

Law Viewer

ENFORCEMENT DECREE OF THE WILDLIFE PROTECTION AND MANAGEMENT ACT

Presidential Decree No. 18696, Feb. 7, 2005
 Amended by Presidential Decree No. 19049, Sep. 14, 2005
 Presidential Decree No. 19991, Apr. 4, 2007
 Presidential Decree No. 20385, Nov. 15, 2007
 Presidential Decree No. 20680, Feb. 29, 2008
 Presidential Decree No. 21078, Oct. 8, 2008
 Presidential Decree No. 21481, May 6, 2009
 Presidential Decree No. 22630, Jan. 20, 2011
 Presidential Decree No. 22737, Mar. 29, 2011
 Presidential Decree No. 22977, Jun. 24, 2011
 Presidential Decree No. 23488, Jan. 6, 2012
 Presidential Decree No. 24001, Jul. 31, 2012
 Presidential Decree No. 24451, Mar. 23, 2013
 Presidential Decree No. 25480, Jul. 16, 2014
 Presidential Decree No. 26159, Mar. 24, 2015
 Presidential Decree No. 26416, Jul. 20, 2015
 Presidential Decree No. 27444, Aug. 11, 2016
 Presidential Decree No. 27569, Nov. 1, 2016

Article 1 (Purpose)

The purpose of this Decree is to prescribe matters mandated by the Wildlife Protection and Management Act and matters necessary for enforcing said Act.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 1-2 (Standards for Designation of Endangered Wildlife)

(1)"Species ---<Omitted>--- which meet the standards prescribed by Presidential Decree" in subparagraph 2 (a) of Article 2 of the Act means any of the following species:

1. Species threatened with extinction as the population or population level is low or significantly decreasing;
2. Species threatened with extinction as their distribution areas are very limited or their habitats or rearing areas are seriously damaged;
3. Species threatened with extinction due to natural or artificial threats, etc. that affect the continuous survival or reproduction of animals or plants.

(2)"Species ---<Omitted>--- which meet the standards prescribed by Presidential Decree" in subparagraph 2 (b) of Article 2 of the Act means any of the following species:

1. Species threatened with imminent extinction as the population or population level is low or significantly decreasing;
2. Species threatened with imminent extinction as their distribution areas are very limited or their habitats or rearing areas are seriously damaged;
3. Species threatened with imminent extinction due to natural or artificial threats, etc. that affect continuous survival or reproduction of animals or plants.

[This Article Newly Inserted by Presidential Decree No. 26159, Mar. 24, 2015]

Article 2 (Master Plans for Protection of Wildlife)

A master plan for protection of wildlife (hereinafter referred to as "master plan") under Article 5 (1) of the Wildlife Protection and Management Act (hereinafter referred to as the "Act") shall include the following matters: <Amended by Presidential Decree No. 26159, Mar. 24, 2015>

1. Matters concerning the current status and prospects, investigation and research on wildlife;
2. Matters concerning the investigation into actual conditions of inhabitation of wildlife, etc. under Article 6 of the Act;
3. Matters concerning the research on diseases of wild animals and measures to control their diseases;
4. Matters concerning setting of the basic direction and objectives of protection of endangered wildlife, etc.;
5. Matters concerning the major tasks and policies to be promoted to protect endangered wildlife, etc.;
6. Matters concerning conservation, restoration and reproduction of endangered wildlife;
7. Matters concerning calculation of the expenses necessary for implementing projects to protect endangered wildlife, etc. and the financing plan;
8. Matters concerning international cooperation for protecting globally endangered species, migratory birds, etc.;
9. Matters concerning protection and management of wildlife, such as prevention of illegal capture of wild animals, rescue and medical treatment for them, and the designation and management of harmful wild animals;
10. Matters concerning the management of the species of wild life that disturb the ecosystem;
11. Matters concerning the designation and management of special protection districts for wildlife (hereinafter referred to as "special protection district") under Article 27 of the Act;
12. Matters concerning management of hunting;
13. Matters concerning major protection policies to be promoted by the Special Metropolitan City, a Metropolitan City, the Special Self-Governing City, a Do, and the Special Self-Governing Province (hereinafter referred to as "City/Do");
14. Other matters that the Minister of Environment deems necessary to protect endangered wildlife, etc.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 3 (Detailed Plans for Protection of Wildlife)

(1) A detailed plan for the protection of wildlife under Article 5 (4) of the Act (hereinafter referred to as "detailed plan") shall be formulated within the scope of a master plan, including the following matters: <Amended by Presidential Decree No. 26159, Mar. 24, 2015>

1. Matters concerning the current status and prospects of wildlife in jurisdiction;
2. Matters concerning the research of diseases of wild animals and the measures for disease control;
3. Matters concerning protection of endangered wildlife, etc. in jurisdiction;
4. Matters concerning calculation of the expenses necessary to implement projects for

- protecting endangered wildlife, etc. and financing plan;
5. Matters concerning protection and management of wild animals, such as prevention of illegal capture of wild animals, rescue and medical treatment of them;
 6. Matters concerning the operation of a permission system for capturing of harmful wild animals;
 7. Matters concerning the designation and protection of City/Do protected wildlife under Article 26 of the Act;
 8. Matters concerning the designation and management of wildlife protection districts in jurisdiction under Article 33 of the Act;
 9. Matters concerning the establishment and operation of hunting grounds under Article 42 of the Act;
 10. Matters concerning education and publicity related to protection of wildlife for residents in jurisdiction;
 11. Other matters that the Special Metropolitan City Mayor, a Metropolitan City Mayor, the Special Self-Governing Mayor, a Do Governor, or the Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor") deems necessary to protect endangered wildlife.

(2) Upon formulating a master plan or detailed plan, the Minister of Environment or a Mayor/Do Governor shall publicly notify the main contents thereof.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 4 (Modification of Master Plans and Detailed Plans)

(1) Where deemed necessary to modify a master plan or detailed plan due to changes in natural or social conditions, etc., the Minister of Environment or a Mayor/Do Governor may modify it.

(2) Where deemed necessary to protect endangered wildlife, etc., the Minister of Environment may request a Mayor/Do Governor to modify a detailed plan.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 5 (Designation, etc. of Ex-Situ Conservation Institutions)

(1) An ex-situ conservation institution under Article 7 (1) of the Act (hereinafter referred to as "ex-situ conservation institution") shall be any of the following institutions, designated and publicly notified by the Minister of Environment:

1. A zoo, botanical garden, or aquarium;
2. A national or public research institute;
3. A business-affiliated research institute under the Basic Research Promotion and Technology Development Support Act;
4. A school under each subparagraph of Article 2 of the Higher Education Act and its affiliated institution;
5. Any other institution that the Minister of Environment deems appropriate.

(2) A person who intends to be designated as an ex-situ conservation institution shall file an application with the Minister of Environment as prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 6 Deleted. <by Presidential Decree No. 24001, Jul. 31, 2012>

Article 7 (Standards, Procedures, etc. for Compensation for Damage Caused by Wild

Animals)

(1) Standards for supporting the installation costs of facilities required to prevent damages caused by wild animals and standards of compensation for damages caused by wild animals pursuant to Article 12 of the Act, shall be as follows:

1. Standard for supporting installation costs of damage prevention facilities: An amount determined and publicly notified by the Minister of Environment out of the costs for installing or purchasing a fence, a hedge, a horn, etc. required to prevent damages caused by wild animals;
2. Standards for compensation for damages: An amount determined and publicly notified by the Minister of Environment out of the amount of damages of crops, forest products, marine products, etc. caused by wild animals.

(2) A person who intends to receive any support for expenses required to install damage prevention facilities or compensation for damages pursuant to Article 12 (1) or (2) of the Act, shall file an application with the Special Self-Governing Province Governor or the head of a Si/Gun/Gu (referring to an autonomous Gu; hereinafter referred to as "head of a Si/Gun/Gu), as prescribed by Ordinance of the Ministry of Environment.

(3) Detailed matters concerning the standards, methods, etc. for providing support and making compensation for damages under paragraph (1) shall be determined and publicly notified by the Minister of Environment.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 8 (Mid- and Long-Term Measures for Conservation of Endangered Wildlife)

The mid- and long-term measures for the conservation of endangered wildlife under Article 13 (1) of the Act shall include the following matters:

1. Current state of endangered wildlife;
2. The need for conservation of endangered wildlife, including their ecological characteristics and academic importance;
3. Main causes of extinction crisis and population decrease;
4. Preservation of habitats of endangered wildlife;
5. Plans for the conservation of endangered wildlife, including their reproduction and restoration;
6. Matters concerning international cooperation for the conservation of endangered wildlife;
7. Other matters necessary to conserve endangered wildlife.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 9 (Recommendation of Methods for Use of Land, etc.)

(1) Where the Minister of Environment intends to recommend methods, etc. for use of land pursuant to Article 13 (4) of the Act, he/she shall hear the opinions of the relevant Mayor/Do Governor in advance and determine the matters to be recommended, such as methods for using land in consideration of geographical characteristics and ecological types of the areas where endangered wildlife inhabits or comes (hereafter in this Article referred to as "recommendations").

(2) Where the Minister of Environment recommends methods, etc. for use of land pursuant to paragraph (1), he/she shall notify the recommendations to the owner, occupant or manager of the land, and shall post the recommendations on bulletin

boards of the Eup/Myeon/Dong office having jurisdiction over the relevant area. In such cases, the Minister of Environment may request the head of the relevant local government to provide cooperation necessary for the notification, posting, publicity, etc. of the recommendations.

- (3)The Minister of Environment may provide necessary support to the owner, occupant or manager of land within budgetary limits for them to comply with the recommendations.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 10 (Scope of Scientific Research)

"Scientific research" in Articles 14 (1) 1, 19 (1) 1, and 25 (3) of the Act means the following research:

1. Research conducted by schools of various levels and research institutes;
2. Medically required research.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 11 (Scope, etc. of Artificially Reproduced Endangered Wildlife)

(1)"Artificially reproduced endangered wildlife ---<Omitted>--- as prescribed by Presidential Decree" in Article 14 (1) 5 and (3) 6 of the Act means any of the following:

1. Endangered wildlife reproduced for export, removal, distribution, or keeping, after obtaining permission for the capture, collection, etc. thereof pursuant to Article 14 (1) 1 of the Act, for which a certificate of artificial reproduction is issued, as prescribed by Ordinance of the Ministry of Environment;
2. Endangered wildlife reproduced in the country of origin from which it was imported or brought in, for which a document certifying that it has been reproduced artificially in its country of origin was issued.

(2)Species eligible for artificial reproduction under Articles 14 (1) 5 and (3) 6 of the Act, the methods of artificial reproduction, and the matters necessary for the artificial reproduction, such as reproduction facilities, shall be determined by the Minister of Environment.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 12 (Permission for Export, Import, Removal or Bringing in of Globally Endangered Species, etc.)

- (1)Detailed conditions for permission of each Annex to 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") under Article 16 (1) 3 of the Act shall be as specified in attached Table 1.
- (2)Where a person who intends to export a plant designated and publicly notified by the Minister of Environment among artificially reproduced plants as plants specified in Annex II to the Convention on International Trade in Endangered Species has undergone quarantine for the relevant plant pursuant to Article 28 of the Plant Protection Act, he/she shall be deemed to have obtained permission under Article 16 (1) of the Act. In such cases, he/she shall indicate on the certificate of the relevant quarantine the fact that it is an artificially reproduced plant and have it verified by a public official in charge of plant quarantine.
- (3)The Minister of Agriculture, Food and Rural Affairs shall notify the Minister of

Environment of the results of verification of artificial reproduction conducted pursuant to the latter part of paragraph (2) by January 31 of each year. <Amended by Presidential Decree No. 24451, Mar. 23, 2013>

(4)Where the Minister of Environment intends to grant permission for the export, import, removal, or bringing in (hereinafter referred to as "export, import, etc.") of living species among globally endangered species, he/she may hear opinions of the heads of related national or public research institutes as to the following matters or request necessary support from them:

- 1.Matters concerning whether the export, import, etc. of globally endangered species threaten the survival of said species;
- 2.Matters concerning the identification of globally endangered species and protection facilities;
- 3.Other matters concerning whether the standards for permission for export, import, etc. of globally endangered species are complied with.

(5)The Minister of Environment shall record and maintain the following matters related to the export, import, etc. of globally endangered species and products processed therefrom, as prescribed by Ordinance of the Ministry of Environment:

- 1.Name and address of the person who intends to export, import, etc.;
- 2.Country of the trading partner, and name, quantity, size and kind of the relevant animal or plant;
- 3.Current status on the issuance of permits and certificates;
- 4.Other matters that the Minister of Environment deems necessary.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 13 (Globally Endangered Species, etc. Subject to Exemption from Permission)

Globally endangered species and products processed therefrom subject to exemption from permission under the proviso to Article 16 (1) of the Act shall be as follows:

- 1.Animals and plants and products processed therefrom which pass through the territory or transshipped (referring to transshipment defined in subparagraph 14 of Article 2 of the Customs Act) in the territory, under the jurisdiction of a customs office in the course of conducting international trade;
- 2.Animals and plants and products processed therefrom for which the Minister of Environment has issued certificates indicating that they were acquired before the Convention on International Trade in Endangered Species entered into force, as prescribed by Ordinance of the Ministry of Environment;
- 3.Animals and plants and products processed therefrom that can be proved to have been legally acquired as personal belongings or household goods: Provided, That the same shall not apply to any of the following cases:
 - (a)Where an animal or plant included in Annex I to the Convention on International Trade in Endangered Species is acquired in a foreign country and imported or brought into Korea by its owner;
 - (b)Where an animal or plant is included in Annex II to the Convention on International Trade in Endangered Species and meets the following requirements:
 - (i)Where the owner has captured or collected the animal or plant in the wild state in a foreign country and imports or brings it into Korea;

(ii)Where prior permission for the export of the animal or plant is required by the country in which it was captured or collected in the wild state;

4. Animals, plants and the products processed therefrom for museums; and animals, plants and the products processed therefrom which are lent, donated or exchanged among scientists or scientific institutions for non-commercial purposes.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 13-2 (Globally Endangered Species Subject to Permission for Artificial Reproduction)

"Globally endangered species prescribed by Presidential Decree" in the proviso to Article 16 (7) of the Act means the species specified in attached Table 1-2, which are globally endangered species, the artificial reproduction of which needs to be restricted because of a risk of causing serious harm to human life, body or property due to the characteristics of such species.

[This Article Newly Inserted by Presidential Decree No. 25480, Jul. 16, 2014]

Article 13-3 (Globally Endangered Species Subject to Registration of Breeding Facilities)

"Globally endangered species prescribed by Presidential Decree" in Article 16-2 (1) of the Act means the species specified in attached Table 1-3.

[This Article Newly Inserted by Presidential Decree No. 25480, Jul. 16, 2014]

Article 13-4 (Management, etc. of Breeding Facilities for Globally Endangered Species)

"Breeding facility prescribed by Presidential Decree" in Article 16-4 (1) of the Act means any of the following facilities:

1. An ex-situ conservation institution;
2. A facility for conservation of biological resources under Article 35 (1) of the Act;
3. A biological resource center under Article 39 of the Act;
4. A botanical garden, zoo, or aquarium under subparagraph 4 (f) of Article 2 of the Act on Urban Parks, Green Areas, Etc.;
5. A botanical garden, zoo, or aquarium under subparagraph 4 of Article 2 of the Enforcement Decree of the Natural Parks Act;
6. A botanical garden, zoo, or aquarium recognized as a cultural facility under Article 2 (1) of the Enforcement Decree of the Museum and Art Gallery Support Act;
7. Except as otherwise expressly provided for in paragraphs 1 through 6, any facility publicly notified by the Minister of Environment as deemed necessary to manage a breeding facility.

[This Article Newly Inserted by Presidential Decree No. 25480, Jul. 16, 2014]

Article 14 (Protection Facilities, etc.)

"Protection facility or other appropriate facilities" in Article 17 (3) of the Act means any of the following facilities: <Amended by Presidential Decree No. 26416, Jul. 20, 2015>

1. A biological resource center under Article 39 of the Act (hereinafter referred to as "biological resource center");
2. An arboretum under Article 4 of the Act on the Creation and Furtherance of Arboretums and Gardens (limited to trees);
3. The National Institute of Agricultural Sciences of the Rural Development Administration (limited to insect species);
4. The National Institute of Fisheries Science (limited to marine organisms and marine

creatures);

5. An ex-situ conservation institution;
6. A facility for conservation of biological resources under Article 35 (1) of the Act;
7. Any other institution publicly notified by the Minister of Environment as deemed adequate in consideration of the purpose, etc. of the Convention on International Trade in Endangered Species.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 14-2 (Standards for Permission for Import or Bringing in of Wildlife according to Its Use)

"Detailed standards for permission for importation or bringing in by use prescribed by Presidential Decree" in Article 21 (1) 2 (c) of the Act means the standards classified as follows: <Amended by Presidential Decree No. 26159, Mar. 24, 2015>

1. In cases of importing or bringing in for scientific research under Article 10: A high school or higher institution in which a department related to wildlife is established or a wildlife research institute has finalized a scientific research plan and has secured budget and facilities, etc. required therefor;
2. In cases of importing or bringing in for viewing: It will be provided for viewing by the general public at facilities such as parks, tourist sites, zoos, and museums which are operated with the authorization, permission, approval, etc. in accordance with relevant statutes;
3. In cases of bringing in of any wild animal as a pet by a person entering Korea for a temporary stay to remove at the time of departure therefrom: It shall be evident that the person is entering Korea for the purpose of temporary stay and the number of wild animals brought in as pets shall not exceed two per person;
4. In case of importing or bringing in from a foreign country any wildlife artificially bred or cultivated for sale, for the purpose of reproduction or sale: A certificate of artificial breeding or cultivation issued by a government agency, etc. of the exporting country shall be attached, and facilities for artificial breeding or cultivation of the relevant wildlife shall have been prepared;
5. In cases not falling under subparagraphs 1 through 4: Importing or bringing in of the wildlife shall not be likely to disturb the domestic ecosystem and shall not affect the survival of wildlife species.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 15 (Damaging Activities Prohibited in Special Protection Districts)

"Activities deemed harmful to wildlife, which are prescribed by Presidential Decree" in Article 28 (1) 4 of the Act means any of the following activities:

1. Reclamation of waters;
2. Setting fires.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 16 (Scope of Disasters)

"Disasters prescribed by Presidential Decree" in Articles 28 (2) 2 and 29 (1) 3 of the Act means any of the following:

1. Where loss of a human life or property due to the collapse, explosion, etc. of a building, structure, etc. occurs;

2. Where a fire breaks out;

3. Other cases where necessary to rescue a human life from any risk currently occurring.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 17 (Exceptions to Restrictions on Acts)

"Activity prescribed by Presidential Decree" in Articles 28 (2) 3 and 29 (1) 4 of the Act means the activities conducted by a local resident in a special protection district or its vicinity or the owner, occupant or manager of the relevant land or waters for farming, fishery, collection of marine products, mushrooms, wild greens, etc., and other similar activities that are recognized as ecologically sustainable.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 18 (Prohibited Activities)

"Activities to be prohibited for the protection of wildlife, prescribed by Presidential Decree" in Article 28 (3) 4 of the Act means any of the following activities:

1. Chasing after wild animals by generating sound, light, smoke, malodor, etc.;
2. Damaging nests and habitats of wildlife;
3. Collecting and deforesting grass, trees and bamboos: Provided, That the same shall not apply where it is necessary to continue the farming activities performed in a special protection district prior to the designation of the special protection district, or where the head of the relevant administrative agency collects and deforests grass, trees and bamboos to protect, etc. wildlife after consulting with the Minister of Environment;
4. Grazing livestock;
5. Capturing wild animals or collection of their eggs;
6. Pasturing animals: Provided, That the same shall not apply where any distressed animal is grazed in the same area after being rescued and medically treated, or where the head of the relevant administrative agency pastures any wild animal to restore it after consulting with the Minister of Environment.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 19 (Compensation for Loss Caused by Designation of Special Protected Districts)

(1) A person who intends to receive compensation for loss pursuant to Article 31 (2) of the Act shall file an application for compensation for loss with the Minister of Environment, as prescribed by the Ordinance of the Ministry of Environment.

(2) The amount of compensation for loss under paragraph (1) shall be determined by the Minister of Environment in consultation with the applicant.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 20 (Conclusion of Endangered Species Management Contracts, etc.)

(1) The Minister of Environment, the head of the relevant central administrative agency, or the head of a local government (hereafter in this Article referred to as "head of the relevant government agency") who intends to conclude an endangered species management contract pursuant to Article 32 (1) of the Act shall publish necessary matters including the major contents of the contract, subject area, period of contract, etc. in the official report of the local government having jurisdiction over the areas subject to the contract, and post such matters on the bulletins of the Eup/Myeon/Dong office having jurisdiction over the subject area for at least 15 days.

(2) The owner, occupant or manager of land or waters who intends to conclude an

endangered species management contract pursuant to Article 32 (1) of the Act (hereafter in this Article referred to as "applicant") shall submit the documents prescribed by Ordinance of the Ministry of Environment relating to the application to the head of the relevant government agency.

- (3)The head of the relevant government agency in receipt of documents related to application pursuant to paragraph (2) may adjust necessary matters such as the contents of the contract, method of calculating the amount of compensation, and timing for payment, in consultation with the applicant.
- (4)Where the head of the relevant government agency who intends to terminate an endangered species management contract because it is impracticable to maintain it or because the contract becomes unnecessary, he/she shall have prior consultation with the counterparty to the contract.
- (5)The Minister of Environment may determine detailed matters concerning the reporting on the contents of a contract and other matters necessary for the operation of endangered species management contracts and notify them to the heads of the relevant central administrative agencies and the head of local governments.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 21 (Standards for Compensation for Loss Caused by Endangered Species Management Contracts)

- (1)The standards for compensation for loss under Article 32 (2) of the Act shall be classified as follows:
- 1.Where it becomes impossible to harvest due to non-cultivation: The amount calculated by multiplying the unharvestable area by the amount of loss per unit area;
 - 2.Where crop yield is decreased due to changes in cultivation method: An amount calculated by multiplying the area where the yield is decreased by the amount of loss per unit area;
 - 3.Where crops are not harvested for feeding wild animals, etc.: An amount calculated by multiplying the area not harvested by the amount of loss per unit area;
 - 4.Where land is lent to a state or local government: An amount equivalent to the rent of the neighboring land;
 - 5.Where any shelter for wild animals such as wetlands is created: An amount necessary for the creation and management of wetlands, etc.;
 - 6.Other cases where any loss occurs due to fulfillment of the contract: An amount equivalent to the amount of loss.
- (2)The amount of loss per unit area under paragraph (1) 1 through 3 shall be determined and publicly notified by the Minister of the Environment.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 22 (Support for Residents of Special Protected Districts, etc.)

- (1)Facilities eligible for the grant of a subsidy by the Minister of Environment pursuant to Article 32 (3) of the Act shall be the waste water processing facilities or individual septic tanks to be installed when housing units (excluding apartment housing and tenement housing under Article 3 (1) of the Enforcement Decree of the Housing Act) are newly constructed, renovated, or extended at an adjacent area. <Amended by Presidential Decree No. 27444, Aug. 11, 2016>

- (2)The scope of an adjacent area under paragraph (1) shall be publicly notified by the Minister of Environment by special protection district in consideration of the source and quantity of water pollutants, the self-purification capacity of the river, etc.
- (3)The standards for calculation of the amount to be subsidized pursuant to Article 32 (3) of the Act shall be publicly notified by the Minister of Environment taking into consideration the types and sizes of the waste water processing facilities or the individual septic tanks, the location of the subject area, etc.
- (4)A person who intends to receive support pursuant to Article 32 (3) of the Act shall file an application for support with the competent Mayor/Do Governor, as prescribed by Ordinance of the Ministry of Environment.
- (5)A Mayor/Do Governor shall formulate a plan for supporting residents including the following matters after compiling applications for support received pursuant to paragraph (4), and submit said plan to the Minister of Environment by April 30 of each year:
- 1.Project overview;
 - 2.Areas and number of households requiring support;
 - 3.A plan for implementing support;
 - 4.Total amount of support.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]
Article 23 (Designation of Wildlife Protection Districts, etc.)

- (1)Where deemed necessary to hear opinions of residents pursuant to Article 33 (2) of the Act, a Mayor/Do Governor or the head of a Si/Gun/Gu may hold a briefing session for residents.
- (2)Where an area to be designated as a wildlife protection district pursuant to Article 33 (1) of the Act extends over two or more local governments, the head of the local government whose area of the protection district to be designated under Article 33 (2) of the Act is larger than the area extending over other local governments shall designate it in consultation with the heads of relevant local governments.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]
Article 23-2 (Formulation, etc. of Master Plans for Control of Wild Animal Diseases)

- (1)Other matters concerning the policies, etc. for prevention of wild animal diseases under Article 34-3 (2) 7 of the Act shall be as follows:
- 1.Matters concerning setting of the objectives and main direction of the control of wild animal diseases;
 - 2.Matters concerning the development of technologies for prevention and diagnosis of wild animal diseases and preventive medicines;
 - 3.Matters concerning the improvement of public sanitation related to wild animal diseases;
 - 4.Matters concerning the support for and cooperation, etc. with domestic and overseas research institutes, research organizations, etc. related to wild animal diseases;
 - 5.Matters concerning securing and managing financial resources required for the control of wild animal diseases;
 - 6.Other matters necessary for formulating a master plan and detailed plans for the control of wild animal diseases.

- (2)The Minister of Environment may modify a master plan for the control of wild animal diseases pursuant to Article 34-3 (1) of the Act in accordance with the changes in natural conditions, etc., and shall notify each Mayor/Do Governor thereof, if any modification is made.
- (3)Upon formulating a detailed plan for the control of wild animal diseases pursuant to Article 34-3 (4) of the Act, a Mayor/Do Governor shall notify the Minister of Environment thereof.
- (4)A Mayor/Do Governor may modify a detailed plan formulated under paragraph (3) in accordance with the changes in natural conditions, etc., and shall notify the Minister of Environment thereof for any modification made.
- (5)Where deemed necessary to control wild animal diseases, the Minister of Environment may request a Mayor/Do Governor to modify a detailed plan formulated under paragraph (3).

[This Article Newly Inserted by Presidential Decree No. 26159, Mar. 24, 2015]
Article 23-3 (Standards for Establishment and Operation of Wild Animal Treatment Institutions)

A wild animal treatment institution under Article 34-4 (1) of the Act shall fulfill all of the following requirements:

1. Standards for human resources: It shall secure at least two persons who fall under any of the following items:
 - (a) Veterinarians (including public veterinarians responsible for prevention of epidemics);
 - (b) A person who majored in veterinary medicine, biology or any field related thereto at a junior college or a higher educational institution;
 - (c) A person who has experience in the research of wild animal diseases and the rescue and medical treatment of them for at least one year;
 - (d) A persons who has experience of working in the field of veterinary medicine, biology or any field related thereto at an institution, organization, college, university, etc. for at least one year;
2. Standards for facilities: The institution shall be equipped with facilities for diagnosing and treating diseases of wild animals, such as clinics, hospital rooms, and temporary shelters;
3. Standards for equipment: The institution shall be equipped with equipment for rescuing and treating, such as rescue vehicles, transportation equipment, and medical treatment equipment.

[This Article Newly Inserted by Presidential Decree No. 26159, Mar. 24, 2015]
Article 23-4 (Administrative Agency Performing Duties Related to Wild Animal Diseases)
"Agency prescribed by Presidential Decree" in Article 34-7 (2) of the Act means the President of the National Institute of Environmental Research.

[This Article Newly Inserted by Presidential Decree No. 26159, Mar. 24, 2015]
Article 23-5 (Institution to Be Notified of Wild Animal Diseases)
"Head of an institution prescribed by Presidential Decree and belonging to the Ministry of Health and Welfare" in Article 34-7 (4) 3 of the Act means the Director of the Centers for Disease Control and Prevention.

[This Article Newly Inserted by Presidential Decree No. 26159, Mar. 24, 2015]

Article 24 (Establishment of Information Exchange System)

In establishing an information exchange system under Article 38 of the Act, the Minister of Environment shall take necessary measures to protect related information, such as preparation of security measures.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 24-2 (Establishment, Operation, etc. of Biological Resource Centers)

(1) The State may establish and operate biological resource centers by region in order to share the functions of biological resource centers prescribed in Article 26 and to efficiently conserve, manage, investigate and research biological resources.

(2) The State and a local government may hear opinions of related specialists, etc., if necessary to establish and operate a biological resource center.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 25 (Formulation of Master Plans for Biological Resource Centers)

(1) The State shall formulate a master plan necessary to operate biological resource centers (hereinafter referred to as "master plan for biological resource center").

(2) A master plan for biological resource centers shall include the following matters:

1. Matters concerning setting of policy objectives and basic direction of biological resource centers;
2. Matters concerning long- and short-term project plans;
3. Matters concerning the establishment and operation of biological resource centers by region;
4. Matters concerning the current state of conservation of biological resources in and out of the country and the prospect of their use;
5. Matters concerning the research and development, such as the conservation and management of biological resources;
6. Matters concerning the establishment of lists of species and an information system;
7. Matters concerning the support for and fostering of industries which use biological resources as their source materials, etc.;
8. Other matters necessary to promote biological resource centers.

(3) Necessary matters concerning the procedures, etc. for the formulation of master plans for biological resource centers shall be determined by the Minister of Environment.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 26 (Functions)

Functions of a biological resource center shall be as follows:

1. Collection, conservation, management, research and exhibition of biological resources;
2. Specialized and scientific investigation and research on biodiversity;
3. Support of policy on biodiversity and conservation and management of bio resources;
4. Establishment of lists of species in the Korean Peninsula, and compiling of information on locations of voucher specimens;
5. Integration of information related to biological resources, and establishment and operation of an information management system;
6. Securing, cultivating and providing biological resource materials, such as genetic resources, natural products, and seeds;
7. Support for the development, commercialization and industrialization of technologies

- for the conservation and use of biological resources;
- 8. Establishment and operation of biodiversity education programs;
- 9. Production and distribution of publications on biodiversity data;
- 10. Cooperation with other domestic and overseas institutions concerning the exchange of research, technical data, publications or information, and joint research, etc. on biodiversity.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 27 (Qualifications of Specialists)

A person specialized in the classification, conservation, etc. of biological resources referred to in Article 39 (2) of the Act shall fall under any of following subparagraphs:

1. A biology classification engineer under the National Technical Qualifications Act;
2. A person who has a master's degree or higher in the field of biological resources and has engaged in the relevant field for at least one year;
3. A persons who has a bachelor's degree or higher in the field of biological resources and has engaged in the field for at least three years.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 28 (Establishment of Hunting Grounds)

Where a Mayor/Do Governor or the head of a Si/Gun/Gu intends to establish a hunting ground pursuant to Article 42 of the Act, he/she shall take into consideration the current state of wild animals in the planned area and the current state of damage, etc. caused by harmful wild animals.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 29 (Investigation of Inhabitation Density of Wild Animals, etc.)

- (1) The Minister of Environment shall investigate the kinds of wild animals, the inhabitation density, etc. of wild animals pursuant to Article 43 (3) of the Act at least biennially, and shall inform the result thereof to the relevant City/Do.
- (2) Except as otherwise expressly provided for in paragraph (1), matters necessary to investigate the kinds of wild animals, the inhabitation density, etc. of wild animals shall be determined and publicly notified by the Minister of Environment.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 30 (Application for Hunting License)

A person who intends to obtain a hunting license pursuant to Article 44 (1) of the Act shall pass the hunting license examination referred to in Article 45 of the Act and complete a training course for hunting referred to in Article 47 of the Act, and thereafter shall apply for a hunting license to the head of the Si/Gun/Gu having jurisdiction over the place of his/her residence as prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 31 (Method of Administering Hunting License Examinations)

- (1) The method of a hunting license examination to be administered under Article 45 of the Act shall be a written examination in principle, but practical examination may be added, if a Mayor/Do Governor deems it necessary.
- (2) The points required for passing a hunting license examination shall be at least 40 out of 100 per each subject and the average point of at least 60 in all subjects.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 32 (Application for Hunting License Examinations, etc.)

(1) A person who intends to apply for a hunting license examination pursuant to Article 45 (1) of the Act shall submit an application form prescribed by Ordinance of the Ministry of Environment to a Mayor/Do Governor.

(2) Matters necessary for the public announcement of a hunting license examination and other matters for the administration of a hunting license examination shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 33 Deleted. <by Presidential Decree No. 24001, Jul. 31, 2012>

Article 34 (Projects Related to Protection of Wild Animals)

"Project prescribed by Presidential Decree" in the main sentence of Article 50 (3) of the Act means each of the following projects:

1. Investigation on the current state of inhabitation of wild animals;
2. Investigation of moving routes of wild animals;
3. Creation of an inhabiting environment for wild animals, by such measures as planting of plants that wild animals feed on, or by protection of habitats;
4. Installation of moving passages for wild animals;
5. Installation of protection facilities, such as signs or birdhouses;
6. Artificial reproduction, pasturing or restoration of wild animals;
7. Operation of medical facilities for infected, distressed or injured wild animals;
8. Regulation of illegal capturing of wild animals;
9. Installation of wild animal observatory and watching grounds;
10. Compensation for damage caused by wild animals and support for the installation costs of damage prevention facilities;
11. Enlightenment activities concerning the protection of wild animals, such as production of promotional materials;
12. Support for wild animal protection activities performed by corporations related to protection of wild animals.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 35 (Purchase of Insurance)

The insurance that a person who intends to hunt wild animals in hunting grounds is obligated to purchase pursuant to Article 51 of the Act, shall be able to cover the amount classified as follows:

1. In cases of causing death or injury to others during hunting: At least 100 million won;
2. In cases of damaging other person's property during hunting: At least 30 million won.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 36 (Requirements, etc. for Entrusting Management of Hunting Grounds)

(1) "Requirements prescribed by Presidential Decree" in Article 53 (1) of the Act means the following requirements:

1. The establisher of a hunting ground shall own at least 100 hectares of land or the source of right to use such land;
2. The establisher of a hunting ground shall install facilities necessary for the artificial breeding of wild animals that can be hunted in the hunting ground, and shall be able to provide artificially bred animals as hunting targets.

(2) If the establisher of a hunting ground entrusts the management and operation of the hunting ground pursuant to Article 42 (1) of the Act, he/she shall file a report thereon with the Minister of the Environment together with documents specifying the following matters in accordance with Article 53 (2) of the Act:

1. Necessity for entrusting management;
2. Location and zone of the hunting ground planned for entrustment of management, period of entrustment, and location of the management office to be operated by the entrusted person;
3. Method of entrusting management and fees for using the hunting ground;
4. Plan for artificial breeding of wild animals that can be hunted in the hunting ground and plan for the installation of facilities;
5. The catches allowed per person;
6. Hunting methods and hunting tools;
7. Business plan for the hunting ground planned for entrustment of management;
8. Budget statement on entrustment of management;
9. Drawings showing the area planned for entrustment of management.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 37 (Reporting, Examination, etc.)

In any of the following cases, a periodic report on the changes in the population of wild animals and protection facilities, and other necessary matters pursuant to Article 56 (1) of the Act may be required by the Minister of Environment or a Mayor/Do Governor:

1. Where there is a risk of harm to the survival or abuse of living endangered wildlife or globally endangered species;
2. Where there is a risk of disturbance of ecosystem, if the wildlife being kept is exposed to the ecosystem;
3. Other cases where the Minister of Environment or a Mayor/Do Governor deems necessary to protect wildlife.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 38 (Payment of Rewards)

- (1) An environmental administrative office or investigation agency in receipt of a report or complaint against a person falling under any subparagraph of Article 57 of the Act shall notify the Minister of Environment or the head of the competent local government of the outline of the case.
- (2) The Minister of Environment or the head of a local government in receipt of notification under paragraph (1) may inspect the decision of the court about the relevant case and pay the reward within budgetary limits within two months from the date of the final and conclusive decision: Provided, That if the Minister of Environment deems it necessary, the reward may be paid before the final and conclusive decision is made.
- (3) The reward under paragraph (2) shall be determined by the Minister of Environment in consideration of the value of the wildlife related to the relevant case converted into money.
- (4) The Minister of the Environment or the head of a local government may pay a reward within budgetary limits to a person who has reported any wild animal (including any

dead wild animal) confirmed as infected or likely to be infected by a disease pursuant to Article 34-6 (1) of the Act within two months after the disease of the wild animal is confirmed. In such cases, necessary matters concerning the amount of the reward and payment procedures, etc. shall be determined and publicly notified by the Minister of Environment. <Newly Inserted by Presidential Decree No. 26159, Mar. 24, 2015>

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 39 (Delegation of Authority)

(1) Pursuant to Article 66 (1) of the Act, the Minister of Environment shall delegate his/her authority under Article 3 of the Act over the purchase of land, etc. in special protection districts and compensation for loss to each Mayor/Do Governor.

(2) Pursuant to Article 66 (1) of the Act, the Minister of Environment shall delegate his/her authority over the following matters to the head of each basin environmental management office or the head of each subregional environmental management office: <Amended by Presidential Decree No. 25480, Jul. 16, 2014>

1. Necessary measures such as seizure of wild animals, etc. under Article 9 (2) of the Act;
2. Permission to capture, collect, etc. endangered wildlife under the proviso to Article 14 (1) of the Act;
3. Permission to use, etc. explosives under the proviso to Article 14 (2) of the Act;
4. Receiving of reports on capture, collection, etc. under Article 14 (4) of the Act;
5. Receiving of reports on keeping under Article 14 (5) of the Act;
6. Revocation of permission and Receiving of returned permits under Article 15 of the Act;
7. Permission to export, import, bring in, or remove globally endangered species and the products processed therefrom, under the main sentence of Article 16 (1) of the Act;
8. Approval for modification of use under the proviso to Article 16 (3) of the Act;
9. Receiving of reports on transfer, acquisition, death, etc. under Article 16 (6) of the Act;
- 9- Issuance of certificates for artificial reproduction of globally endangered species under 2. the main sentence of Article 16 (7) of the Act;
- 9- Permission for artificial reproduction of globally endangered species under the proviso 3. to Article 16 (7) of the Act;
- 9- Receiving of registration of breeding facilities for globally endangered species under 4. Article 16-2 (1) of the Act;
- 9-5. Receiving of registration of or report on modification under Article 16-2 (2) of the Act;
- 9-6. Periodic or irregular inspection under Article 16-4 (1) of the Act;
- 9-7. Improvement orders under Article 16-5 of the Act;
- 9- Receiving of reports on the closure or suspension of operation of facilities under 8. Article 16-7 (1) of the Act;
- 9-9. Revocation of registration under Article 16-8 (1) of the Act;
- 9- Revocation of registration or issuance of orders to close facilities under Article 16-8 10. (2) of the Act;
- 9- Receiving of reports on succession to the rights and duties of breeding facility 11. registrants under Article 16-9 (2) of the Act;
10. Revocation of permission for exportation, import, bringing in or removal of globally endangered species and products processed therefrom, under Article 17 (1) of the Act;
11. Protective measures under Article 17 (2) of the Act and returning and transportation of

- globally endangered species under paragraph (3) of the same Article;
12. Measures for animals reverted to wild state under Article 24 (1) of the Act;
 13. Permission to import or bring in wildlife that disturbs ecosystem, under Article 25 (3) of the Act;
 14. Requesting to take measures for the management of wildlife that disturbs ecosystem, under Article 25 (5) of the Act;
 15. Guidance to, enforcement of regulations against, and restriction of activities of, persons who have conducted damaging activities or prohibited activities in a special protection district, under Article 28 of the Act;
 16. Restriction on and prohibition of access to special protection districts, public notification of locations, etc. of areas where access is restricted or prohibited, and revocation of restriction on or prohibition of access, and public notification of such fact, under Article 29 of the Act;
 17. Orders to suspend activities in special protection districts, to reinstate, or to take other corresponding measures, under Article 30 of the Act;
 18. Conclusion of, and recommendation for conclusion of, endangered species management contracts, and compensation for loss caused by fulfilment of the contracts, under Article 32 (1) and (2) of the Act;
 19. Subsidization of installation costs of waste water processing facilities, etc., under Article 32 (3) of the Act;
 20. Formulation of a plan for assistance, and request for taking measures necessary for such assistance, under Article 32 (4) of the Act;
 21. Approval for removing biological resources out of Korea under Article 41 of the Act;
 22. Orders to file reports or submit data, and gaining access to the office, etc. and conducting examinations and asking questions, under Article 56 (1) of the Act;
 23. Examination of endangered wildlife and inspection on whether a certificate of a hunting license is being carried, under Article 56 (2) of the Act;
 24. Gaining access to a place where globally endangered species inhabit and examination of related documents, etc., under Article 56 (3) of the Act;
 25. Matters concerning the payment of rewards under Article 57 of the Act;
 26. Appointment of wildlife wardens under Article 59 of the Act;
 27. Commissioning of honorary wildlife wardens under Article 61 of the Act;
 28. Dismissal of wildlife wardens and revocation of appointment of honorary wildlife wardens under Article 62 of the Act;
 29. Holding hearings under Article 64 of the Act (limited to cases falling under Articles 15 (1) and 17 (1) of the Act);
 30. Imposition and collection of administrative fines under Article 73 (2) and (3) 3 through 5, 11, 12 and 24 of the Act;
 31. Matters concerning the issuance of certificates of artificial reproduction under Article 11;
- (3) Pursuant to Article 66 (1) of the Act, the Minister of Environment shall delegate his/her authority to disclose the current state of outbreak of wild animal diseases to the Director of the Centers for Disease Control and Prevention under Article 34 (8) 1 of the Act. <Amended by Presidential Decree No. 26159, Mar. 24, 2015>

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

Article 39-2 (Management of Personally Identifiable Information)

The Minister of Environment (including persons to whom the authority of the Minister of Environment is delegated or entrusted under Article 39) or the head of a local government (including persons to whom his/her authority is delegated or entrusted, in cases where such authority is delegated or entrusted) may manage the data which contain resident registration numbers, passport numbers, or alien registration numbers under subparagraph 1, 2 or 4 of Article 19 of the Enforcement Decree of the Personal Information Protection Act, if the management of such data is essential to perform the following affairs: <Amended by Presidential Decree No. 26159, Mar. 24, 2015>

1. Affairs related to the designation of an ex-situ conservation institution under Article 7 (1) of the Act;
2. Deleted; <by Presidential Decree No. 26159, Mar. 24, 2015>
3. Affairs related to the support for installing facilities to prevent damages caused by wild animals under Article 12 (1) of the Act;
4. Affairs related to the compensation for damages caused by wild animals under Article 12 (2) of the Act;
5. Affairs related to the capture, collection, etc. of endangered wildlife under Article 14 (1) of the Act;
6. Affairs related to reporting on keeping of endangered wildlife, etc. under Article 14 (5) of the Act;
7. Affairs related to the permission, etc. to export, import, and remove globally endangered species, etc., under Article 16 (1) of the Act;
8. Affairs related to the approval for the modification of the use of globally endangered species, etc. under the proviso to Article 16 (3) of the Act;
9. Affairs related to the permission to capture, etc. wildlife under Article 19 (1) of the Act;
10. Affairs related to the permission to capture harmful wild animals under Article 23 (1) of the Act;
11. Affairs related to the permission to import or bring in wild life that disturbs the ecosystem, under Article 25 (3) of the Act;
12. Affairs related to the compensation for loss under Article 31 (2) of the Act;
13. Affairs related to the conclusion, etc. of endangered species management contracts under Article 32 (1) of the Act;
14. Affairs related to the subsidization of costs for installing private sewage treatment facilities under Article 32 (3) of the Act;
15. Affairs related to gaining access to wildlife protection districts under Article 33 (5) of the Act;
- 15- 2. Affairs related to the designation of wild animal treatment institutions under Article 34-4 (2) of the Act;
16. Affairs related to the registration of facilities for conservation of biological resources under Article 35 (1) of the Act;
17. Affairs related to the registration of a manufacturing business or sales business of stuffed wild animals or registration of modification under Article 40 (1) of the Act;
18. Affairs related to hunting licenses, the renewal thereof, and hunting license

- examinations under Articles 44 and 45 of the Act;
19. Affairs related to training courses for hunting under Article 47 of the Act;
 20. Affairs related to the issuance and reissuance of hunting licenses under Article 48 of the Act;
 21. Affairs related to granting approval for hunting in hunting grounds under Article 50 (1) of the Act;
 22. Affairs related to the entrustment of management and operation of hunting grounds under Article 53 (1) of the Act;
 23. Affairs related to the appointment of wildlife wardens under Article 59 (1) of the Act;
 24. Affairs related to the commissioning of honorary wildlife wardens under Article 61 of the Act;
 25. Affairs related to the issuance of certificates of artificial reproduction under Article 11. [This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]
- Article 39-3 (Re-Examination of Regulation)

The Minister of Environment shall examine the appropriateness of the following matters every three years, counting from each base date specified in the following (referring to the period that ends on the day before the base date of every third year) and shall take measures, such as making improvements:

1. Globally endangered species subject to permission for artificial reproduction under Article 13-2 and attached Table 1-2: July 17, 2014;
2. Globally endangered species subject to registration of breeding facilities under Article 13-3 and attached Table 1-3: July 17, 2014;
3. Breeding facilities subject to inspection by the Minister of Environment under Article 13-4: July 17, 2014.

[This Article Newly Inserted by Presidential Decree No. 25480, Jul. 16, 2014]

Article 40 (Criteria for Imposition of Administrative Fines)

The criteria for imposition of administrative fines under Article 73 (1) through (3) of the Act shall be as specified in attached Table 2.

[This Article Wholly Amended by Presidential Decree No. 24001, Jul. 31, 2012]

ADDENDA

Article 1 (Enforcement Date)

This Decree shall enter into force on February 10, 2005.

Article 2 (Repeal of Other Statutes)

The Enforcement Decree of the Protection and Hunting of Wild Birds and Animals Act shall be repealed.

Article 3 (Transitional Measures concerning Application of Administrative Dispositions)

Where any administrative disposition has been received before this Decree enters into force due to an offense which is the same as an offense specified in attached Table 2 of this Decree among offenses prescribed in Article 10 (2) of the Protection and Hunting of Wild Birds and Animals Act, it shall be deemed to have received an administrative disposition due to an offense specified in attached Table 2 of this Decree.

Article 4 Omitted.

Article 5 (Relationship to Other Statutes)

Where any other statute cites the Enforcement Decree of the Natural Environment Conservation Act or the Enforcement Decree of the Protection and Hunting of Wild Birds and Animals Act or the provisions thereof as at the time this Act enters into force, said statutes shall be deemed to cite this Decree or the relevant provisions of this Decree in lieu of the former provisions, if provisions corresponding thereto exist in this Decree.

ADDENDUM <Presidential Decree No. 19049, Sep. 14, 2005>

This Decree shall enter into force on October 1, 2005.

ADDENDA <Presidential Decree No. 19991, Apr. 4, 2007>

Article 1 (Enforcement Date)

This Decree shall enter into force on April 5, 2007.

Articles 2 through 4 Omitted.

ADDENDUM <Presidential Decree No. 20385, Nov. 15, 2007>

This Decree shall enter into force on November 18, 2007.

ADDENDA <Presidential Decree No. 20680, Feb. 29, 2008>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 21078, Oct. 8, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 21481, May 6, 2009>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures)

(1)The criteria for administrative dispositions against offenses committed before this Decree enters into force shall be governed by the former provisions.

(2)In applying the criteria for administrative dispositions based on the number of offenses pursuant to the amended provisions of this Decree, the offense committed for the first time after this Decree enters into force shall be deemed the first offense.

ADDENDUM <Presidential Decree No. 22630, Jan. 20, 2011>

This Decree shall enter into force on January 24, 2011.

ADDENDA <Presidential Decree No. 22737, Mar. 29, 2011>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Administrative Fines)

(1)Notwithstanding the amended provisions of attached Table 3, the application of the criteria for imposition of administrative fines against offenses committed before this Decree enters into force shall be governed by the former cases.

(2)The imposition dispositions of administrative fines which have been received due to offenses committed before this Decree enters into force shall be counted in the calculation of the number of offenses under the amended provisions of attached Table 3.

ADDENDA <Presidential Decree No. 22977, Jun. 24, 2011>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 23488, Jan. 6, 2012>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 24001, Jul. 31, 2012>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

Article 3 (Relationship to Other Statutes)

Where any other statute cites the Enforcement Decree of the former Wild Flora and Fauna Protection Act or the provisions thereof as at the time this Act enters into force, it shall be deemed to cite this Decree or the relevant provisions of this Decree in lieu of the former Wild Flora and Fauna Protection Act or the provisions thereof, if provisions corresponding thereto exist in this Decree.

ADDENDA <Presidential Decree No. 24451, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDUM <Presidential Decree No. 25480, Jul. 16, 2014>

This Decree shall enter into force on July 17, 2014.

ADDENDUM <Presidential Decree No. 26159, Mar. 24, 2015>

This Decree shall enter into force on March 25, 2015.

ADDENDA <Presidential Decree No. 26416, Jul. 20, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 21, 2015.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 27444, Aug. 11, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 12, 2016.

Articles 2 through 8 Omitted.

ADDENDA <Presidential Decree No. 27569, Nov. 1, 2016>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Administrative Fines)

The imposition dispositions of administrative fines which have been received due to offenses committed before this Decree enters into force shall not be counted in the calculation of the number of offenses under the amended provisions of subparagraph 2 (o) and (x) through (zb).

