corporation, organization, or individual, not also shall such violator be punished, but the corporation, organization or individual shall be punished by a fine under the relevant Article: Provided, That this shall not apply where such corporation, organization, or individual has not been negligent in giving due attention and supervision concerning the relevant duties to prevent such violation. <Amended by Act No. 12521, Mar. 24, 2014>

[This Article Wholly Amended by Act No. 10977, Jul. 28, 2011]

Article 73 (Fines for Negligence)

(1) Any of the following persons shall be punished by a fine for negligence not exceeding ten million won: <Amended by Act No. 10977, Jul. 28, 2011>

1. A person who violates any measure of a Mayor/Do Governor under Article 26 (2);
2. A person who violates measures of a Mayor/Do Governor or the head of a Si/Gun/Gu under Article 33 (4).

(2) Any of the following persons shall be punished by a fine for negligence not exceeding two million won: <Amended by Act No. 10977, Jul. 28, 2011; Act No. 11666, Mar. 22, 2013; Act No. 12521, Mar. 24, 2014>

1. A person who fails to file a report on the results of capture, collection, etc. of endangered wildlife, in violation of Article 14 (4);
2. A person who fails to file a report on keeping endangered wildlife, in violation of Article 14 (5);
- 2-2. A person who fails to file a report on the results of capture of a harmful wild animal, in violation of Article 23 (6);
3. A person who violates restrictions or prohibition of entry under Article 29 (1);
4. A person who rejects, interferes with, or evades an epidemiological investigation without just cause, in violation of Article 34-9 (2);
5. A person who fails to take measures necessary to prevent contamination of surrounding environment, in violation of Article 34-10 (3);
6. A person who excavates the land where the carcasses of wild animals were buried within three years, in violation of Article 34-11 (1);
7. A person who refuses, interferes with, or evades entry, examination, or any question of a public official, in violation of Article 56 (1) through (3).

(3) Any of the following persons shall be punished by a fine for negligence not exceeding one million won: <Amended by Act No. 10977, Jul. 28, 2011; Act No. 11666, Mar. 22, 2013; Act No. 11912, Jul. 16, 2013; Act No. 12521, Mar. 24, 2014>

1. A person who fails to return a certificate of designation, in violation of Article 7 (2);
2. Deleted; <by Act No. 12521, Mar. 24, 2014>
3. A person who fails to carry a certificate of permission, in violation of Article 14 (4);
4. A person who fails to return a certificate of permission, in violation of Article 15 (2);



5. A person who fails to file a report on transfer, perishment, etc. of globally endangered species imported or brought into Korea, in violation of Article 16 (6);
- 5-2. A person who fails to obtain a certificate of artificial reproduction of globally endangered species prescribed in Article 16 (7);
- 5-3. A person who fails to keep a document certifying the exact account of lawful acquisition, etc. of globally endangered species products prescribed in Article 16 (8);
- 5-4. A person who fails to file a report, or files a false report, on the modification of a breeding facility prescribed in Article 16-2 (2);
- 5-5. A person who fails to file a report on the closure or suspension of operation of his/her breeding facility prescribed in Article 16-7 (1);
- 5-6. A person who fails to file a report on succession prescribed in Article 16-9 (2);
6. A person who fails to file a report on the results of capture, collection, or defoliation of wildlife, in violation of Article 19 (5);
7. A person who fails to return a certificate of permission, in violation of Article 20 (2);
8. A person who fails to comply with safety regulations prescribed in Article 23 (7);
9. A person who fails to return a certificate of permission, in violation of Article 23-2 (2);
10. Deleted; <by Act No. 11257, Feb. 1, 2012>
11. A person who commits an offense prescribed in Article 28 (3);
12. A person who violates the restrictions on acts prescribed in 28 (4);
13. A person who enters a protection district in the breeding season of wild animals without making a statement, in violation of Article 33 (5);
- 13-2. A person who fails to return his/her designation certificate, in violation of Article 34-5 (2);
- 13-3. A person who fails to notify the Minister of Environment and the head of the competent local government, even when he/she is aware of the verification of the disease of a wild animal, in violation of Article 34-7 (4);
14. A person who fails to return a certificate of designation, in violation of Article 36 (2);
15. A person who fails to prepare a book or has made a fraudulent entry in a book, in violation of Article 40 (2);
16. A person who fails to comply with an order issued by the head of a Si/Gun/Gu, in violation of Article 40 (3);
17. A person who fails to return a certificate of registration, in violation of Article 40 (6);
18. Deleted; <by Act No. 11257, Feb. 1, 2012>

19. A person who fails to return a certificate of designation, in violation of Article 47-2 (2);
  20. A person who fails to return a certificate of a hunting license, in violation of Article 49 (2);
  21. A person who fails to affix a mark indicating a game animal, in violation of Article 50 (2);
  22. A person who hunts without a certificate of a hunting license, in violation of Article 52;
  23. A person who fails to report on the operational performance of a hunting ground, in violation of Article 53 (3);
  24. A person who fails to report or submit data, or submits a false report or data, in violation of Article 56 (1).
- (4) Fines for negligence under paragraphs (1) through (3) shall be imposed and collected by the Minister of Environment, Mayors/Do Governors or heads of Sis/Guns/Gus, as prescribed by Presidential Decree. <Amended by Act No. 10388, Jul. 23, 2010>
- (5) through (7) Deleted. <by Act No. 10388, Jul. 23, 2010>

#### ADDENDA

##### Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

##### Articles 2 (Repeal of Another Act)

The Protection and Hunting of Wild Birds and Animals Act is hereby repealed.

##### Articles 3 (Transitional Measures concerning Endangered Wild Fauna and Flora)

The endangered wild fauna and flora under the former Natural Environment Conservation Act as at the time this Act enters into force shall be deemed Class I endangered wild fauna and flora under subparagraph 2 (a) of Article 2.

##### Articles 4 (Transitional Measures concerning Protected Wild Fauna and Flora)

The protected wild fauna and flora under the former Natural Environment Conservation Act as at the time this Act enters into force shall be deemed Class II endangered wild fauna and flora under subparagraph 2 (b) of Article 2.

##### Articles 5 (Transitional Measures concerning Globally Endangered Species)

The globally endangered species under the former Natural Environment Conservation Act and the endangered birds and animals designated and announced under the former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force shall be deemed globally endangered species under subparagraph 3 of Article 2.

##### Articles 6 (Transitional Measures concerning Exotic Fauna and Flora Disturbing Ecosystem)

The exotic fauna and flora disturbing the ecosystem under the former Natural Environment Conservation Act shall be deemed wild fauna and flora disturbing the ecosystem under subparagraph 4 of Article 2.

#### Articles 7 (Transitional Measures concerning Harmful Birds and Animals)

The harmful birds and animals designated and announced under the former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force shall be deemed harmful wild animals under subparagraph 5 of Article 2.

#### Articles 8 (Transitional Measures concerning Ex-Habitat Conservation Agencies)

Any ex-habitat conservation agency designated under the former Natural Environment Conservation Act as at the time this Act enters into force shall be deemed an ex-habitat conservation agency designated under Article 7.

#### Articles 9 (Transitional Measures concerning Permission for Capture, Collection, etc. of Endangered Wild Fauna and Flora)

Where permission for the capture, collection, naturalization, processing, export, taking out, distribution or keeping of endangered wild fauna and flora, and protected wild fauna and flora has been obtained under the former Natural Environment Conservation Act as at the time this Act enters into force, permission for the capture, collection, naturalization, processing, export, taking out, distribution or keeping of endangered wild fauna and flora shall be deemed obtained under the proviso to Article 14 (1).

#### Articles 10 (Transitional Measures concerning Permission, etc. for Globally Endangered Species)

Where approval for the export, re-export, taking out, import or bringing in of globally endangered species and processed products thereof has been obtained under the former Natural Environment Conservation Act, or permission for the export, import or bringing in of endangered birds and animals, and processed products thereof has been obtained under the former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force, permission for export, import, taking out or bringing in of globally endangered species and processed products thereof shall be deemed obtained under the main sentence of Article 16 (1).

#### Articles 11 (Transitional Measures concerning Permission for Capturing Birds and Animals)

Where permission for capturing birds and animals has been obtained under the former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force, permission for capturing wild animals shall be deemed obtained under the proviso to Article 19 (1).

#### Articles 12 (Transitional Measures concerning Permission for Export, etc. of Birds and Animals)

Where permission for export, import or bringing in of birds and animals has been obtained under the former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force, permission for export, import or bringing in of birds and animals shall be deemed obtained under Article 21 (1).

#### Articles 13 (Transitional Measures concerning Permission for Capturing Harmful Birds and Animals)

Where permission for capturing harmful birds and animals has been obtained under the former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force, permission for capturing harmful wild animals shall be deemed obtained under Article 23 (1).

#### Articles 14 (Transitional Measures concerning Approval for Import or Bringing in of Exotic Fauna and Flora Disturbing Ecosystem)

Where approval for the import or bringing in of exotic fauna and flora disturbing ecosystem has been obtained under the former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force, permission for the import or bringing in of wild fauna and flora disturbing the ecosystem shall be deemed obtained under Article 25 (2).

#### Articles 15 (Transitional Measures concerning City/Do Managed Wild Fauna and Flora)

The City/Do managed wild fauna and flora designated under the provisions of former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force shall be deemed designated and announced as the City/Do protected wild fauna and flora under Article 26.

#### Articles 16 (Transitional Measures concerning Bird and Animal Protection District)

The bird and animal protection districts established under the former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force shall be deemed designated and announced as wild fauna and flora protection districts under Article 33.

#### Articles 17 (Transitional Measures concerning Registration of Taxidermy Business)

Any taxidermist registered under the former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force shall be deemed registered as a taxidermist under Article 40 (1).

#### Articles 18 (Transitional Measures concerning Biological Resources)

The biological resources under the former Natural Environment Conservation Act as at the time this Act enters into force shall be deemed designated and announced as biological resources under Article 41.

#### Articles 19 (Transitional Measures concerning Approval for Taking Biological Resources out of Korea)

Where approval for taking biological resources out of Korea has been obtained under the former Natural Environment Conservation Act as at the time this Act enters into force, approval for taking biological resources out of Korea shall be deemed obtained under Article 41.

#### Articles 20 (Transitional Measures concerning Game Birds and Animals)

The game birds and animals announced under the former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force shall be deemed designated and announced as game animals under Article 43.

#### Articles 21 (Transitional Measures concerning Hunting Licenses)

Where Class I hunting license or Class II hunting license has been obtained under the former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force, it shall be deemed that Class I hunting license has been obtained under Article 44 (2) 1, and where Class III hunting license has been obtained under the former Protection and Hunting of Wild Birds and Animals Act, it shall be deemed that Class II hunting license has been obtained under Article 44 (2) 2.

#### Articles 22 (Transitional Measures concerning Hunting License Examination)

Where a person has passed the hunting license examination under the former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force, it shall be deemed that he/she has passed the hunting license examination under Article 45 (1).

#### Articles 23 (Transitional Measures concerning Training Courses for Hunting)

Where a person has taken the hunting courses under the former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force, it shall be deemed that he/she has taken hunting courses under Article 47 (1).

#### Articles 24 (Transitional Measures concerning Approval for Hunting)

Where a person has obtained approval for hunting under the provisions of the former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force, it shall be deemed that he/she has obtained approval for hunting under Article 50 (1).

#### Articles 25 (Transitional Measures concerning Bird and Animal Protection Wardens)

Any bird and animal protection warden appointed under the former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force shall be deemed appointed as a wild fauna and flora protection warden under Article 59.

#### Articles 26 (Transitional Measures concerning Honorary Bird and Animal Protection Wardens)

Any honorary bird and animal protection warden commissioned under the former Protection and Hunting of Wild Birds and Animals Act as at the time this Act enters into force shall be deemed commissioned as an honorary wild fauna and flora protection warden under Article 61.

#### Articles 27 (Transitional Measures concerning Acts under Progress)

Any disposition under the former Natural Environment Conservation Act and the former Protection and Hunting of Wild Birds and Animals Act, acts of administrative agencies or acts against administrative agencies as at the time this Act enters into force shall be deemed a disposition under this Act, acts of administrative agencies or acts against administrative agencies under this Act.

#### Articles 28 (Transitional Measures concerning Penal Provisions and Fines for Negligence)

The former Natural Environment Conservation Act and the former Protection and Hunting of Wild Birds and Animals Act shall apply to the punishment of and to the fine for negligence for a violation committed before this Act enters into force.

Articles 29 Omitted.

Articles 30 (Relationship with other Acts)

Where the former Natural Environment Conservation Act and the former Protection and Hunting of Wild Birds and Animals Act are cited in other Acts and subordinate statutes as at the time this Act enters into force, the relevant provisions of this Act shall be deemed cited in place of the former provisions if provisions corresponding thereto exist in this Act.

ADDENDA <Act No. 7297, Dec. 31, 2004>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 9 Omitted.

ADDENDA <Act No. 7428, Mar. 31, 2005>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 6 Omitted.

ADDENDA <Act No. 7457, Mar. 31, 2005>

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

(2) (Transitional Measures concerning Administrative Disposition, etc.) Any disposition by an administrative agency under the former provisions of Articles 42, 44, 48 and 49 as at the time this Act enters into force shall be deemed a disposition by an administrative agency under the amended provisions of this Act.

ADDENDA <Act No. 7476, Mar. 31, 2005>

Article 1 (Enforcement Date)

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

Articles 2 through 10 Omitted.

ADDENDA <Act No. 7676, Aug. 4, 2005>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 6 Omitted.

ADDENDA <Act No. 7678, Aug. 4, 2005>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 12 Omitted.

ADDENDA <Act No. 8014, Sep. 27, 2006>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 11 Omitted.

ADDENDA <Act No. 8045, Oct. 4, 2006>

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

ADDENDA <Act No. 8343, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

ADDENDA <Act No. 8346, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 13 Omitted.

ADDENDA <Act No. 8365, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 22 Omitted.

ADDENDA <Act No. 8370, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 20 Omitted.

ADDENDA<Act No. 8466, May 17, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA<Act No. 8467, May 17, 2007>

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

(2) (Transitional Measures concerning Animals Reverted to Wild State) The managed animals designated and announced under the former provisions as at the time this Act enters into force shall be deemed the animals reverted to a wild state that have been designated and announced under the amended provisions of Article 24.

ADDENDA <Act No. 8733, Dec. 21, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

ADDENDA <Act No. 8762, Dec. 21, 2007>

Article 1 (Enforcement Date)

This Act shall enter into force on the date when the Protocol becomes effective in Korea.

[Effective Date of the Protocol: Jan. 1, 2008]

Articles 2 through 4 Omitted.

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. 9763, Jun. 9, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 8 Omitted.

ADDENDA <Act No. 10000, Feb. 4, 2010>



#### 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. 10388, Jul. 23, 2010>

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

#### ADDENDA <Act No. 10893, Jul. 21, 2011>

#### Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 6 Omitted.

#### ADDENDA <Act No. 10977, Jul. 28, 2011>

#### Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

#### Article 2 (Transitional Measures concerning Master Plans for Protection of Wild Fauna and Flora)

Masters plans for protection of wild fauna and flora formulated pursuant to the former provisions as at the time this Act enters into force shall be deemed master plans for protection of wildlife formulated pursuant to the amended provisions of Article 5 (1).

#### Article 3 (Transitional Measures concerning Wild Animal Treatment Agencies)

Wild Animal Treatment Agencies designated pursuant to the former provisions as at the time this Act enters into force shall be deemed agencies for research of diseases and rescue and treatment of wild animals designated pursuant to the amended provisions of Article 11 (2).

#### Article 4 (Transitional Measures concerning Mid-term and Long-term Measures for Conservation of Endangered Wild Fauna and Flora)

Mid-term and long-term measures for the conservation of endangered wild fauna and flora formulated and implemented pursuant to the former provisions as at the time this Act enters into force shall be deemed mid-term and long-term measures for the conservation of endangered wildlife formulated and implemented pursuant to the amended provisions of Article 13 (1).

#### Article 5 (Transitional Measures concerning Special Protection Districts for Wild Fauna and Flora)

Special protection districts for wild fauna and flora designated and publicly notified pursuant to the former provisions as at the time this Act enters into force shall be deemed special protection districts for wildlife designated and publicly notified pursuant to the amended provisions of Article 27.

#### Article 6 (Transitional Measures concerning Protection Districts for Wild Fauna and Flora, etc.)

City/Do protection districts for wild fauna and flora or protection districts for wild fauna and flora designated and publicly notified by a Mayor/Do Governor or the head of a Si/Gun/Gu pursuant to the former provisions as at the time this Act enters into force shall be respectively deemed wildlife protection districts designated and publicly notified pursuant to the amended provisions of Article 33.

#### Article 7 (Transitional Measures concerning the Korea Wild Animal and Plant Service Association)

The Korea Wild Animal and Plant Service Association established pursuant to the former provisions as at the time this Act enters into force shall be deemed the Korea Wild Animal and Plant Service Association established pursuant to the amended provisions of Article 58-2 (1).

#### Article 8 (Transitional Measures concerning Wild Fauna and Flora Wardens)

Wild fauna and flora wardens appointed pursuant to the former provisions as at the time this Act enters into force shall be deemed wildlife wardens appointed pursuant to the amended provisions of Article 59.

#### Article 9 (Transitional Measures concerning Honorary Wild Fauna Flora Wardens)

Honorary wild fauna and flora wardens commissioned pursuant to the former provisions as at the time this Act enters into force shall be deemed honorary wildlife wardens commissioned pursuant to the amended provisions of Article 61.

Article 10 Omitted.

#### Article 11 (Relationship with other Acts and Subordinate Statutes)

A citation of the former Protection of Wild Fauna and Flora Act or its provisions in other Acts and subordinate statutes as at the time this Act enters into force shall be deemed a citation of this Act or its provisions corresponding thereto, in lieu of the former Protection of Wild Fauna and Flora Act or its provisions, if the provisions corresponding thereto exist in this Act.

ADDENDA <Act No. 11060, Sep. 16, 2011>

#### Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Act No. 11257, Feb. 1, 2012>

#### Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 4 Omitted.

ADDENDA <Act No. 11666, Mar. 22, 2013>

#### Article 1 (Enforcement Date)

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

#### Article 2 (Applicable Examples of Reports on Results of Capturing Harmful Wild Animals)

This amended provisions of Article 23 (6) shall apply to persons who capture harmful wild animals after this Act enters into force.

#### 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. 11862, Jun. 4, 2013>

##### Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2015.

Articles 2 through 12 Omitted.

#### ADDENDA <Act No. 11912, Jul. 16, 2013>

##### Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

##### Article 2 (Applicable Examples concerning Adult-wards)

The adults-wards under the amended provisions of subparagraph 1 of Article 16-3 shall be deemed to include persons against whom the effect of declaration of incompetency continues to maintain, in accordance with Article 2 of the Addenda to the partially amended Civil Act (Act No. 10429).

##### Article 3 (Transitional Measures concerning Issuance, etc. of Certificates for Artificial Reproduction of Globally Endangered Species )

A person who has reproduced globally endangered species brought in after obtaining permission for importation or bringing-in under Article 16 (1) as at the time this Act enters into force, shall be issued a certificate for reproduction of globally endangered species under the amended provisions of the main sentence of Article 16 (7) within one year after this Act enters into force: Provided, That a person who has reproduced globally endangered species prescribed by Presidential Decree shall obtain permission for the artificial reproduction under the amended provisions of the proviso to Article 16 (7) within one year after this Act enters into force.

##### Article 4 (Transitional Measures concerning Breeding Facilities for Globally Endangered Species)

A person who possesses, occupies, or keeps any globally endangered species under the amended provisions of Article 16-2 (1) as at the time this Act enters into force shall have his/her breeding facility for globally endangered species within one year after this Act enters into force.

ADDENDA <Act No. 12248, Jan. 14, 2014>

Article 1 (Enforcement Date)

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

Articles 2 through 25 Omitted.

ADDENDA <Act No. 12412, Mar. 11, 2014>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Act No. 12521, Mar. 24, 2014>

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 5 (2), 26 (1) and subparagraph 1 of Article 60 shall enter into force on the date of its promulgation.

Articles 2 (Applicable Examples of Disclosure of Status of Emergence of Wild Animal Diseases)

The amended provisions of Article 34-8 shall apply to cases where a wild animal disease emerges after this Act enters into force.

Article 3 (Special Provisions concerning Formulation of Master Plans for Control of Wild Animal Diseases)

The Minister of Environment shall formulate a master plan for the control of wild animal diseases which is the first master plan to be formulated under the amended provisions of Article 34-3 (1) by no later than December 31, 2015.

Article 4 (Transitional Measures concerning Permission for Capturing Wild Animals)

A person who has obtained permission for capturing wild animals under the former provisions as at the time this Act enters into force shall be deemed to have obtained permission for capturing wildlife (limited to the kinds, quantity, etc. of the species permitted at the time the capture of the wild animals was permitted).

Article 5 (Transitional Measures concerning Permission for Capturing Wild Animals)

A person who has obtained permission for exporting, importing, etc. wild animals under the former provisions as at the time this Act enters into force shall be deemed to have obtained permission for

exporting, importing, etc. the wildlife (limited to the kinds, quantity, etc. of the specie permitted at the time the export, import, etc. of the wild animals was permitted).

Article 6 (Transitional Measures concerning Incompetent Persons, etc.)

The adults-wards prescribed in the amended provisions of Article 60 (1) shall be deemed to include the persons against whom the effect of declaration of incompetency or quasi-incompetency continues to maintain, in accordance with Article 2 of the Addenda to the partially amended Civil Act (Act No. 10429).