

ENFORCEMENT RULE OF THE ANIMAL PROTECTION ACT

Wholly Amended by Ordinance of the Prime Minister No. 261, Feb. 21, 2012
Amended by Ordinance of the Prime Minister No. 329, Dec. 26, 2012
Ordinance of the Prime Minister No. 1575, Jan. 3, 2008

Article 1 (Purpose)

The purpose of these rules is to provide for matters delegated by the Animal Protection Act and the Enforcement Decree of the same Act and those necessary for the enforcement thereof.

Article 2 (Qualification of Members of Animal Welfare Committee)

"A person who meets the standards for qualification determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" under Article 5 (3) 3 of the Animal Protection Act (hereinafter referred to as "the Act") means any of the following persons: *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

1. Members of Animal Experimentation Ethics Committee (hereinafter referred to as "the Ethic Committee") under Article 25 (1) of the Act;
2. A person with abundant knowledge and experiences concerning animal care and animal welfare, as a business manager falling under any of the subparagraphs of Article 32 (1) of the Act;
3. A person recommended by the Minister of Agriculture, Food and Rural Affairs (including the head of an agency belonging thereto) or the heads of local governments, being appointed as an honorary animal guardian under Article 41 of the Act;
4. A person with abundant knowledge and experiences concerning animal care and animal welfare, as a representative of the livestock industry group under subparagraph 3 of Article 2 of the Creation and Management of Self-Help Livestock Funds Act;
5. An attorney-at-law or a current or former assistant professor or higher in charge of law in the college under Article 2 of the Higher Education Act;
6. A current or former assistant professor or higher in charge of animal care and animal welfare in the college under Article 2 of the Higher Education Act;
7. A person recognized as having abundant knowledge and experiences concerning animal care and animal welfare by the Minister of Agriculture, Food and Rural Affairs.

Article 3 (Appropriate Methods, etc. of Raising and Managing Animals)

Matters regarding appropriate methods for raising and managing animals under Article 7 (4) of the Act shall be as specified in attached Table 1.

Article 4 (Prohibition against Cruelty to Animals)

(1) "Killing an animal without any justifiable grounds specified in Ordinance of the Ministry of Agriculture, Food and Rural Affairs" under Article 8 (1) 3 of the Act means any of the following: *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

1. Killing an animal, even when any other means exists, to prevent direct threat to human life or body or damage to property;
2. Using an animal to feed another animal, without an inevitable reason, such as the behavior of animals, the ecological environment, etc.

(2) "Cases determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" referred to in the proviso to Article 8 (2) 1 and 2 of the Act means any of the following: *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

1. Prevention or treatment of diseases;
2. Animal experimentation conducted under Article 23 of the Act;
3. Act for the protection of relevant animals in case of emergency.

(3) "A case determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs such as folk games" referred to in the proviso to Article 8 (2) 3 of the Act shall be the bullfighting provided for in the Traditional Bullfighting Match Act, which shall be determined and publicly notified by the Minister of Agriculture, Food and Rural Affairs. *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

(4) "Inflicting an injury upon an animal without any justifiable ground specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" under Article 8 (2) 4 of the Act means any of the following: *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

1. Inflicting an injury upon an animal, even when any other means exists, to prevent direct threat to human life or body or damage to property;
2. Inflicting an injury upon an animal by physical means with heat, electricity, water, etc. or by a chemical method with medicine, etc.

Article 5 (Persons Transporting Animals)

"A person who is determined by Ordinance of the Ministry of Agriculture, Food, and Rural Affairs" in the section other than each subparagraph of Article 9 (1) of the Act shall be one who has a major role in transporting animals. *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

Article 6 (Slaughtering of Animals)

(1) "The method determined by Ordinance of the Ministry of Agriculture, Food, and Rural Affairs" under Article 10 (1) of the Act means any of the following methods:

1. Gas stunning, or medication;
 2. Electrical stunning, percussive stunning, shoot stunning, or stab stunning.
- (2) In cases of slaughtering pursuant to the Livestock Products Sanitary Control Act out of the methods of slaughtering animals referred to in each subparagraph of paragraph (1), the Minister of Agriculture, Food and Rural Affairs may issue public notice to determine a method which can be applied to minimize suffering. <Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>

Article 7 (Standards for Regions Excluded from Registration of Animals)

Scope of regions where animals need not be registered by the Municipal Ordinance of cities or provinces in accordance with the proviso to Article 12 (1) of the Act shall be as follows:

1. Islands, the wild, or remote areas;
2. Si and Gun with a population of less than 100,000.

Article 8 (Details to be Registered and Methods, etc. regarding Animals Subject to Registration)

(1) A person who intends to register animals subject to registration pursuant to the main sentence of Article 12 (1) of the Act shall submit an application for animal registration (referred to as the report of changes) in the attached form No. 1 to the competent head of a Si/Gun/Gu (referring to the head of an autonomous Gu; hereinafter the same apply) and the Special Self-governing City Mayor (hereinafter referred to as "the head of a Si/Gun/Gu) within 30 days from the date when he/she has obtained the ownership or within 30 days from the date when owned animals become subject to registration. In such cases, the head of a Si/Gun/Gu shall verify a certified copy and an abridged copy of residence register through the joint use of the administrative information under Article 36 (1) of the Electronic Government Act, and if the applicant disagrees with its verification, the relevant documents shall be attached thereto.

<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 68, Dec. 31, 2013>

(2) The head of a Si/Gun/Gu in receipt of the application for animal registration pursuant to paragraph (1) shall equip animals subject to registration with the radio electronic identification equipment (hereinafter referred to as "radio identification equipment") or the identification tag in accordance with the method of granting the animal registration number of the attached Table 2, shall issue the animal registration certificate (including the electronic method) in the attached form No. 2, and shall record, maintain, and manage the matters to be registered in accordance with the animal care management system (hereinafter referred to as "animal care management system") under Article 7 (1) of the Enforcement Decree of the Animal Protection Act.

(3) A person who intends to apply for re-issuance of an animal registration certificate due to an animal registration certificate being misplaced or defaced beyond usability, etc. shall submit a written application for re-issuance of an animal registration certificate to the head of a Si/Gun/Gu in the attached form No. 2. In such cases, the head of a Si/Gun/Gu shall verify a certified copy and an abridged copy of residence register through the joint use of the administrative information under Article 36 (1) of the Electronic Government Act, and if the applicant refuses to allow it to be verified, the relevant documents shall be attached thereto.

Article 9 (Report of Changes, etc. on Matters to be Registered)

(1) "Matters determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" under Article 12 (2) of the Act means any of the following: <Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>

1. Owner;
2. Address of an owner;
3. Telephone No. of an owner;
4. Where an animal subject to registration is lost or killed;
5. Where the animal is found, after reported lost;
6. Where the radio identification equipment or the identification tag for registration is lost or damaged beyond usability.

(2) A changed owner falling under subparagraph 1 of paragraph (1) or an owner of the registered animals in cases under subparagraph 2 through 6 of the same paragraph shall report to the head of a Si/Gun/Gu the following documents attached to the application for animal registration (referred to as the report of changes) in the attached form No. 1 within 30 days from the date when the relevant matters have been changed respectively. In such cases, the head of a Si/Gun/Gu shall verify a certified copy and an abridged copy of residence register (shall be applied to the case only when the owner has been changed) only through the joint use of the administrative information under Article 36 (1) of the Electronic Government Act, and if the applicant refuses to allow it to be verified, the relevant documents shall be attached thereto.

1. Animal registration certificate;
2. A report of lost registered animals;
3. Materials to prove the fact and report of killed registered animals.

(3) The head of a Si/Gun/Gu, in receipt of the report of changes under paragraph (2), shall issue the animal registration certificate in the attached form No. 2 to a person who has reported the change thereof, and shall record, maintain and manage the matters to be registered.

(4) In cases falling under paragraph (1) 2, where a moving-in report has been made in accordance with Article 16 (1) of the Resident Registration Act, now that it is deemed a report of changes, the head of a Si/Gun/Gu shall correct an address of animal care management system, and shall record, maintain and manage the matters to be registered.

(5) In case falling under subparagraphs 3 through 5 of paragraph (1), the owner may report changes in the relevant matters through the animal care management system.

(6) The head of a Si/Gun/Gu, in receipt of a report of changes pursuant to paragraph (2) due to a registered animal being lost shall enter the fact in the record of registration and maintain it for one year from the date its report is received, and shall revoke matters to be registered where no change has been reported under paragraph (1) 5 for a period of one year.

(7) The head of a Si/Gun/Gu, in receipt of a report of changes pursuant to paragraph (2) due to a registered animal being killed shall enter the fact in the record of registration and shall revoke matters to be

registered after a period of one year.

(8) Concerning reporting changes due to paragraph (1) 6, Article 8 (1) and (2) shall apply mutatis mutandis thereto.

(9) Where the owner reports changes on matters under paragraph (1) 1 through 5 for animals subject to registration already registered, the head of a Si/Gun/Gu in the area where animals are excluded from registration pursuant to Article 7 shall maintain and manage the information of the relevant animal registration.

Article 10 (Proxys for Registration)

(1) A person who may act as a proxy on animal registration under Article 12 (4) of the Act shall be any of the following, as appointed by the head of the relevant Si/Gun/Gu:

1. A person who has established a hospital under Article 17 of the Veterinarians Act;
2. A private nonprofit organization, aiming to protect animals, which is registered under Article 4 of the Assistance for Non-Profit, Non-Governmental Organizations Act;
3. A corporation established under Article 32 of the Civil Act, which aims to protect animals;
4. An animal seller registered under Article 33 (1) of the Act;
5. An animal care center pursuant to Article 15 of the Act.

(2) A person (hereinafter referred to as "proxy" in this Article) who may act as proxy for animal registration pursuant to paragraph (1) shall have an affiliated veterinarian (including where the appointed person is a veterinarian) perform an act necessary for a surgical procedure such as inserting the radio identification equipment into the body for an animal subject to registration. *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 68, Dec. 31, 2013>*

(3) The head of a Si/Gun/Gu shall have the product name of radio identification equipment and a selling price which the relevant proxy is selling, if necessary, for all the persons acting as a proxy within the region under jurisdiction record in the animal care management system and may post it in a location easily seen within the relevant office. *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 68, Dec. 31, 2013>*

Article 11 (Attachment of Identification Tags)

Where an animal subject to registration is located away from the place the animal is usually raised under Article 13 (1) of the Act, the owner of the relevant animal shall affix an identification tag indicating the following matters on an animal subject to registration:

1. Name of the owner;
2. Telephone number of the owner;
3. Registration number of the animal (only for registered animals).

Article 12 (Safety Measures)

(1) When an owner goes outdoors with an animal subject to registration under Article 13 (2) of the Act, a neck leash used for an animal subject to registration shall maintain a range of length that prevents the animal from inflicting any injury upon or threaten others.

(2) When the owner goes outdoors with a ferocious dog pursuant to attached Table 3, he/she shall place a muzzle on his/her mouth. Provided, That a ferocious dog under the age of three months may not have a muzzle over his/her mouth.

Article 13 (Animals Excluded from Measures for Rescue and Protection)

(1) "Animals determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" under the proviso to Article 14 (1) of the Act means a cat reproducing naturally and living natively in a suburban or residential area, and one which is subject to taking measures or to which measures have been taken, such as releasing it in the place of its capture, etc. after neutering it to control cat numbers. <Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>

(2) Detailed methods of treatment in cases falling under paragraph (1) shall be determined and publicly notified by the Minister of Agriculture, Food and Rural Affairs. <Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>

Article 14 (Period for Protective Measures)

When an animal abused by its owner is protected under Article 14 (2) of the Act, the Special Metropolitan City Mayor and a Metro City Mayor, Do Governor, Special Self-governing Province Governor, or Special Self-governing City Mayor (hereinafter referred to as "Mayor/Do Governor") shall take protective measures for the animal for a specified period by diagnosis of a veterinarian, and shall establish a period of refuge from the owner for at least three days.

Article 15 (Designation, etc. of Animal Care Centers)

(1) "Standards determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" under Article 15 (1) and (3) of the Act means the standard for facilities of animal care centers of the attached Table 4. <Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>

(2) A person who intends to obtain designation of an animal care center under Article 15 (4) shall submit within a period fixed by Mayor/Do Governor by attaching the following documents to a designated application form for animal care center in the attached form No. 4:

1. Materials which prove he/she/it meets standards of the attached Table 4;
2. Specifications of buildings and facilities necessary for measures of animal rescue and protection;
3. Status of human resources engaged in measures of animal rescue and protection;
4. Results of measures of animal rescue and protection (applicable only where results exist);
5. A written business plan.

(3) Mayor/Do Governor, in receipt of a written application for designation of an animal care center pursuant to paragraph (2) shall designate a corporation, organization, or agency most suitable to the designation standard of attached Table 4 as an animal care center, and shall issue a written designation of an animal care center in the attached form No. 5.

(4) Mayor/Do Governor who has designated an animal care center shall confirm at least twice yearly whether the standard of paragraph (1) and matters to be observed under Article 19 are met or not.

Article 16 (Support, etc. of expenses for animal care)

- (1) An animal care center which intends to receive financial support for animal care expenses under Article 15 (5) of the Act shall request the Mayor/Do Governor to reimburse such expenses.
- (2) Where expenses for animal care have been requested pursuant to paragraph (1), the Mayor/Do Governor shall confirm its specification, and may pay the amount upon its determination.

Article 17 (Establishment, Function, etc. of Steering Committee of Animal Care Center)

- (1) "Exceeding a certain scale determined by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" under Article 15 (8) of the Act means that the number of abandoned animals treated yearly is at least two thousand. <Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>
- (2) The steering committee (hereinafter referred to as "the steering committee) established in animal care centers under Article 15 (8) of the Act shall deliberate upon the following:
 1. Project plans for the relevant animal care center and matters concerning their implementation;
 2. Matters concerning the budget and settlement of the relevant animal care center;
 3. Other matters concerning whether this Act is observed.

Article 18 (Composition, Operation, etc. of Steering Committee)

- (1) A steering committee shall be comprised of not less than three and not more than ten members, including one chairperson.
- (2) The chairperson shall be elected by mutual vote from among the members; members are appointed by an operator of an animal care center from among any of the following persons:
 1. A veterinarian under subparagraph 1 of Article 2 of the Veterinarians Act;
 2. A person with abundant knowledge and experiences in relation to animal care who is recommended by non-governmental organizations under Article 4 (3) of the Act;
 3. An honorary animal guardian under Article 41 of the Act, commissioned by the head of a local government which has designated the animal care center;
 4. Other persons with abundant knowledge and experiences in relation to animal care.
- (3) The steering committee shall include at least one of the following persons, respectively:
 1. A member falling under subparagraph 1 of paragraph 2;
 2. A member falling under subparagraph 2 and 3 of paragraph 2 and having no vested interest in the animal care center.
- (4) The term of a member shall be two years; he/she may be reappointed.
- (5) The animal care center shall convoke a meeting of the steering council at least once annually, and shall prepare minutes of the meeting and keep them for at least three years.
- (6) Other than matters determined under paragraph (1) through (5), matters necessary for the composition, operation, etc. of the steering committee shall be determined by the chairperson through resolutions passed by the committee.

Article 19 (Matters to be Observed by Animal Care Center)

Matters to be observed by animal care centers under Article 15 (9) of the Act shall be as specified in attached Table 5.

Article 20 (Public Notification)

(1) Where public notification concerning measures of animal care is made pursuant to the proviso to Article 7 (1) of the Decree, the Mayor/Do Governor shall prepare a public notice for animal care in the attached form No. 6 and post it on the bulletin board and the Internet homepage of the relevant local government.

(2) The Mayor/Do Governor shall manage the animal care management system by preparing the entity management card for animal care in the attached form No. 7 and the management register in the attached form No. 8 in accordance with Article 7 (2) of the Decree.

Article 21 (Payment of Animal Care Expenses)

(1) Where the Mayor/Do Governor intends to collect animal care expenses under Article 19 (2) of the Act, he/she shall notify the owner of the relevant animal thereof with written notice of collection expenses in the attached form No. 9.

(2) The owner of animals who has received a written notice of collection expenses pursuant to paragraph (1) shall pay the care expenses within seven days from the date when he/she has received it: Provided, That when it is impossible to pay care expenses due to force majeure or other equivalent causes, payment shall be made within seven days from the date the reason for delay has been resolved.

(3) Where the owner of animals fails to pay care expenses by a due date for payment pursuant to paragraph (2), interests shall be added to the notified expenses, for computing interest, the statutory interest rate shall be applied to the period from the day following a due date for payment to the payment date under Article 3 (1) of the Act on Special Cases concerning Expedition etc. of Legal Proceedings.

(4) Animal care expenses under Article 19 (1) and (2) of the Act shall be prescribed by Municipal Ordinance of a City/Do in consideration of expenses for diagnosis and medical treatment by a veterinarian and care expenses for an animal care center.

Article 22 (Humanitarian Disposal of Animals)

"An event specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" under Article 22 (1) of the Act means any of the following: *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

1. Where a veterinarian has diagnosed that an animal is unable to recover from disease or injury, or suffers from constant pain;
2. Where a veterinarian has diagnosed that an animal is highly likely to transmit any disease or inflict injury on humans or other animals under way of protection;
3. Where unavoidable circumstances are recognized by a Mayor/Do Governor, such as impracticality to donate or parcel out under Article 21 of the Act.

Article 23 (Exception to Application for Prohibition against Animal Experimentation)

(1) "A compelling reason specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" in the proviso to other than each subparagraph of Article 24 of the Act means any of the following cases:

<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>

1. Where diagnosis, treatment, or research of diseases is conducted such as zoonosis;
2. Where an experiment is conducted for communicable diseases control;
3. Where an experiment is conducted for scientific research concerning the relevant animal, ecology, and habitude of species, etc.

(2) If an experiment is conducted for a reason determined by paragraph (1), the deliberation shall be passed through the animal experimentation ethics committee (hereinafter referred to as "Ethics Committee") of an animal experimentation institution which intends to conduct an animal experiment, and if the animal experiment appears reasonable upon deliberation, it is deemed approved under the proviso to other than each subparagraph of Article 24 of the Act.

Article 24 (Joint Establishment, etc. of Ethics Committee)

(1) An institution which may establish an animal ethics committee jointly with another animal experimentation institution under Article 25 (2) of the Act shall be any of the following institutions:

1. Where there are not exceeding three personnel for research;
2. An institution deemed inappropriate to keep the ethics committee apart in view of the deliberation cases of animal experimentation plan, the relevant research result, etc.

(2) Where the ethics committee is jointly established under Article 25 (2) of the Act, a business agreement concerning the joint establishment and operation of the ethics committee among participating animal experimentation institutions shall be concluded.

Article 25 (Results of Operation)

When the head of an animal experimentation institution notifies the head of the Animal and Plant Quarantine Agency (hereinafter referred to as "head of Quarantine Agency") of the operation of the ethics committee and the status of an animal experiment under Article 12 (6) of the Decree, he/she shall conform with a written notice of management results of Ethics Committee (including a written notice made by an electronic document) in the attached form No. 10. *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

Article 26 (Qualification of Members of Ethics Committee)

(1) "A person who meets the standards for qualification specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" under Article 27 (2) 1 of the Act means any of the following persons: *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

1. A special veterinarian in charge of laboratory animals, recognized by the Korea Veterinarian Association under Article 23 of the Veterinarians Act;
2. A veterinarian who has been engaged in work concerning animal experimentation or laboratory animals for at least one year in an animal experimentation institution pursuant to Article 4 of the

Decree;

3. A veterinarian who has completed education under subparagraph 2 or 4 of paragraph (2).

(2) "A person who meets the standards for qualification specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" under Article 27 (2) 2 of the Act means any of the following persons: *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

1. A person who has been engaged in work concerning animal care or animal welfare for at least one year in a corporation or organization under each subparagraph of Article 5 of the Decree;

2. A person who has completed education relevant to animal care, animal welfare or animal experimentation conducted in a corporation or organization under each subparagraph of Article 5 of the Decree or in a school under Article 2 of the Higher Education Act;

3. A person who has worked for at least one year as a member of the National Bioethics Committee under Article 6 of the Bioethics and Safety Act or as a member of the Institutional Review Board under Article 9 of the same Act;

4. A person who has completed education relevant to animal care, animal welfare, or animal experimentation conducted by the head of the Quarantine Agency.

(3) "A person specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" under Article 27 (2) 3 of the Act means any of the following persons: *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

1. A person holding a doctorate in the field of animal experimentation, having experience in work concerning animal experimentation or laboratory animals;

2. A professor in charge of philosophy, law, animal care, or animal welfare in the school under Article 2 of the Higher Education Act;

3. Any other person who has been recognized by the relevant head of an animal experimentation institution, who is necessary for ethical handling and scientific use of laboratory animals, and has completed education under subparagraph 2 or 4 of paragraph (2).

(4) Matters necessary for the curriculum for education and the implementation of a curriculum relevant to animal care, animal welfare or animal experimentation under subparagraph 2 or 4 of paragraph (2) may be determined and publicly notified by the head of the Quarantine Agency. *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

Article 27 (Composition of Ethics Committee)

(1) When the head of an animal experimentation institution intends to organize the Ethics Committee, he/she shall request the recommendation of a member falling under Article 27 (2) 2 from a private organization under Article 4 (3) of the Act.

(2) A private organization which has been requested under paragraph (1) shall immediately recommend at least one person who is judged to be appropriate as a member of the Ethics Committee of the relevant animal experimentation institution to the corresponding animal experimentation institution.

(3) The head of an animal experimentation institution shall organize the Ethics Committee so as to comply with Article 27 (4) of the Act with members falling under Article 27 (2) 1 and 3 by selecting a competent person among persons recommended under paragraph (2), and shall notify the head of the Quarantine Agency of its content. <Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>

(4) Where there exists any changes in the member of the Ethics Committee or the composition of members which have been notified under paragraph (3), the head of the relevant animal experimentation institution shall notify the head of Quarantine Agency of the fact within 30 days from the date of such notice.

Article 28 (Scope of Interest as Members of Ethics Committee)

"A person who has no vested interests in the relevant animal experimentation institution under Article 27 (4) of the Act means a person who is not falling under any of the following:

1. A person who has worked in the relevant animal experimentation institution within the last three years, and his/her spouse;
2. Lineal blood relative, his/her spouse, his/her brother and sister of executives and staff members and his/her spouse of the relevant animal experimentation institution;
3. Executives and staff members of a corporation or a person who possesses at least 3% of total stocks of the relevant animal experimentation institution;
4. Executives and staff members of a corporation or a person who have a business relationship, such as providing the laboratory animal or the relevant material and equipment to the relevant animal experimentation institution;
5. Executives and staff members who belong to the affiliated company or the same corporation.

Article 29 (Range of Animals Subject to Certification of Animal Welfare Livestock Farms)

"An animal specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" under Article 29 (1) of the Act means cattle, a pig, chicken, duck, and other animals determined and announced by the head of the Quarantine Agency. <Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>

Article 30 (Standards for Certification of Animal Welfare Livestock Farms)

The standard for certification of animal welfare livestock farms under Article 29 (1) of the Act shall be as specified in the attached Table 6.

Article 31 (Application for Certification)

A person who intends to be certified as an animal welfare livestock farmer under Article 29 (2) of the Act shall attach the following documents with a written application for certification of animal welfare livestock farming in the attached form No. 11 and submit them to the head of the Quarantine Agency. <Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>

1. One certificate of registration under the Livestock Industry Act;
2. One copy of the current status report of livestock farms by animal species in accordance with the form determined and announced by the head of the Quarantine Agency.

Article 32 (Procedures for and Methods of Certification of Animal Welfare Livestock Farming)

(1) When the head of the Quarantine Agency receives the application for certification under Article 31, he/she shall examine the certification within three months from the date of application, and if its result meets the standard for certification, he/she shall issue the certificate of animal welfare livestock farming in the attached form No. 12 to the applicant who meets standards for certification in the attached Table 6, and shall maintain and manage the management register on the certification of animal welfare livestock farming by in the attached form No. 13. *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

(2) The management register for certification under the former part of paragraph (1) shall be prepared and managed electronically, unless any cause to impede the electronic processing exists.

(3) The detailed procedures and methods for the examination of certification under the former part of paragraph (1) shall be as specified in the attached Table 7.

(4) Other matters necessary for the procedures and methods for the certification shall be determined and announced by the head of the Quarantine Agency. *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

Article 33 (Labelling of Animal Welfare Livestock Farms)

(1) The labelling of animal welfare livestock farms may be placed on the farm which has obtained certification or the packaging, container, etc. of meat, packed meat, kinds of milk and eggs for food among livestock products derived from the certified farms under Article 29 (7) of the Act.

(2) The method of labelling of animal welfare livestock farms shall be as specified in the attached Table 8.

Article 34 (Report of Succession to Certification of Animal Welfare Livestock Farming)

(1) A person who has succeeded to the status of a person obtaining certification as an animal welfare livestock farmer under Article 31 (1) of the Act shall attach the following documents with the written application for certification of animal welfare livestock farming in the attached form No. 14 and submit them to the head of the Quarantine Agency within 30 days from the date when the status has been succeeded. *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

1. One copy of a certificate of registration stating details of succession under Article 29 of the Enforcement Rule of the Livestock Industry Act;
2. One copy of the certificate of animal welfare livestock farming by the succeeded farm;
3. The current status report of livestock farming by animal species in accordance with the form determined and notified by the head of the Quarantine Agency.

(2) Where the head of the Quarantine Agency has received the written report of succession to certification of animal welfare livestock farming pursuant to paragraph (1), he/she shall issue the certificate of animal welfare livestock farming in the attached form No. 12 *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

Article 35 (Scope of Business and Standard for Facilities)

(1) "Animals, such as dogs, cats, and rabbits, specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" under Article 32 (1) of the Act means dogs, cats, rabbits, parrots, guinea pigs, and hamsters which are raised for the purpose of companionship at home. <Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>

(2) The standard for facilities and human resources by its business concerning animals under Article 32 (1) of the Act shall be as specified in the attached Table 9.

Article 36 (Detailed Scope of Business)

The scope of business concerning animals under Article 32 (2) of the Act shall be as follows: <Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 329, Dec. 26, 2012>

1. Funeral services for animals: Businesses which establish and operate at least one of the following facilities;
 - (a) Funeral parlour exclusively for animals;
 - (b) Facilities where carcasses or skeletons of animals are disposed of by means of burning (hereinafter referred to as "animal crematorium"), or by means of desiccation, sterilization, and pulverization (hereinafter referred to as "animal desiccating facility for burial");
 - (c) Charnel Facilities exclusively for animals.
2. Sale of animals: Businesses which sell or recommend animals under Article 35 (1) to consumers;
3. Importation of animals: Businesses which import animals under Article 35 (1) and sell them to sellers of animals or animal breeders;
4. Breeding of animals: Businesses which breed animals under Article 35 (1) and sell them to business managers, such as sellers of animals or importers of animals.

Article 37 (Registration of Funeral Services for Animals)

(1) A person who intends to register the funeral services for animals, sale of animals, or importation of animals under Article 33 (1) of the Act shall attach the following documents (including the electronic document) with the written application for business registration (including the written electronic application) in the attached form No. 15, and submit them to the head of the competent Si/Gun/Gu. <Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 329, Dec. 26, 2012>

1. Status of human resources;
2. The itemization of facilities in the business site, and its layout plan;
3. Business plan (shall apply only to the registration of funeral services for animals);
4. A copy (shall apply only to cases of establishing animal crematory facilities or animal desiccating facility for burial) of the written approval for establishment or the certificate of establishment report for the waste disposal facilities under Article 29 (2) of the Wastes Control Act;
5. The written report of installation inspection on an incineration facility (shall apply only where establishing animal crematory facilities) or the written result of installation inspection on a sterilization and pulverization facility (shall apply only to the case of establishing the animal desiccating facility for burial) under Article 30 of the Wastes Control Act;

6. The written disposal plan (shall apply only where establishing animal crematory facilities or animal desiccating facilities for burial) concerning its vestige after disposal of carcasses of animals.

(2) The head of a Si/Gun/Gu, in receipt of an application pursuant to paragraph (1), shall verify the following documents through the joint use of the administrative information under Article 36 (1) of the Electronic Government Act. In such cases, where an applicant refuses to verify a certified copy and an abridged copy of residence register, the relevant documents shall be attached thereto:

1. A certified copy and an abridged copy of residence register (in cases of a corporation, referring to the certificate of contents of corporate registration);

2. A building register and a written confirmation of a land use plan.

(3) Where an applicant pursuant to paragraph (1) fails to confirm whether he/she falls under Article 33 (3) 1 or 4 or not, the head of a Si/Gun/Gu may have the relevant applicant submit materials necessary for confirmation of identification other than documents under paragraph (1).

(4) Where the application for registration pursuant to paragraph (1) meets the standard of the attached Table 9, the head of a Si/Gun/Gu shall issue a certificate of registration in the attached form No. 16, and shall prepare and manage, respectively, the management register on the registration (declaration of change) of funeral services for animals in the attached form No. 17, and the management register on the registration (declaration of change) of sale of animals and importation of animals in the attached form No. 18.

(5) Where a person who has conducted the business pursuant to paragraph (1) intends to apply for re-issuance of the registration certificate lost or defaced beyond usability, he/she shall submit to the head of a Si/Gun/Gu a registration certificate (certificate of reporting) or a written application for re-issuance (including a written electronic application) in the attached form No. 19.

(6) The registration register pursuant to paragraph (4) shall be prepared and managed electronically, unless any cause exists that impedes electronic processing.

Article 38 (Report of Changes on Registered Business)

(1) "Matters specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" under Article 33 (2) of the Act means the following matters: *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

1. Name of a business operator (if the business operator is a corporation, name of its representative);

2. Name or company name of a place of business;

3. Business facilities;

4. Location of a place of business.

(2) A person who intends to report changes in matters to be registered for funeral services for animals, sale of animals and importation of animals under Article 33 (2) of the Act shall submit to the head of the competent Si/Gun/Gu a written report of changes in the attached form No. 20, with the following documents attached: Provided, That where changing the location of a place of business for the funeral services for animals, documents under Article 37 (1) 3 through 6 other than the following documents shall

be attached thereto. <Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 329, Dec. 26, 2012>

1. A certificate of registration;

2. A written outline of changes on business facilities (shall apply only to changes of facilities)

(3) Concerning reporting changes pursuant to paragraph (2), Article 37 (4) and (6) shall apply mutatis mutandis thereto.

Article 39 (Report of Temporary Closure, etc.)

A person who intends to report temporarily closure, resumption or permanent closure of the funeral services for animals, the sale of animals, and the importation of animals under Article 33 (2) of the Act shall submit to the head of the competent Si/Gun/Gu a written report (including a written electronic application) of temporary closure (resumption and permanent closure) in the attached form No. 21: Provided, that where the report has been made by determining the period of temporary closure, he/she may not report resumption after its period has been completed.

Article 40 (Reporting, etc. Breeding of Animals)

(1) A person who intends to breed animals shall submit to the head of the competent Si/Gun/Gu a written report (including a written electronic application) on the breeding of animals in the attached form No. 22 with the following documents pursuant to Article 34 (1):

1. The itemization of facilities in the place of business, and its plot plan;

2. Status of human resources.

(2) The head of a Si/Gun/Gu, in receipt of a written report pursuant to paragraph (1), shall verify a certified copy and an abridged copy of residence register (in cases of a corporation, referring to the certificate of contents of corporate registration) through the joint use of the administrative information under Article 36 (1) of the Electronic Government Act. In such cases, if an applicant refuses to allow a certified copy and an abridged copy of residence register to be verified, the relevant documents shall be attached thereto.

(3) Where an applicant pursuant to paragraph (1) fails to confirm whether he/she falls under Article 34 (3) 1 of the Act, the head of a Si/Gun/Gu may have the relevant applicant submit materials necessary for confirmation of identification other than documents prescribed in paragraphs (1) and (2).

(4) Where the report pursuant to paragraph (1) meets the standard of the attached Table 9, the head of a Si/Gun/Gu shall issue the applicant a certificate of reporting in the attached form No. 23 and shall prepare and manage the management register on the report of breeding of animals (report of changes) in the attached form No. 24.

(5) Where a business operator who has reported pursuant to paragraph (1) intends to be re-issued the certificate of reporting due to its being lost or being worn out so as to be useless, he/she shall submit to the head of a Si/Gun/Gu a registration certificate (certificate of reporting) or a written application for re-issuance (including a written electronic application) in the attached form No. 19.

(6) The registration register on the report of breeding of animals (report of changes) pursuant to paragraph (4) shall be prepared and managed electronically, unless there exists any cause to impede the electronic processing.

Article 41 (Reporting Changes, etc. in Matters to be Registered)

(1) "Matters specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" under Article 34 (2) of the Act means the following: <Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>

1. Name of a business operator (where a business operator is a corporation, name of its representative);
2. Name or company name of a place of business;
3. Business facilities;
4. Location of a place of business.

(2) A person who intends to report changes in matters to be registered for the breeding of animals under Article 34 (2) of the Act shall submit to the head of the competent Si/Gun/Gu a written report of changes in the attached form No. 20 with the following documents: Provided, That where a business operator changes the location of a place of business, documents (including the electronic documents) under each subparagraph of Article 40 (1) shall be attached thereto.

1. A certificate of reporting;
2. A written outline of changes on business facilities (shall apply only to the change of facilities).

(3) Concerning reporting temporary closure, resumption or permanent closure for breeding of animals under Article 34 (2) of the Act, Article 39 shall apply mutatis mutandis thereto.

(4) Concerning the report of changes pursuant to paragraph (1), Article 40 (4) and (6) shall apply mutatis mutandis thereto.

Article 42 (Reporting Succession to Status of Business Operators)

(1) A person who intends to report the succession to the status of a business operator under Article 35 of the Act shall submit to the head of a Si/Gun/Gu who has registered or filed a written report (including a written electronic application) of the succession to the status of a business operator in the attached form No. 25 with attachment of documents classified by the following subparagraphs:

1. In cases of the transfer or the acquisition by transfer: documents by which it is possible to confirm the fact of the transfer or the acquisition by transfer, such as a copy of a contract for the transfer or the acquisition by transfer;
2. In cases of inheritance: the family relation certificate and documents by which it is possible to confirm the fact of inheritance under Article 15 (1) of the Act on the Regulation, etc. of Family Relationship;
3. Other than subparagraphs 1 and 2: documents by which it is possible to verify the succession to the status of a business operator depending on the relevant reason.

(2) The head of a Si/Gun/Gu, upon receipt of a written report pursuant to paragraph (1), in cases of the business transfer, shall verify the certificate of contents of corporate registration, the certified copy of land

register, the certified copy of building register or the written certificate of personal seal impression of a transferor by which it is possible to verify the fact of the transfer or the acquisition by transfer through the joint use of the administrative information under Article 36 (1) of the Electronic Government Act: Provided, That where a transferor disagrees to verify the written certificate of personal seal impression, it shall be submitted, however, if a transferor and a transferee visit and report to the head of a Si/Gun/Gu jointly, it cannot be verified.

(3) Where an applicant pursuant to paragraph (1) fails to verify whether he/she falls under Article 33 (3) 1 and 4, and Article 34 (3) 1, he/she may have the relevant applicant submit materials necessary for verification of identification other than documents of paragraph (1).

(4) Where a person who reports succession to the status of a business operator pursuant to paragraph (1) intends to change name and company name of a place of business under Article 37 (1) 2 or Article 40 (1) 2, these may be reported together.

(5) Where the head of a Si/Gun/Gu has received the report pursuant to paragraph (1), he/she shall reissue the applicant a registration certificate in the attached form No. 16 or the certificate of reporting in the attached form No. 20.

Article 43 (Matters to Be Observed by Business Operators)

Matters to be observed by funeral undertakers of animals, sellers of animals, importers of animals, and breeders of animals under Article 36 of the Act shall be as specified in the attached Table 10.

Article 44 (Education for Sellers of Animals, etc.)

(1) Timing for education by a recipient of education under Article 37 (1) of the Act shall be as follows:

1. A person who intends to sell animals, import animals, or breed animals: three hours within a year from the date when an application for registration is filed or a report is made;
2. A person who has received disposition of business suspension under Article 38 of the Act: three hours within six months from the date disposition is received.

(2) Distance education may replace the education prescribed in paragraph (1) if it is conducted by an institution determined by the Minister of Agriculture, Food and Rural Affairs (hereinafter referred to as "educational institution") as any of the following institutions:

1. Korea Veterinarian Association under Article 23 of the Veterinarians Act;
2. Corporations or organizations under each subparagraph of Article 5 of the Decree;
3. Educational special institutions affiliated to the Ministry of Agriculture, Food and Rural Affairs.

(3) The educational institution shall provide education, including the following curriculum:

1. This Act and matters concerning the policy of animal care;
2. Matters concerning animal care and welfare;
3. Matters concerning raising, management, and prevention of any disease of animals;
4. Matters concerning things to be observed by business operators;
5. Other matters deemed necessary by educational institutions.

(4) Where an educational course has been completed, the educational institution shall notify the head of a Si/Gun/Gu of the result of education falling under each subparagraph of paragraph (1) within 30 days after the educational course has been completed.

(5) The head of a Si/Gun/Gu in receipt of notification given under paragraph (4) shall maintain and manage its record, and shall keep it for two years after the date the education is completed.

Article 45 (Standards for Administrative Disposition)

(1) The standards for administrative disposition concerning the revocation of business and the full or partial suspension of business for a business operator under Article 38 of the Act shall be as specified in the attached Table 11.

(2) Where the head of a Si/Gun/Gu has conducted the administrative disposition pursuant to paragraph (1), he/she shall record the details thereof on the administrative disposition and the hearing register in the attached form No. 26 and shall maintain and manage them.

(3) The administrative disposition and hearing register pursuant to paragraph (2) shall be prepared and managed electronically, unless any cause exists to impede the electronic processing.

Article 46 (Corrective Orders)

"The corrective order specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs" under Article 39 (1) 3 of the Act means any of the following orders: *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>*

1. The cessation of cruelty to animals;
2. The performance of measures for prevention of danger and injury to animals;
3. The performance of measures for prevention of danger and injury to public health and human body, life or property;
4. Prompt treatment of animals caught diseased or injured.

Article 47 (Identification Certificate of Honorary Animal Guardians)

The identification certificate of honorary animal guardians under Article 40 (3) of the Act shall be as specified in the attached form No. 27.

Article 48 (Fees of Registration, etc.)

Fees under Article 42 of the Act shall be as specified in the attached Table 12. In such cases, fees shall be paid via a government revenue stamp, revenue certificate stamp by a local government, cash, account transfer, credit card, debit card, electronic money or electronic settlement using information and communications network, etc. *<Amended by Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 68, Dec. 31, 2013>*

ADDENDA *<Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 261, Feb. 21, 2012>*

Article 1 (Enforcement Date)

These Rules shall enter into force on the date of their promulgation. Provided, That the provisions concerning the Special Self-Governing City Mayor shall enter into force on July 1, 2012, and the

amended provisions of Article 7, 8 and 9 shall enter into force on January 1, 2013.

Article 2 (Transitional Measures concerning Support of Expenses for Animal Care)

A person who has entered into a contract for animal care pursuant to the previous Rules as at the time these Rules enter into force shall be supported with protection expenses by the contract notwithstanding the amended provisions of Article 16.

Article 3 (Transitional Measures concerning Business Registration)

A person who has registered for the businesses of funeral service of animals, sale of animals or importation of animals pursuant to the previous Rules as at the time of the enforcement of these Rules shall formulate the standards in accordance with the amended provisions of Article 35 through 37 within six months from the date these Rules enter into force.

Article 4 (Transitional Measures concerning Education for Sellers of Animals, etc.)

A person who has received the education to be a seller of animals, etc. pursuant to the previous Rules as at the time of the enforcement of these Rules, is deemed to have received the relevant education in accordance with the amended provisions of Article 44.

ADDENDUM <Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 329, Dec. 26, 2012>

These Rules shall enter into force on the date of their promulgation.

ADDENDA <Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 15, Mar. 23, 2013>

Article 1 (Enforcement Date)

These Rules shall enter into force on the date of their promulgation.

Article 2 (Transitional Measures concerning Methods of Indication of Animal Welfare Livestock Farms)

The signboard of indication for animal welfare livestock farms installed pursuant to the previous Rules as at the time of the enforcement of these Rules may be used continuously notwithstanding the amended provisions of attached Table 8, and the figure for indicating animal welfare livestock farms pursuant to the previous Rules as at the time of the enforcement of these Rules may be used jointly with the figure for indicating animal welfare livestock farms pursuant to the amended provisions of the attached Table 8 within six months from the date of the enforcement of these Rules.

ADDENDUM <Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 58, Nov. 29, 2013>

These Rules shall enter into force on the date of their promulgation.

ADDENDUM <Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 68, Dec. 31, 2013>

These Rules shall enter into force on January 1, 2014. Provided, That the amended provisions of subparagraph 1 and 2 of Article 7 shall enter into force six months after the date of its promulgation.

ADDENDUM <Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 79, Feb. 14, 2014>

These Rules shall enter into force on February 14, 2014.

ADDENDUM <Ordinance of the Ministry of Agriculture, Food and Rural Affairs No. 87, Apr. 8, 2014>

These Rules shall enter into force on the date of their promulgation.

