

# Act on Welfare and Management of Animals

(Act No. 105 of October 1, 1973)

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## Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to engender a spirit for animal welfare among citizens and contribute to the development of a respect for life and sentiments of amity and peace by providing for the prevention of cruelty to and abandonment of animals, the proper handling of animals and other matters concerning animal welfare such as maintaining the health and safety of animals, as well as to prevent animals from causing an infringement on the life, body or property of humans or impediments in preserving the living environment by providing for matters concerning the management of animals, thereby realizing a symbiotic society of humans and animals.

(Fundamental Principle)

Article 2 (1) In light of the fact that animals are living beings, no person shall destroy, injure, or inflict cruelty on animals without reason, and every person shall treat animals properly by taking into account their natural habits and giving

consideration to the symbiosis between humans and animals.

(2) When handling an animal, every person shall secure an environment for carrying out appropriate feeding and watering, the necessary health management, and the care and keeping of the animal that give consideration to such aspects as the kind and habit of the animal, within the extent that does not impede the attainment of the purpose of the care and keeping of the animal.

(Dissemination and Awareness Raising)

Article 3 The national government and local governments shall, in accordance with the purpose of the previous Article, endeavor to achieve dissemination and awareness raising with regard to the welfare and proper care of animals in coordination with each other through educational activities, publicity activities and other similar activities at such places as schools, communities and homes.

(Be Kind to Animals Week)

Article 4 (1) A Be Kind to Animals Week shall be established in order to enhance the interest and understanding of citizens in general concerning the welfare and proper care of animals, which are living beings.

(2) The Be Kind to Animals Week shall be the period from September 20 through September 26.

(3) During the Be Kind to Animals Week, the national government and local governments shall endeavor to implement events appropriate for the purpose of said campaign.

Chapter II Basic Guidelines, etc.

(Basic Guidelines)

Article 5 (1) The Minister of the Environment shall formulate basic guidelines for comprehensively promoting measures for the welfare and management of animals (hereinafter referred to as the "basic guidelines").

(2) The basic guidelines shall provide for the following matters:

(i) the basic direction concerning the promotion of measures for the welfare and management of animals;

(ii) basic matters concerning the formulation of the animal welfare and management promotion plan prescribed in paragraph (1) of the following Article; and

(iii) any other important matters concerning the promotion of measures for the welfare and management of animals.

(3) The Minister of the Environment shall, when he/she intends to formulate or change the basic guidelines, consult with the heads of the relevant administrative organs in advance.

(4) The Minister of the Environment shall, when he/she has formulated or changed the basic guidelines, make them public without delay.

(Animal Welfare and Management Promotion Plan)

Article 6 (1) Each prefecture shall formulate a plan for promoting measures for the welfare and management of animals in the area of said prefecture (hereinafter referred to as the "animal welfare and management promotion plan") in conformity with the basic guidelines.

(2) The animal welfare and management promotion plan shall provide for the following matters:

(i) the basic policy on measures that should be implemented with regard to the welfare and management of animals;

(ii) matters concerning measures for achieving the proper care and keeping of animals;

(iii) matters concerning measures for achieving the proper care and keeping of animals at the time of a disaster; and

(v) matters concerning the establishment of a necessary framework for implementing measures for the welfare and management of animals (including securing the cooperation of such entities as the national government, relevant local governments and private bodies).

(3) In the animal welfare and management promotion plan, a prefecture shall, in addition to the matters set forth in the items of the preceding paragraph, endeavor to provide for matters concerning dissemination and awareness raising with regard to the welfare and management of animals and other necessary matters concerning the promotion of measures for the welfare and management of animals.

(4) A prefecture shall, when it intends to formulate or change the animal welfare and management promotion plan, hear the opinions of the relevant municipalities in advance.

(5) A prefecture shall, when it has formulated or changed the animal welfare and management promotion plan, endeavor to make it public without delay.

Chapter III Proper Treatment of Animals

Section 1 General Provisions

(Responsibilities, etc. of Owners and Possessors of Animals)

Article 7 (1) With sufficient awareness of his/her responsibilities for the welfare and management of animals as an owner or possessor of an animal, which is a living being, the owner or possessor of an animal shall endeavor to maintain the health and safety of the animal by caring for and keeping said animal in a proper manner according to such aspects as the kind and the habit of the animal, and shall also endeavor to ensure that the animal does not cause harm to the life, body or property of humans, impediments in preserving the living environment, or trouble to humans.

(2) The owner or possessor of an animal shall endeavor to acquire correct information regarding infectious diseases borne by the type of animal he/she owns or

possesses and to pay necessary attention to prevent them.

(3) The owner or possessor of an animal shall endeavor to take necessary measures for preventing the animal he/she owns or possesses from running away.

(4) The owner of an animal shall endeavor to care for the animal he/she owns through its lifetime (hereinafter referred to as "lifetime care") as much as possible, within the extent that does not impede the attainment of the purpose of the care and keeping of the animal.

(5) The owner of an animal shall endeavor to take appropriate measures concerning breeding so as to prevent the animal he/she owns from breeding freely and making it difficult to provide proper care.

(6) The owner of an animal shall endeavor to take the measures specified by the Minister of the Environment for clarifying that the owned animal is under his/her ownership.

(7) The Minister of the Environment may, after consultation with the heads of the relevant administrative organs, formulate standards to be complied with regarding the care and keeping of animals.

(Responsibilities of Animal Dealers)

Article 8 (1) A person who sells animals in the course of trade shall provide to a purchaser of an animal pertaining to the sale any necessary explanations regarding the proper methods for caring for and keeping said animal according to such aspects as the kind, the habit, and the purpose of use of the animal.

(2) A person who sells animals in the course of trade shall endeavor to provide the explanation set forth in the preceding paragraph by the method and to the extent necessary for achieving the understanding of the purchaser, in light of the purchaser's knowledge and experience of the care and keeping of the animal to be purchased.

(Measures by Local Governments)

Article 9 A local government may, pursuant to the provisions of ordinance, provide guidance to owners and possessors of animals, require notification pertaining to the care and keeping of a large number of animals, and take any other necessary measures concerning the care and keeping of animals, so as to maintain the health and safety of animals and to ensure that animals do not cause trouble to humans.

Section 2 Type I Animal Handling Business

(Registration of Type I Animal Handling Business)

Article 10 (1) A person who intends to engage in a business that handles animals (such animals shall be limited to mammals, birds, and reptiles, and shall exclude those pertaining to livestock farming and those being cared for or kept in order to be provided for use in testing and research, use in manufacturing biological

preparations, or for other uses specified by Cabinet Order; hereinafter the same shall apply in this Section through Section 4) (such business means selling [including acting as an intermediary or agent therefor; the same shall apply in the following paragraph, Article 12, paragraph (1), item (vi), and Article 21-4], keeping, lending, training, exhibiting [including the provision of opportunities for contact with animals; the same shall apply in the following paragraph and Article 24-2] or other handling specified by Cabinet Order with regard to animals in the course of trade; hereinafter referred to as the "animal handling business" in this Section and Article 46, item (i)) shall receive registration from the prefectural governor having jurisdiction over the location of the place of business where the person intends to engage in said business (in the case of a designated city set forth in Article 252-19, paragraph (1) of the Local Autonomy Act [Act No. 67 of 1947] [hereinafter referred to as the "designated city"], the mayor of said designated city; hereinafter the same shall apply in this Section through Section 5 [excluding Article 25, paragraph (4)]).

(2) A person who intends to receive the registration set forth in the preceding paragraph shall submit to the prefectural governor a written application containing the following matters and attach the documents specified by Ordinance of the Ministry of the Environment:

(i) the name and address of the individual or corporation filing the application and, in the case of a corporation, the name of the representative person;

(ii) the name and location of the place(s) of business;

(iii) the name of the person responsible for animal handling (which means the person prescribed in Article 22, paragraph (1)) assigned to each place of business;

(iv) the category (which means the distinction between selling, keeping, lending, training, exhibiting or other handling specified by Cabinet Order; hereinafter the same shall apply in this item) of the type I animal handling business that the applicant intends to engage in and the contents of business and the implementation method for each of such category;

(v) the main kinds and the number of animals to be handled;

(vi) if a facility for the care and keeping of animals (hereinafter referred to as the "animal facility" in this Section and the following Section) has been established, the following matters:

(a) the location of the animal facility;

(b) the structure and size of the animal facility; and

(c) the method for managing the animal facility; and

(vii) other matters specified by Ordinance of the Ministry of the Environment.

(3) When a person who applies for the registration set forth in paragraph (1) intends to engage in a business of selling dogs, cats, etc. (which means a business of selling dogs, cats, etc. [which means dogs, cats, or other animals specified by Ordinance of the Ministry of the Environment; the same shall apply hereinafter] in the course of trade; the same shall apply hereinafter) he/she shall state the following matters in

the written application set forth in the preceding paragraph, in addition to the matters set forth in the items of said paragraph:

- (i) whether or not the person will conduct breeding of the dogs, cats, etc. to be provided for sale; and
- (ii) a plan concerning establishment of a framework for maintaining the health and safety of young dogs, cats, etc. to be provided for sale (in the case of also conducting breeding, young dogs, cats, etc., and dogs, cats, etc. to be provided for breeding or cared for in order to be provided for breeding; the same shall apply in Article 12, paragraph (1)), handling of dogs, cats, etc. which became difficult to be provided for sale, and other matters specified by Ordinance of the Ministry of the Environment (hereinafter referred to as a "plan for the health and safety of dogs, cats, etc.").

(Implementation of Registration)

Article 11 (1) A prefectural governor shall, when an application for registration under paragraph (2) of the preceding Article has been filed, register the matters set forth in paragraph (2), items (i) through (iii) and item (v) of the preceding Article as well as the date of registration and the registration number in the type I animal handling business operator registry, except in the case of refusing the registration pursuant to the provisions of paragraph (1) of the following Article.

(2) A prefectural governor shall, when he/she has made the registration under the preceding paragraph, notify the applicant to that effect without delay.

(Refusal of Registration)

Article 12 (1) A prefectural governor shall refuse registration when the person who intends to receive the registration set forth in Article 10, paragraph (1) falls under any of the following items, when the matters set forth in paragraph (2), item (iv) of the same Article pertaining to the application for registration under the same paragraph are found not to conform to the standards specified by Ordinance of the Ministry of the Environment as being those necessary for maintaining the health and safety of animals and securing other proper handling of animals, when the matters set forth in item (vi), (b) and (c) of the same paragraph pertaining to the application for registration under the same paragraph are found not to conform to the standards on the structure, size and management of animal facilities specified by Ordinance of the Ministry of the Environment, or in the case where the person intends to engage in a business of selling dogs, cats, etc., when the plan for the health and safety of dogs, cats, etc. is found not to conform to the standards specified by Ordinance of the Ministry of the Environment as those appropriate for securing the health and safety of young dogs, cats, etc. and for securing the lifetime care of dogs, cats, etc., or when the written application or the attached documents contain any false statement with regard to an important matter or lack the statement of an important fact:

- (i) an adult ward or a person under curatorship, or a bankrupt who has not had his/her rights restored;
- (ii) a person whose registration has been rescinded pursuant to Article 19, paragraph (1) where two years have yet to elapse since the day of such disposition;
- (iii) in the case of a person who has received the registration set forth in Article 10, paragraph (1) (hereinafter referred to as an "type I animal handling business operator") and is a corporation who has had the registration rescinded pursuant to the provisions of Article 19, paragraph (1), a person who was an officer of said type I animal handling business operator within 30 days prior to the day of said disposition where two years have yet to elapse since the day of said disposition;
- (iv) a person who has been ordered to suspend his/her business pursuant to the provisions of Article 19, paragraph (1) where the period of said suspension has yet to elapse;
- (v) a person who has been sentenced to a fine or a severer punishment pursuant to the provisions of this Act, the provisions of Article 10, item (ii) of the Rendering Plant Control Act (Act No. 140 of 1948) (limited to the portion pertaining to Article 7 of said Act as applied mutatis mutandis pursuant to Article 9, paragraph (5) of said Act) or Article 10, item (iii) of said Act, or the provisions of Article 27, item (i) or (ii) of the Rabies Prevention Act (Act No. 247 of 1950) where two years have yet to elapse since the day on which execution of the sentence has been completed or the sentence has become no longer applicable;
- (vi) in the case where a person intends to sell animals in the course of trade, a person who has been sentenced to a fine or a severer punishment pursuant to the provisions of Article 57-2 of the Act on Conservation of Endangered Species of Wild Fauna and Flora (Act No. 75 of 1992) (limited to the portion pertaining to Article 12, paragraph (1) of said Act [limited to the portion pertaining to transfer or delivery of individual organisms of animals categorized under individual organisms, etc. of endangered species of wild fauna and flora]; the same shall apply hereinafter), Article 58, item (i) of said Act (limited to the portion pertaining to Article 18 of said Act [limited to the portion pertaining to individual organisms of animals categorized under individual organisms, etc. of endangered species of wild fauna and flora]; the same shall apply hereinafter), Article 58, item (ii) of said Act (limited to the portion pertaining to Article 17 of said Act [limited to the portion pertaining to individual organisms of animals categorized under individual organisms, etc. of endangered species of wild fauna and flora]; the same shall apply hereinafter), Article 63, item (v) of said Act (limited to the portion pertaining to Article 21, paragraph (1) of said Act [limited to the portion pertaining to individual organisms of animals categorized under individual organisms, etc. of internationally endangered species of wild fauna and flora] or paragraph (2) of said Article [limited to the portion pertaining to transfer or delivery of individual organisms of animals categorized under individual organisms, etc. of internationally endangered species of wild fauna and flora]; the same shall

apply hereinafter), or Article 65, paragraph (1) of said Act (limited to the portion pertaining to Article 57-2, Article 58, item (i) or (ii), or Article 63, item (v) of said Act), the provisions of Article 84, paragraph (1), item (v) of the Wildlife Protection and Proper Hunting Act (Act No. 88 of 2002) (limited to the portion pertaining to Article 20, paragraph (1) of said Act [limited to the portion pertaining to transfer or delivery], Article 23 of said Act [excluding the portion pertaining to processed products or eggs], Article 26, paragraph (6) of said Act [limited to the portion pertaining to transfer or delivery, among transfer, etc.], or Article 27 of said Act [limited to the portion pertaining to transfer or delivery]; the same shall apply hereinafter), Article 86, item (i) of said Act (limited to the portion pertaining to Article 24, paragraph (7) of said Act; the same shall apply hereinafter), or Article 88 of said Act (limited to the portion pertaining to Article 84, paragraph (1), item (5) or Article 86, item (i) of said Act), or the provisions of Article 32, item (i) of the Invasive Alien Species Act (Act No. 78 of 2004) (limited to the portion pertaining to animals that are categorized under invasive alien species; the same shall apply hereinafter) or item (v) of said Article (limited to the portion pertaining to animals that are categorized under invasive alien species; the same shall apply hereinafter), Article 33, item (i) of said Act (limited to the portion pertaining to Article 8 of said Act [limited to the portion pertaining to transfer or delivery of animals that are categorized under invasive alien species]; the same shall apply hereinafter), or Article 36 of the Act (the portion pertaining to Article 32, item (i) or (v) or Article 33, item (i) of said Act), where two years have yet to elapse since the day on which execution of the sentence has been completed or the sentence has become no longer applicable; or

(vii) a corporation where any of its officers falls under any of the preceding items.

(2) A prefectural governor shall, when he/she has refused registration pursuant to the provisions of the preceding paragraph, notify the applicant to that effect by indicating the reason therefor without delay.

(Renewal of Registration)

Article 13 (1) The registration set forth in Article 10, paragraph (1) shall, unless it is renewed every five years, lose its effect by the expiration of the period thereof.

(2) The provisions of Article 10, paragraphs (2) and (3) and the preceding two Articles shall apply mutatis mutandis to the renewal set forth in the preceding paragraph.

(3) In the case where an application for the renewal set forth in paragraph (1) has been filed, if no disposition is given for said application by the date of expiration of the period set forth in the same paragraph (hereinafter referred to as the "effective period of registration" in this Article), the former registration shall remain effective even after the expiration of the effective period of registration, until said disposition is given.



(Notification of Changes)

Article 14 (1) When a type I animal handling business operator intends to change any of the matters set forth in Article 10, paragraph (2), item (iv) or paragraph (3), item (i) of said Article (such change shall exclude a minor change specified by Ordinance of the Ministry of the Environment), establish an animal facility, or engage in a business of selling dogs, cats, etc., he/she shall notify the prefectural governor, in advance, pursuant to the provisions of Ordinance of the Ministry of the Environment.

(2) A type I animal handling business operator shall, when there has been any minor change specified by Ordinance of the Ministry of the Environment referred to in the preceding paragraph or when there has been any change to the matters set forth in the items (excluding item (iv)) of Article 10, paragraph (2) or paragraph (3), item (ii) of said Article (such change shall exclude a minor change specified by Ordinance of the Ministry of the Environment), notify the prefectural governor to that effect and attach the documents specified by Ordinance of the Ministry of the Environment, within 30 days from such day, except in the case referred to in the preceding paragraph.

(3) When a person who engages in a business of selling dogs, cats, etc. after receiving the registration set forth in Article 10, paragraph (1) (hereinafter referred to as a "business operator selling dogs, cats, etc.") has discontinued to engage in the business of selling dogs, cats, etc., he/she shall notify the prefectural governor to that effect and attach the documents specified by Ordinance of the Ministry of the Environment, within 30 days from such day, except in the case prescribed in Article 16, paragraph (1).

(4) The provisions of Articles 11 and 12 shall apply mutatis mutandis to the case where a notification under the preceding three paragraphs has been given.

(Inspection of the Type I Animal Handling Business Operator Registry)

Article 15 A prefectural governor shall provide the type I animal handling business operator registry for inspection by the general public.

(Notification of Discontinuance of Business, etc.)

Article 16 (1) In the case where a type I animal handling business operator has fallen under any of the following items, the person prescribed in said item shall notify the prefectural governor to that effect within 30 days from such day:

(i) in the case of death—the heir;

(ii) in the case of extinction of the corporation due to a merger—the person who had been the officer representing said corporation;

(iii) in the case of dissolution of the corporation due to a decision of commencement of bankruptcy proceedings—the bankruptcy trustee;

(iv) in the case of dissolution of the corporation by a reason other than a decision of commencement of bankruptcy proceedings—the liquidator; and

(v) in the case of discontinuance of the type I animal handling business pertaining to the registration—the individual who had been the type I animal handling business operator or the officer representing the corporation that had been the type I animal handling business operator.

(2) When a type I animal handling business operator has fallen under any of the items in the preceding paragraph, the registration of the type I animal handling business operator shall lose its effect.

#### (Cancellation of Registration)

Article 17 A prefectural governor shall, when registration has lost its effect pursuant to the provisions of Article 13, paragraph (1) or paragraph (2) of the preceding Article or when he/she has rescinded the registration pursuant to the provisions of Article 19, paragraph (1), cancel the registration of said type I animal handling business operator.

#### (Posting of a Sign)

Article 18 A type I animal handling business operator shall, pursuant to the provisions of Ordinance of the Ministry of the Environment, post a sign stating the name of the individual or corporation, registration number and any other matters specified by Ordinance of the Ministry of the Environment in a place that is easily visible to the general public, in each place of business.

#### (Rescission, etc. of Registration)

Article 19 (1) A prefectural governor may, when a type I animal handling business operator falls under any of the following items, rescind the registration or order the suspension of all or part of the business by specifying a period no longer than six months:

(i) when the person has received registration as a type I animal handling business operator by dishonest means;

(ii) when the contents of the business or implementation method carried out by the person no longer conforms to the standards specified by Ordinance of the Ministry of the Environment as being those necessary for maintaining the health and safety of animals and securing any other proper handling of animals as prescribed in Article 12, paragraph (1);

(iii) when, in the case where the person has established an animal facility, the structure, size and management method for the animal facility of said person no longer conforms to the standards on the structure, size and management of animal facilities prescribed in Article 12, paragraph (1);

(iv) when, in the case where the person engages in a business of selling dogs, cats,

etc., the plan for the health and safety of dogs, cats, etc. no longer conforms to the standards specified by Ordinance of the Ministry of the Environment as those appropriate for securing the health and safety of young dogs, cats, etc. and for securing the lifetime care of dogs, cats, etc. prescribed in Article 12, paragraph (1);

(v) when the person has fallen under any of the provisions of Article 12, paragraph (1), item (i) or (iii) or items (v) through (vii); or

(vi) when the person has violated this Act, an order based on this Act or a disposition based on this Act.

(2) The provisions of Article 12, paragraph (2) apply mutatis mutandis to the case where a disposition under the preceding paragraph has been given.

(Delegation to Ordinances of the Ministry of the Environment)

Article 20 In addition to what is provided for in Article 10 to the preceding Article, any necessary matters concerning the registration of type I animal handling business operators shall be specified by Ordinances of the Ministry of the Environment.

(Compliance with Standards)

Article 21 (1) A type I animal handling business operator shall comply with the standards specified by Ordinance of the Ministry of the Environment concerning such matters as the method for the management of the animals handled, in order to maintain the health and safety of the animals and to prevent the occurrence of impediments in preserving the living environment.

(2) A prefecture or a designated city may, when it is found necessary judging from the natural and social conditions, formulate standards to be complied with by type I animal handling business operators in place of the standards set forth in the preceding paragraph, by ordinance, in order to maintain the health and safety of the animals and to prevent the occurrence of impediments in preserving the living environment.

(Prevention of Infectious Diseases)

Article 21-2 A type I animal handling business operator shall endeavor to appropriately implement routine confirmation of the health condition of the animals handled, provision of medical care by a veterinarian as needed, and any other necessary measures for preventing the animals handled from acquiring infectious diseases.

(Transfer, etc. in the Case Where Handling of Animals Becomes Difficult)

Article 21-3 When a type I animal handling business operator discontinues the type I animal handling business or it otherwise becomes difficult to handle animals in the course of trade, he/she shall endeavor to transfer said animals or take any other

appropriate measures.

(Method of Providing Information upon Selling, etc.)

Article 21-4 When a type I animal handling business operator who engages in the business of selling dogs, cats, or any other animals specified by Ordinance of the Ministry of the Environment in the course of trade is to sell said animal, he/she shall, in advance, directly show the present condition of the animal to be sold to the person who is to purchase said animal (excluding a type I animal handling business operator) and provide said person face-to-face (in a case specified by Ordinance of the Ministry of the Environment as a case where face-to-face provision is difficult, it shall include methods specified by Ordinance of the Ministry of the Environment as those equivalent to face-to-face provision) with information on the method for caring for and keeping said animal, the date of birth of said animal, the name of the person who conducted the breeding pertaining to said animal, and any other matters specified by Ordinance of the Ministry of the Environment as necessary information for the proper care and keeping of said animal, by using a document or an electromagnetic record (which means a record made in an electronic form, a magnetic form, or any other form not recognizable to human perception, which is used in information processing by computers).

(Person Responsible for Animal Handling)

Article 22 (1) A type I animal handling business operator shall, pursuant to the provisions of Ordinance of the Ministry of the Environment, appoint a person responsible for animal handling for each place of business in order to properly implement the work pertaining to said place of business.

(2) A person responsible for animal handling shall be a person other than one who falls under the provisions of Article 12, paragraph (1), items (i) through (vi).

(3) A type I animal handling business operator shall, pursuant to the provisions of Ordinance of the Ministry of the Environment, have persons responsible for animal handling receive training for persons responsible for animal handling (which means training on the knowledge and ability necessary for the work of persons responsible for animal handling that is provided by the prefectural governor).

(Compliance with the Plan for the Health and Safety of Dogs, Cats, etc.)

Article 22-2 A business operator selling dogs, cats, etc. shall conduct business in accordance with the provisions of the plan for the health and safety of dogs, cats, etc.

(Securing Coordination with Veterinarians, etc.)

Article 22-3 A business operator selling dogs, cats, etc. shall ensure the securing of appropriate coordination with veterinarians, etc. in order to secure the health and safety of the dogs, cats, etc. he/she cares for or keeps.

(Securing of Lifetime Care)

Article 22-4 Even where dogs, cats, etc. become difficult to be provided for sale, a business operator selling dogs, cats, etc. shall continue to ensure the securing of lifetime care for said dogs, cats, etc., except in unavoidable cases.

(Restriction on the Selling, etc. of Young Dogs or Cats)

Article 22-5 A business operator selling dogs, cats, etc. (limited to a person who conducts breeding of dogs or cats to be provided for sale) shall not deliver or exhibit a dog or a cat he/she has bred for which fifty six days have yet to elapse since its birth, for sale or to be provided for sale.

(Keeping of Books Concerning Individual Organisms of Dogs, Cats, etc.)

Article 22-6 (1) A business operator selling dogs, cats, etc. shall, pursuant to the provisions of Ordinance of the Ministry of the Environment, keep books, stating the date of acquiring ownership, the date of sale or delivery, the date of death, and any other matters specified by Ordinance of the Ministry of the Environment for each individual organism of the dogs, cats, etc. he/she owns, and preserve those books.

(2) A business operator selling dogs, cats, etc. shall, pursuant to the provisions of Ordinance of the Ministry of the Environment, notify the prefectural governor of the following matters for each period specified by Ordinance of the Ministry of the Environment:

(i) the number of dogs, cats, etc. owned as of the date of commencement of said period by kind;

(ii) the number of dogs, cats, etc. newly owned during said period;

(iii) the number of dogs, cats, etc. that were sold or delivered or that died during said period by category of such status and by kind;

(iv) the number of dogs, cats, etc. owned as of the date of termination of said period by kind; and

(v) other matters specified by Ordinance of the Ministry of the Environment.

(3) When it is found necessary in light of the status of occurrence of deaths of dogs, cats, etc. owned by a business operator selling dogs, cats, etc., the prefectural governor may, pursuant to the provisions of Ordinance of the Ministry of the Environment, designate a period, and order said business operator selling dogs, cats, etc. that when a dog, cat, etc. he/she owns dies during said designated period, he/she should have the dead dog, cat, etc. undergo postmortem examination by a veterinarian unless it dies while receiving medical care from a veterinarian, and that he/she should submit postmortem examination reports or death certificates for all dogs, cats, etc. that died during said designated period, within 30 days from the date of expiration of said designated period.

(Recommendations and Orders)

Article 23 (1) A prefectural governor may, when he/she finds that a type I animal handling business operator fails to comply with the standards set forth in Article 21, paragraph (1) or (2), recommend said person to improve such matters as the method for the management of the animals handled, by specifying a time limit.

(2) A prefectural governor may, when he/she finds that a type I animal handling business operator fails to comply with the provisions of Article 21-4 or Article 22, paragraph (3), or finds that a business operator selling dogs, cats, etc. fails to comply with the provisions of Article 22-5, recommend said person to take the necessary measures, by specifying a time limit.

(3) A prefectural governor may, when a person who has received a recommendation under the preceding two paragraphs fails to follow the recommendation, order said person to take measures pertaining to said recommendation, by specifying a time limit.

#### (Reports and Inspections)

Article 24 (1) A prefectural governor may, within the limit necessary for implementing the provisions of Articles 10 through 19 and Article 21 through the preceding Article, request a type I animal handling business operator to make reports on the status of animal facilities, the method for the management of the animals handled and other necessary matters or have prefectural officials enter the place of business of said type I animal handling business operator or other relevant places and inspect the animal facilities or other property.

(2) An official who enters and inspects pursuant to the provisions of the preceding paragraph shall carry a certificate for identification and produce it to the persons concerned.

(3) The authority of entry and inspection under paragraph (1) shall not be construed as that approved for the purpose of criminal investigation.

### Section 3 Type II Animal Handling Business

#### (Notification of Type II Animal Handling Business)

Article 24-2 A person who intends to establish an animal facility (limited to that specified by Ordinance of the Ministry of the Environment; hereinafter the same shall apply in this Section) and engage in a business that handles animals (which means transferring, keeping, lending, training, exhibiting or other handling specified by the Cabinet Order set forth in Article 10, paragraph (1) with regard to animals [hereinafter referred to as "any other handling" in this Article] in the course of trade; hereinafter referred to as "type II animal handling business in this Article) (excluding a person who should receive the registration set forth in Article 10, paragraph (1) and a person who intends to handle a number of animals that does not reach the number specified by Ordinance of the Ministry of the Environment) shall, pursuant to the provisions of Ordinance of the Ministry of the Environment, notify

the prefectural governor of the following matters and attach the documents specified by Ordinance of the Ministry of the Environment, for each place where an animal facility is to be established, except in the case where the prefecture, etc. prescribed in Article 35, paragraph (1) handles dogs or cats based on the provisions of said Article and in other cases specified by Ordinance of the Ministry of the Environment:

- (i) the name and address of the individual or corporation making the notification and, in the case of a corporation, the name of the representative person;
- (ii) the location of the animal facility;
- (iii) the category (which means the distinction between transferring, keeping, lending, training, exhibiting or any other handling; hereinafter the same shall apply in this item) of the type II animal handling business that the notifier intends to engage in and the contents of business and the implementation method for each of such category;
- (iv) the main kinds and the number of animals to be handled;
- (v) the structure and size of the animal facility;
- (vi) the method for managing the animal facility; and
- (vii) other matters specified by Ordinance of the Ministry of the Environment.

(Notification of Change)

Article 24-3 (1) When a person who has made notification under the preceding Article (hereinafter referred to as a "type II animal handling business operator") intends to change any of the matters set forth in items (iii) through (vii) of said Article, he/she shall notify the prefectural governor to that effect, pursuant to the provisions of Ordinance of the Ministry of the Environment; provided, however, that this shall not apply when said change is a minor change specified by Ordinance of the Ministry of the Environment.

(2) A type II animal handling business operator shall, when there has been any change to the matters set forth in item (i) or (ii) of the preceding Article or when he/she has discontinued to use the animal facility pertaining to the notification, notify the prefectural governor to that effect and attach the documents specified by Ordinance of the Ministry of the Environment, within 30 days from such day.

(Provisions Applied Mutatis Mutandis)

Article 24-4 The provisions of Article 16, paragraph (1) (excluding the portion pertaining to item (v)), Article 20, Article 21, Article 23 (excluding paragraph (2)), and Article 24 shall apply mutatis mutandis to type II animal handling business operators. In this case, the phrase "Article 10 to the preceding Article" in Article 20 shall be deemed to be replaced with "Articles 24-2, 24-3, and Article 16, paragraph (1) (excluding the portion pertaining to item (v)) as applied mutatis mutandis pursuant to 24-4," the term "registration" in said Article shall be deemed to be replaced with "notification," the phrase "Article 21, paragraph (1) or (2)" in Article

23, paragraph (1) shall be deemed to be replaced with "Article 21, paragraph (1) or (2) as applied mutatis mutandis pursuant to Article 24," the phrase "the preceding two paragraphs" in paragraph (3) of said Article shall be deemed to be replaced with "paragraph (1)," the phrase "Articles 10 through 19 and Article 21 through the preceding Article" in Article 24, paragraph (1) shall be deemed to be replaced with "Article 24-2, Article 24-3, and Article 16, paragraph (1) (excluding the portion pertaining to item (v)), Article 21, and Article 23 (excluding paragraph (2)) as applied mutatis mutandis pursuant to Article 24-4," the term "place of business" in said paragraph shall be deemed to be replaced with "place where an animal facility is to be established," and any other necessary technical replacement of terms shall be specified by Cabinet Order.

#### Section 4 Measures Pertaining to Preservation of the Living Environment, etc.

Article 25 (1) When a prefectural governor finds that there is a situation categorized by Ordinance of the Ministry of the Environment as one where the surrounding living environment has been damaged because of the occurrence of noise or bad smell, scattering of animal hair, emergence of a large number of insects, or any other circumstances resulting from the care and keeping of a large number of animals, he/she may recommend the person causing said situation to take the necessary measures for removing such situation, by specifying a time limit.

(2) In the case where a person who has received a recommendation under the preceding paragraph fails to take the measures pertaining to the recommendation, the prefectural governor may, if he/she finds it particularly necessary, order said person to take the measures pertaining to the recommendation, by specifying a time limit.

(3) When a prefectural governor finds that there is a situation categorized by Ordinance of the Ministry of the Environment as one where animals are likely to become subject to cruelty, such as debilitation caused by improper care or the keeping of a large number of animals, he/she may order or recommend the person causing said situation to take the necessary measures for remedying such situation, by specifying a time limit.

(4) A prefectural governor may request the necessary cooperation from the mayors of municipalities (including special wards) (such mayors shall exclude the mayors of designated cities) with regard to the recommendation or order under the preceding three paragraphs.

#### Section 5 Measures to Prevent Animals from Causing Infringement on the Life, etc. of Humans

##### (Permission for the Care or Keeping of Specified Animals)

Article 26 (1) A person who intends to care for or keep an animal categorized by Cabinet Order as one that carries a risk of causing harm to the life, body or property



of humans (hereinafter referred to as a "specified animal") shall, pursuant to the provisions of Ordinance of the Ministry of the Environment, receive the permission of the prefectural governor having jurisdiction over the location of the facility for the care and keeping of the specified animal (hereinafter referred to as the "specified animal facility" in this Section) for each kind of specified animal; provided, however, that this shall not apply to the case where a veterinarian cares for or keeps a specified animal in a medical facility (which means a medical facility prescribed in Article 2, paragraph (2) of the Veterinary Practice Act [Act No. 46 of 1992]) for the purpose of medical care.

(2) A person who intends to receive the permission set forth in the preceding paragraph shall, pursuant to the provisions of Ordinance of the Ministry of the Environment, submit to the prefectural governor a written application containing the following matters and attach the documents specified by Ordinance of the Ministry of the Environment:

- (i) the name and address of the individual or corporation filing the application and, in the case of a corporation, the name of the representative person;
- (ii) the kind and the number of the specified animals;
- (iii) the purpose of the care or keeping;
- (iv) the location of the specified animal facility;
- (v) the structure and size of the specified animal facility;
- (vi) the method for caring for or keeping the specified animals;
- (vii) matters concerning the measure to be taken when it becomes difficult to care for or keep the specified animals; and
- (viii) other matters specified by Ordinance of the Ministry of the Environment.

(Criteria for Permission)

Article 27 (1) A prefectural governor shall not grant the permission set forth in paragraph (1) of the preceding Article unless he/she finds that the application for permission set forth in the same paragraph conforms to the following items:

- (i) the matters set forth in paragraph (2), items (v) through (vii) of the preceding Article pertaining to said application conform to the standards concerning the structure and size of the specified animal facilities, the method for caring for and keeping the specified animals, and the measure to be taken when it becomes difficult to care for or keep the specified animals as specified by the Ordinance of the Ministry of the Environment according to the characteristics of the specified animals; and
- (ii) the applicant does not fall under any of the following categories:
  - (a) a person who has been sentenced to a fine or a severer punishment for violation of this Act or a disposition based on this Act where two years have yet to elapse since the day on which execution of the sentence has been completed or the sentence has become no longer applicable;

(b) a person whose permission has been rescinded pursuant to Article 29 where two years have yet to elapse since the day of such disposition; or

(c) a corporation where any of its officers fall under either (a) or (b).

(2) In the case of granting the permission set forth in paragraph (1) of the preceding Article, the prefectural governor may, when he/she finds it necessary for preventing specified animals from causing an infringement on the life, body or property of humans, attach conditions to said permission within the limit of such necessity.

(Permission, etc. for Changes)

Article 28 (1) When a person who has received a permission set forth in Article 26, paragraph (1) (including the permission under this paragraph) (such person shall be referred to a "specified animal caretaker") intends to change any of the matters set forth in paragraph (2), item (ii) or items (iv) through (vii) of the same Article, he/she shall receive the permission of the prefectural governor pursuant to the provisions of Ordinance of the Ministry of the Environment; provided, however, that this shall not apply when said change is a minor change specified by Ordinance of the Ministry of the Environment.

(2) The provisions of the preceding Article shall apply mutatis mutandis to the permission set forth in the preceding paragraph.

(3) A specified animal caretaker shall, when there has been a minor change specified by Ordinance of the Ministry of the Environment as set forth in the proviso to paragraph (1) or when there has been any change to the matters set forth in Article 26, paragraph (2), item (i) or (iii) or other matters specified by Ordinance of the Ministry of the Environment, notify the prefectural governor to that effect within 30 days from such day.

(Rescission of Permission)

Article 29 A prefectural governor may, when a specified animal caretaker falls under any of the following items, rescind the permission:

(i) when the person has received permission to be a specified animal caretaker by dishonest means;

(ii) when the structure or size of the specified animal facility or the method for caring or keeping the specified animals of said person no longer conforms to the standards prescribed in Article 27, paragraph (1), item (i);

(iii) when the person has fallen under Article 27, paragraph (1), item (ii), (c); or

(iv) when the person has violated this Act, an order based on this Act or a disposition based on this Act.

(Ordinances of the Ministry of the Environment)

Article 30 In addition to what is provided for in Article 26 through the preceding Article, any necessary matters concerning permission for the care and keeping of

specified animals shall be specified by Ordinances of the Ministry of the Environment.

(Method for Caring For or Keeping Animals)

Article 31 When a specified animal caretaker engages in caring or keeping pertaining to the permission, he/she shall periodically inspect the specified animal facility pertaining to said specified animal, clarify that he/she has received permission with regard to said specified animal, and conform to any other methods specified by Ordinance of the Ministry of the Environment.

(Order for Specified animal caretaker to Take Measures)

Article 32 In the case where a specified animal caretaker has violated the provisions of the preceding Article or has violated the conditions attached pursuant to the provisions of Article 27, paragraph (2) (including the case where it is applied mutatis mutandis pursuant to Article 28, paragraph (2)), the prefectural governor may, if he/she finds it necessary for preventing specified animals from causing an infringement on the life, body or property of humans, order said person to improve the method for caring for or keeping said specified animals or take other necessary measures.

(Reports and Inspections)

Article 33 (1) A prefectural governor may, within the limit necessary for implementing the provisions of Articles 26 through 29 inclusive and the preceding two Articles, request a specified animal caretaker to make reports on the status of specified animal facilities, the method for the management of the specified animals handled and other necessary matters or have prefectural officials enter the places where the specified animal facilities of said specified animal caretaker are established or other relevant places and inspect the specified animal facilities or other properties.

(2) The provisions of Article 24, paragraphs (2) and (3) shall apply mutatis mutandis to entry and inspection under the preceding paragraph.

Section 6 Officials in Charge of Animal Welfare

Article 34 (1) A local government may, pursuant to the provisions of ordinance, establish officials with such a title as animal welfare and management official (referred to as "officials in charge of animal welfare" in the following paragraph and Article 41-4) to perform the entry and inspection prescribed in Article 24, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 24-4 by replacing terms) or paragraph (1) of the preceding Article and other work related to the welfare and management of animals.

(2) An official in charge of animal welfare shall be an official of said local government

who has expert knowledge on the proper care and keeping of animals, such as a veterinarian.

#### Chapter IV Measures Taken by Prefectures, etc.

##### (Taking Custody of Dogs and Cats)

Article 35 (1) A prefecture, etc. (which means a prefecture, designated city, core city set forth in Article 252-22, paragraph (1) of the Local Autonomy Act [hereinafter referred to as a "core city"] or any other city specified by Cabinet Order [including a special ward; the same shall apply hereinafter]) shall take custody of a dog or cat when so requested by its owner; provided, however, that the prefecture, etc. may refuse to take custody of the dog or cat in the case where such request is made by a business operator selling dogs, cats, etc. or in any other cases specified by Ordinance of the Ministry of the Environment as cases where no reasonable ground is found to request the taking of custody in light of the purpose of the provisions of Article 7, paragraph (4).

(2) In the case where a prefecture, etc. takes custody of a dog or cat pursuant to the provisions of the main clause of the preceding paragraph, the prefectural governor, etc. (which means the head of the prefecture, etc.; the same shall apply hereinafter) may designate the place where custody of the dog or cat is to be taken.

(3) The provisions of the main clause of paragraph (1) and the preceding paragraph shall apply mutatis mutandis to the case where a prefecture, etc. is requested to take custody of a dog or cat of which the owner is unknown by its finder or any other person.

(4) With regard to dogs or cats of which custody is taken pursuant to the provisions of the main clause of paragraph (1) (including cases where applied mutatis mutandis pursuant to the preceding paragraph; the same shall apply in paragraphs (7) and (8)), a prefectural governor, etc. shall, with the aim to eliminate slaughter, endeavor to find the owners for those which are presumed to have owners and to return them to their owners, and shall endeavor to invite people who wish to provide care for those that are presumed to have no owners, those for which the taking of custody was requested by their owners, and those of which owners cannot be found, and transfer them to such people.

(5) A prefectural governor may seek the necessary cooperation from the mayor of a municipality (including a special ward) (such mayor shall exclude the mayor of a designated city, core city or a city specified by Cabinet Order set forth in paragraph (1)) concerning custody of a dog or cat under the main clause of paragraph (1).

(6) A prefectural governor, etc. may commission custody or transfer of dogs and cats to an organization established for the purpose of animal welfare.

(7) The Minister of the Environment may, after consultation with the heads of the relevant administrative organs, prescribe necessary matters with regard to the measures to be taken in the case of taking custody pursuant to the provisions of the

main clause of paragraph (1).

(8) The national government may, within the scope of the budget, grant a subsidy to a prefecture, etc. for a part of the costs related to custody set forth in the main clause of paragraph (1), pursuant to the provisions of Cabinet Order.

(Measures for Notification by Finders of Injured Animals, etc.)

Article 36 (1) A person who has found an animal such as a dog or a cat that has a disease or is injured or the carcass of an animal such as a dog or a cat on a road, in a park, in a plaza, or in any other public place shall endeavor to notify promptly the owner when the owner is known or the prefectural governor, etc. when the owner is unknown.

(2) A prefecture, etc. shall, when a notification under the preceding paragraph has been given, take away said animal or animal carcass.

(3) The provisions of paragraph (7) of the preceding Article shall apply *mutatis mutandis* to the case of taking away an animal pursuant to the provisions of the preceding paragraph.

(Restriction on the Breeding of Dogs and Cats)

Article 37 (1) The owner of a dog or a cat shall, when he/she finds that there is a risk that the animal would breed freely and that it would be difficult to give the offspring an opportunity to receive proper care, endeavor to have surgery carried out to disable breeding or take any other measures in order to prevent breeding.

(2) A prefecture, etc. shall, upon such cases as when custody of a dog or a cat is taken under the main clause of Article 35, paragraph (1), endeavor to provide the necessary guidance and advice so that the measures prescribed in the preceding paragraph are taken appropriately.

(Animal Welfare Promoters)

Article 38 (1) Prefectural governors, etc. may appoint animal welfare promoters from among persons who have enthusiasm and knowledge regarding the promotion of the welfare of such animals as dogs and cats in the region.

(2) An animal welfare promoter shall perform the following activities:

(i) deepen the understanding of residents regarding the importance of the welfare and proper care of such animals as dogs and cats;

(ii) give residents, upon request, the necessary advice on surgery for disabling breeding and any other measures for preventing the free breeding of such animals as dogs and cats;

(iii) provide such persons as the owners of such animals as dogs and cats, upon request, adoption services or any other necessary assistance for giving these animals an opportunity to receive proper care;

(iv) provide cooperation necessary for the measures conducted by the national

government or prefectures, etc. to promote the welfare and proper care of such animals as dogs and cats; and

(v) provide cooperation necessary for the measures concerning evacuation, protection, etc. of such animals as dogs and cats conducted by the national government or prefectures, etc. at the time of a disaster.

(Council)

Article 39 Prefectures, etc., general incorporated associations or general incorporated foundations established for the purpose of animal welfare, veterinarian organizations and any other organizations working to disseminate and raise awareness regarding the welfare and proper care of animals may form a council for promoting the appointment of animal welfare promoters in the prefecture, etc. and conducting the necessary deliberations regarding such matters as support for the activities of animal welfare promoters.

#### Chapter V Miscellaneous Provisions

(Method to Be Applied in the Case of Destroying Animals)

Article 40 (1) In the case where an animal must be destroyed, a method that minimizes as much as possible the pain and distress to the animal shall be used.

(2) The Minister of the Environment may, after consultation with the heads of the relevant administrative organs, provide necessary matters with regard to the method set forth in the preceding paragraph.

(Method to Be Applied, Subsequent Measures, etc. in the Case of Providing Animals for Scientific Use)

Article 41 (1) When providing animals for use in education, testing and research or the manufacture of biological preparations, or for any other scientific use, consideration shall be given to the appropriate use of such animals by such means as using alternative methods to that of the use of animals as much as possible and reducing the number of animals provided for such use as much as possible, within the extent that the purpose of the scientific use can be attained.

(2) In the case where an animal is provided for a scientific use, a method that minimizes the pain and distress to the animal as much as possible shall be used, within the limit necessary for such use.

(3) In the case where an animal has fallen into a state from which recovery is unlikely after being provided for a scientific use, the person who provided the animal for such scientific use shall immediately dispose of said animal by a method that minimizes pain and distress as much as possible.

(4) The Minister of the Environment may, after consultation with the heads of the relevant administrative organs, prescribe the standards to be complied with regarding the method set forth in paragraph (2) and the measures set forth in the

preceding paragraph.

(Notification by Veterinarians)

Article 41-2 When a veterinarian, in conducting his/her business, finds the carcass of an animal that is considered to have been destroyed without reason or finds an animal that is considered to have been injured or made subject to cruelty without reason, he/she shall endeavor to notify the prefectural governor and any other relevant organs.

(Commendation)

Article 41-3 The Minister of the Environment may commend a person who is found to have made a particularly notable achievement with regard to the welfare and proper management of animals.

(Provision of Information to Local Public Entities, etc.)

Article 41-4 In order to contribute to the appropriate and smooth implementation of measures for the welfare and management of animals, the State shall endeavor to provide information and give technical advice to, and take any other necessary measures for local public entities with regard to establishment of officials in charge of animal welfare, implementation of training on the welfare and management of animals for officials in charge of animal welfare, strengthening of coordination between the department of the local public entity in charge of affairs concerning the welfare and management of animals and the prefectural police, appointment of and implementation of training that contributes to improving the quality of animal welfare promoters, and other matters.

(Transitional Measures)

Article 42 In the case of establishing, amending, or abolishing an order based on the provisions of this Act, required transitional measures (including transitional measures relating to penal provisions) may be specified by said order, within the extent that is judged to be reasonably necessary in line with the establishment, amendment, or abolition of the order.

(Hearing of the Opinion of the Central Environment Council)

Article 43 The Minister of the Environment shall, when he/she intends to formulate the basic guidelines, establish the standards set forth in Article 7, paragraph (7), Article 12, paragraph (1), Article 21, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 24-4), Article 27, paragraph (1), item (i) or Article 41, paragraph (4), specify the situation set forth in Article 25, paragraph (1) or (3), or prescribe the matters set forth in Article 35, paragraph (7) (including the case where it is applied mutatis mutandis pursuant to Article 36,

paragraph (3)) or Article 40, paragraph (2), hear the opinion of the Central Environment Council. The same shall apply when he/she intends to change or abolish the basic guidelines, standards, situation, or matters.

#### Chapter VI Penal Provisions

Article 44 (1) A person who has destroyed or injured, without reason, a protected animal shall be punished by imprisonment with work for not more than two years or a fine of not more than two million yen.

(2) A person who has, without reason, committed on a protected animal an act of causing debilitation through discontinuation of feeding and/or watering, exploitation of the animal, or restraint of the animal at a place where it is difficult to maintain its health and safety, an act of failing to appropriately protect a protected animal which he/she cares for or keeps and which has a disease or is injured, an act of caring for or keeping the animal in a facility which he/she owns where excrement is deposited or where the carcass of another protected animal is left as it is, or any other cruelty shall be punished by a fine of not more than one million yen.

(3) A person who has abandoned a protected animal shall be punished by a fine of not more than one million yen.

(4) The term "protected animal" as used in the preceding three paragraphs shall be the animals set forth in the following items:

- (i) cattle, horses, pigs, sheep, goats, dogs, cats, domestic rabbits, chickens, domestic pigeons, and domestic ducks; and
- (ii) animals in the possession of persons where such animals are categorized as mammals, birds or reptiles, other than those set forth in the preceding item.

Article 45 A person who falls under any of the following items shall be punished by imprisonment with work for not more than six months or a fine of not more than one million yen:

- (i) a person who has cared for or kept a specified animal without permission in violation of the provisions of Article 26, paragraph (1);
- (ii) a person who has received the permission set forth in Article 26, paragraph (1) by dishonest means; or
- (iii) a person who has changed any of the matters set forth in Article 26, paragraph (2), item (ii) or items (iv) through (vii) in violation of the provisions of Article 28(1).

Article 46 A person who falls under any of the following items shall be punished by a fine of not more than one million yen:

- (i) a person who has engaged in the animal handling business without receiving registration in violation of the provisions of Article 10, paragraph (1);
- (ii) a person who has received the registration set forth in Article 10, paragraph (1) (including the renewal of registration set forth in Article 13, paragraph (1)) by



dishonest means;

(iii) a person who has violated an order for the suspension of business under Article 19, paragraph (1); or

(iv) a person who has violated an order under Article 23, paragraph (3) or Article 32.

Article 46-2 A person who has violated an order under Article 25, paragraph (2) or (3) shall be punished by a fine of not more than five hundred thousand yen.

Article 47 A person who falls under any of the following items shall be punished by a fine of not more than three hundred thousand yen:

(i) a person who has failed to give a notification under Article 14, paragraphs (1) through (3), Article 24-2, Article 24-3, paragraph (1) or Article 28, paragraph (3) or has given a false notification;

(ii) a person who has failed to submit a postmortem examination report or death certificate in violation of an order under Article 22-6, paragraph (3);

(iii) a person who has failed to make a report under Article 24, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 24-4 by replacing terms) or Article 33, paragraph (1) or has made a false report, or who has refused, obstructed, or evaded an inspection under these provisions; or

(iv) a person who has violated an order under Article 23, paragraph (3) as applied mutatis mutandis pursuant to Article 24-4 by replacing terms.

Article 48 When the representative person of a corporation, or an agent, employee or any other worker of a corporation or individual has committed an act in violation of the provisions from Article 44 to the preceding Article with regard to the business of said corporation or individual, not only the offender shall be punished but also said corporation shall be punished by the fine set forth respectively in the following items or said individual shall be punished by the fine prescribed in the respective Articles:

(i) Article 45—a fine of not more than fifty million yen; or

(ii) Article 44 or the preceding three Articles: the fine prescribed in the respective Articles.

Article 49 A person who falls under any of the following items shall be punished by a non-penal fine of not more than two hundred thousand yen.

(i) a person who has failed to give a notification under Article 16-, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 24-4), Article 22-6, paragraph (2), or Article 24-3, paragraph (2) or has given a false notification; or

(ii) a person who has failed to keep books, failed to make a statement or made a false statement in the books, or failed to preserve the books in violation of Article 22-6, paragraph (1).

Article 50 A person who fails to post a sign under Article 18 shall be punished by a non-penal fine of not more than one hundred thousand yen.

Supplementary Provisions [Act No. 79 of September 5, 2012]  
(Effective Date)

Article 1 This Act shall come into effect as of the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions of the following Article and Article 12 of the Supplementary Provisions shall come into effect as of the date of promulgation.

(Preparation Before Enforcement)

Article 2 With regard to establishment of the standards set forth in Article 12, paragraph (1) and the standards set forth in Article 21, paragraph (1) as applied mutatis mutandis pursuant to Article 24-4, and specification of the situation set forth in Article 25, paragraph (3) of the Act on Welfare and Management of Animals as revised by this Act (hereinafter referred to as the "New Act"), the Minister of the Environment may hear the opinion of the Central Environment Council even prior to the enforcement of this Act.

(Transitional Measures)

Article 3 (1) A person who had already received the registration set forth in Article 10, paragraph (1) of the Act on Welfare and Management of Animals prior to the revision by this Act (hereinafter referred to as the "Former Act") at the time of enforcement of this Act shall be deemed to have received the registration set forth in Article 10, paragraph (1) of the New Act on the day of the enforcement of this Act (hereinafter referred to as the "enforcement date") within the scope of the business pertaining to said registration.

(2) A person who is deemed to have received the registration set forth in Article 10, paragraph (1) of the New Act pursuant to the provisions of the preceding paragraph and who had already been engaging in the business of selling dogs, cats, etc. prescribed in paragraph (3) of said Article at the time of the enforcement of this Act shall give notification to the prefectural governor (in the case of the designated city set forth in Article 252-19, paragraph (1) of the Local Autonomy Act [Act No. 67 of 1947], the mayor of said designated city; the same shall apply in Article 8, paragraph (1) of the Supplementary Provisions) by submitting a document containing the matters set forth in the items of said paragraph pursuant to the provisions of Ordinance of the Ministry of the Environment, within three months from the enforcement date.

(3) The provisions of Article 14, paragraph (4) of the New Act shall apply to a notification under the preceding paragraph by deeming that it has been given

pursuant to Article 14, paragraph (1) of the New Act.

(4) The provisions of Article 19, paragraph (1), item (vi) of the New Act shall apply to a person who has violated paragraph (2) by deeming that said person has violated Article 14, paragraph (1) of the New Act.

Article 4 Where a person has filed an application for the registration set forth in Article 10, paragraph (1) of the Former Act (including the renewal of registration set forth in Article 13, paragraph (1) of the Former Act) (in the case of renewal of registration, excluding a person for whom the effective period of the registration prescribed in Article 13, paragraph (3) of the Former Act expires after the enforcement of this Act), with regard to the standards for registration pertaining to said application, the provisions then in force shall remain applicable.

Article 5 With regard to the application of Article 13 of the New Act, a person who had already received the registration set forth in Article 10, paragraph (1) of the Former Act at the time of the enforcement of this Act shall be deemed to have received the registration set forth in Article 10, paragraph (1) of the New Act on the day he/she had received said registration, notwithstanding the provisions of Article 3, paragraph (1) of the Supplementary Provisions.

Article 6 With regard to the rescission of registration of a person who had already received the registration set forth in Article 10, paragraph (1) of the Former Act at the time of the enforcement of this Act or a person who has received the registration set forth in Article 10, paragraph (1) of the New Act after the enforcement of this Act based on an application for registration (including the renewal of registration set forth in Article 13, paragraph (1) of the Former Act) filed prior to the enforcement of this Act (in the case of renewal of registration, excluding a person for whom the effective period of the registration prescribed in Article 13, paragraph (3) of the Former Act expires after the enforcement of this Act), if said rescission is based on grounds that have arisen prior to the enforcement of this Act, the provisions then in force shall remain applicable.

Article 7 (1) Until the day on which three years have passed from the enforcement date, the term "fifty six days" in Article 22-5 of the New Act shall be deemed to be replaced with "forty five days."

(2) From the day following the day on which the period prescribed in the preceding paragraph has passed until the date to be separately specified by law, the term "fifty six days" in Article 22-5 of the New Act shall be deemed to be replaced with "forty nine days."

(3) With regard to the date to be separately specified by law set forth in the preceding paragraph, studies shall be made within five years from the enforcement

of this Act by taking into consideration the actual status of business of business operators selling dogs, cats, etc. (which means the business operators selling dogs, cats, etc. prescribed in Article 14, paragraph (3) of the New Act; hereinafter the same shall apply in this paragraph), the level of establishment of understanding among the general public about the ideal timing for separating dogs and cats from their parents, etc. for establishing a close social relationship between dogs and cats and humans based on further enhancement of scientific knowledge through implementation of surveys and research using microchips, etc., the status of penetration of said scientific knowledge among business operators selling dogs, cats, etc., the status of enhancement of measures for ensuring certification of the dates of birth of dogs and cats, and other matters, and the date shall be promptly specified based on the results of said studies.

Article 8 (1) A person who had already established the animal facility(ies) prescribed in Article 10, paragraph (2), item (vi) of the New Act (limited to those specified by Ordinance of the Ministry of the Environment set forth in Article 24-2 of the New Act) and was engaging in the type II animal handling business prescribed in Article 24-2 of the New Act at the time of enforcement of this Act (excluding a person who should receive the registration set forth in Article 10, paragraph (1) of the New Act, and a person who had already received the registration set forth in Article 10, paragraph (1) of the Former Act or who handled a number of animals that did not reach the number specified by Ordinance of the Ministry of the Environment set forth in Article 24-2 of the New Act at the time of enforcement of this Act) shall, except in the cases specified by Ordinance of the Ministry of the Environment, notify the prefectural governor of the matters set forth in the items of said Article and attach the documents specified by Ordinance of the Ministry of the Environment, pursuant to the provisions of Ordinance of the Ministry of the Environment, for each place where the animal facility is established, within sixty days from the enforcement date.

(2) A person who has given a notification under the preceding paragraph shall be deemed to be a person who has made a notification under Article 24-2 of the New Act.

Article 9 (1) A person who has failed to give a notification under Article 3, paragraph (2) of the Supplementary Provisions or paragraph (1) of the preceding Article or has given a false notification shall be punished by a fine of not more than three hundred thousand yen.

(2) When the representative person of a corporation, or an agent, employee or any other worker of a corporation or individual has committed an act in violation of the preceding paragraph with regard to the business of said corporation or individual, not only the offender shall be punished but also said corporation or individual shall

be sentenced to the punishment set forth in said paragraph.

Article 10 Any disposition made, procedure followed, or any other act conducted pursuant to the provisions of the Former Act or an order based thereon prior to the enforcement of this Act shall be deemed to be a disposition made, procedure followed, or any other act conducted pursuant to the provisions of the corresponding provisions of the New Act or an order based thereon, except as otherwise provided by these Supplementary Provisions.

Article 11 With regard to application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

Article 12 In addition to what is provided for in Article 2 of the Supplementary Provisions through the preceding Article, necessary transitional measures concerning the enforcement of this Act shall be specified by Cabinet Order.

(Partial Revision of the Lost Property Act)

Article 13 The Lost Property Act (Act No. 73 of 2006) shall be partially revised as follows:

The phrase "Article 35, paragraph (2)" in Article 4, paragraph (3) shall be revised to "Article 35, paragraph (3)" and the term "cat ['neko' written in hiragana in Japanese]" in said paragraph shall be revised to "cat ['neko' written in kanji in Japanese]."

(Microchipping, etc.)

Article 14 (1) Given that microchipping of dogs, cats, etc. to be provided for sale contributes to maintaining the health and safety of said dogs, cats, etc., and due to other reasons, the State shall take necessary measures for promoting research and development toward obligating the microchipping of dogs, cats, etc., disseminating the results of said research and development, raising public awareness about microchipping, and developing a system for managing the information associated with the identification numbers.

(2) By approximately five years from the enforcement of this Act, the State shall conduct studies on necessary regulations for the microchipping of dogs, cats, etc. to be provided for sale, as a step toward obligating the microchipping, by taking into consideration the effects of the measures taken pursuant to the preceding paragraph, the status of the microchipping rate, and other matters, and take necessary measures based on the results of said studies.

(Review)

Article 15 The government shall review the status of the enforcement of the New Act

after approximately five years from the enforcement of this Act, and if it finds it necessary, take required measures based on the results of said review.