

Order for Enforcement of the Act on Welfare and Management of Animals

(Cabinet Order No. 107 of April 7, 1975)

Last revision: Cabinet Order No. 283 of August 18, 2016

The Cabinet hereby enacts this Cabinet Order based on the provisions of Article 7(1) and (7) of the Act on Welfare and Management of Animals (Act No. 105 of 1973).

(Handling Application for Registration of Type I Animal Handling Business)

Article 1 The handling specified by a Cabinet Order set forth in Article 10(1) of the Act on Welfare and Management of Animals (hereinafter referred to as “Act”) shall be as follows:

(i) Holding a bidding by providing a venue for those intending to sell or buy animals

(ii) Caring for animals after taking them over (limited to the case where the person who has handed over said animals bears all or part of the expenses necessary for said caring)

(Specified Animals)

Article 2 The animals specified by a Cabinet Order set forth in Article 26(1) of the Act shall be species listed in Appended Table (including subspecies), except for those listed in the column titled “Name of Species” of Appended Table 1 of the Order for Enforcement of the Act on the Prevention of Damage pertaining to the Ecosystem, etc. by Specified Foreign Organisms (Cabinet Order No. 169 of 2005).

(National Subsidy)

Article 3 The national subsidy under Article 35(8) of the Act shall, for the expenses necessary for installing poundage, destructor or incineration facilities, be provided up to the amount equivalent to one-half of the amount calculated based on the standards specified by the Minister of the Environment.

Supplementary Provisions (Cabinet Order No. 8 of January 20, 2012)

(Effective Date)

Article 1 This Cabinet Order shall come into effect as from June 1, 2012.

(Transitional Measures)

Article 2 A person who is actually engaged in the animal handling business prescribed in Article 10(1) of the Act on Welfare and Management of Animals (hereinafter referred to as “Act”) pertaining to the handling set forth in the items of Article 1 after the amendment by this Cabinet Order (hereinafter referred to as “additional animal handling business”) at the effective date of this Cabinet Order may continuously engage in said additional animal handling business, without receiving the registration set forth in Article 10(1) of the Act, for one year from the effective date of this Cabinet Order (in the case where there occurs a disposition of refusal of registration under Article 12(1) of the Act during said period, until the day of said disposition).

In the case where said person applies for the registration set forth in the same paragraph during said period, and said period has passed, the same provision shall also apply until the disposition of registration or of refusal of registration for said application is made.

(2) When a person may continuously engage in the additional animal handling business pursuant to the preceding paragraph, the person shall be deemed to have received the registration set forth in Article 10(1) of the Act from the prefectural governor having jurisdiction over the location of the place of business where the person is engaged in said business (in the case of a designated city set forth in Article 252-19(1) of the Local Autonomy Act (Act No. 67 of 1947), the mayor of said designated city), and shall be subject to the provisions of Article 19, paragraph (1) (except the portion pertaining to rescission of registration) and paragraph (2), Article 21, Article 23, paragraphs (1) and (3), and Article 24 (including penal provisions pertaining thereto).

Supplementary Provisions (Cabinet Order No. 232 of August 2, 2013) (Extract)

(Effective Date)

Article 1 This Cabinet Order shall come into effect as from February 1, 2014; provided, however, that the amended provisions of Articles 1 and 3, and the provisions of the following Article to Article 4 inclusive of the Supplementary Provision shall come into effect as from the date of enforcement (September 1, 2013) of the Act Partially Amending the Act on Welfare and Management of Animals (hereinafter referred to as “Amendment Act”).

(Transitional Measures for a Business of Selling Dogs, Cats, etc.)

Article 2 A person who has received the registration set forth in Article 10(1) of

the Act on Welfare and Management of Animals which came into effect after the amendment by the Amendment Act (hereinafter referred to as “New Act”) after the effective date of the Amendment Act based on the application for registration which has been filed by the person prior to the enforcement of the Amendment Act under Article 10(2) of the Act on Welfare and Management of Animals which was the Act prior to the amendment by the Amendment Act which was (referred to as “Old Act” in the paragraph (1) of the following Article) (limited to a person who has received said registration as a person intending to engage in a business of selling dogs, cats, etc. prescribed in Article 10(3) of the New Act) shall submit a document containing matters set forth in the items of Article 10(3) of the New Act to the prefectural governor (in the case of a designated city set forth in Article 252-19(1) of the Local Autonomy Act (Act No. 67 of 1947), the mayor of said designated city; the same shall apply in paragraph (3) of the following Article) within three months from the date of said registration as specified by an Ordinance of the Ministry of the Environment.

(2) The notification under the preceding paragraph shall be deemed to have been made pursuant to Article 14(1) of the New Act, and shall be subject to the provisions of paragraph (4) of the same Article.

(3) A person who has violated the provisions of paragraph (1) shall be deemed to have violated the provisions of Article 14(1) of the New Act, and shall be subject to the provisions of Article 19(1)(vi) of the New Act.

(Transitional Measures for Permission for the Care or Keeping of Specified Animals)

Article 3 (1) The standards for permission for a person who has applied for the permission (including permission of a change under Article 28(1) of the Old Act) set forth in Article 26(1) of the Old Act before the effective date of the Amendment Act shall remain governed by the prior and existing provisions.

(2) A person who intends to receive the permission set forth in Article 26(1) of the New Act with regard to *Hieraaetus fasciatus* (Aquila Bonelli), *Aquila nipalensis* (tawny eagle), *Hieraaetus spilogaster* (African hawk eagle), *Haliaeetus vocifer* (African fish eagle) and *Nisaetus nipalensis* (mountain hawk eagle) may apply for permission also before the day on which this Cabinet Order comes into effect (referred to as “Effective Date” in the following paragraph).

(3) Upon receiving the application for permission pursuant to the preceding paragraph, a prefectural governor may grant the permission set forth in Article 26(1) of the New Act even prior to the Effective Date. In this case, said permission shall come into effect as from the Effective Date.

Supplementary Provisions (Cabinet Order No. 283 of August 18, 2016)

(Effective Date)

Article 1 This Cabinet Order shall come into effect as from October 1, 2016.

Appended Table (related to Article 2)

Name of family	Name of species
1 Mammalia	
(1) Primate	
Atelidae	Alouatta (howler monkey) spp. Ateles (spider monkey) spp. Brachyteles (wooly spider monkey) spp. Lagothrix (wooly monkey) spp. Oreonax flavicauda (Hendee's wooly monkey)
Cercopithecidae	Cercocebus (mangabey) spp. Cercopithecus (guenon) spp. Chlorocebus spp. Colobus spp. Erythrocebus patas (patas monkey) Lophocebus spp. Macaca (macaque) spp. Mandrillus (mandrill) spp. Nasalis larvatus (proboscis monkey) Papio (baboon) spp. Piliocolobus (red colobus) spp. Presbytis (leaf monkey) spp. Procolobus (olive colobus) Pygathrix (douc monkey) spp. Rhinopithecus spp. Semnopithecus spp. Simias concolor (Mentawai pig-tailed langur) Theropithecus gelada (gelada baboon) Trachypithecus spp.
Hylobatid	Hylobatidae spp.
Hominidae	Gorilla (gorilla) spp. Pan (chimpanzee) spp. Pongo (orangutan) spp.

(2) Carnivora	
Canidae	Canis adustus (side-striped jackal) Canis aureus (golden jackal) Canis latrans (coyote) Canis lupus (gray wolf) not including Canis lupus dingo (dingo) and Canis lupus familiaris (dog) Canis mesomelas (black-backed jackal) Canis simensis (Abyssinian wolf) Chrysocyon brachyurus (maned wolf) Cuon alpinus (dhole) Lycaon pictus (lycaon)
Ursidae	Ursidae spp.
Hyaenidae	Hyaenidae spp.
Felidae	Acinonyx jubatus (Cheetah) Caracal caracal (caracal) Catopuma temminckii (Asiatic golden cat) Felis chaus (jungle cat) Leopardus pardalis (ocelot) Leptailurus serval (serval) Lynx (lynx) spp. Neofelis nebulosa (clouded leopard) Panthera (leopard) spp. Prionailurus viverrinus (fishing cat) Profelis aurata (African golden cat) Puma (puma) spp. Uncia uncia (snow leopard)
(3) Proboscidea	
Elephantidae	Elephantidae spp.
(4) Perissodactyla	
Rhinocerotidae	Rhinocerotidae spp.
(5) Artiodactyla	
Hippopotamidae	Hippopotamidae spp.
Giraffidae	Giraffa camelopardalis (giraffe)
Bovidae	Bison (bison) spp. Syncerus caffer (African buffalo)
2 Aves	

(1) Casuariiformes	
Casuariidae	Casuariidae spp.
(2) Accipitriformes	
Cathartidae	Gymnogyps californianus (California condor) Sarcoramphus papa (king vulture) Vultur gryphus (Andean condor)
Accipitridae	Aegyptius monachus (cinereous vulture) Aquila audax (wedge-tailed eagle) Aquila chrysaetos (golden eagle) Aquila fasciata (Bonelli's eagle) Aquila nipalensis (steppe eagle) Aquila spilogaster (African hawk-eagle) Aquila verreauxii (Verreaux's eagle) Gypaetus barbatus (bearded vulture) Gyps africanus (white-backed vulture) Gyps rueppelli (Rüppell's vulture) Haliaeetus albicilla (white-tailed sea-eagle) Haliaeetus leucocephalus (bald eagle) Haliaeetus pelagicus (Steller's sea-eagle) Haliaeetus vocifer (African fish-eagle) Harpia harpyja (harpy eagle) Harpyopsis novaeguineae (New Guinea harpy eagle) Morphnus guianensis (crested eagle) Nisaetus nipalensis (mountain hawk-eagle) Pithecophaga jefferyi (Philippine eagle) Polemaetus bellicosus (martial eagle) Stephanoaetus coronatus (crowned hawk-eagle) Torgos tracheliotos (lappet-faced vulture)
3 Reptilia	
(1) Testudines	
Chelydridae	Chelydridae spp.
(2) Squamata	
Helodermatidae	Helodermatidae spp.
Varanidae	Varanus komodoensis (Komodo dragon) Varanus salvadorii (crocodile monitor)
Pythonidae	Morelia amethystina (amethystine python) Morelia kinghorni (Australian scrub python)

	Python molurus (Indian python) Python reticulatus (reticulated python) Python sebae (African rock python)
Boidae	Boa constrictor (boa constrictor) Eunectes murinus (green anaconda)
Colubridae	Dispholidus (boomslangs) spp. Rhabdophis (tiger keelback) spp. Tachymenis spp. Thelotornis (twig snake) spp.
Elapidae	Elapidae spp.
Viperidae	Viperidae spp.
(3) Crocodylia	
Alligatoridae	Alligatoridae spp.
Crocodylidae	Crocodylidae spp.
Gavialidae	Gavialidae spp.