

# An Outline of the Act on Welfare and Management of Animals





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### ***Striving for a better relationship between people and animals***

**T**oday, animals are an important part of a spiritually rich lifestyle in Japan. Unfortunately, however, all of us have heard stories of behavior that has become a social problem; namely, cruelty to and abandonment of animals, and animal sales by unscrupulous business dealers. Furthermore, the number of public nuisances such as noise and bad smells caused by bad-mannered animal owners or animal owners who own large numbers of animals and accidents caused by animals has increased. Given these circumstances, the Act on Welfare and Management of Animals was revised in June 2005 to promote the welfare and appropriate management of animals further.

### **History of the Act on Welfare and Management of Animals**

- 1973 Enactment of the "Act on Protection and Management of Animals"
- 1999 The name of the Act changed in Japanese.  
Major revisions included establishment of regulations on animal handling businesses, strict definition of the responsibilities of animal owners, expansion of category of animals covered by penal provisions related to cruelty and abandonment, reinforcement of penal provisions, etc.
- 2005 Partial revision (reinforcement of regulations on animal handling businesses, greater consideration for laboratory animals, establishment of uniformity of regulations on the care of specified animals, reinforcement of penal provisions, etc.)

# 1

## What is the Act on Welfare and Management of Animals?

### Purpose

- Prevention of animal cruelty
- Proper care and keeping of animals
- Prevention of harm caused by animals
- Animals targeted by the Act : All animals kept by people

By preventing cruelty to and ensuring the welfare of animals, the Act aims to create a spiritually rich society that values life, not only to encourage the proper care of animals simply by showing them affection, but also to prevent the harm and nuisance which animals can cause to people.



### Outline

#### a. Fundamental principle

Recognizing that animals are living beings, no person shall kill, injure, or inflict cruelty on animals unnecessarily, and when keeping animals, every person shall fully understand their habits and give them proper care so that people and animals can live together.

#### b. Guidelines for the proper handling of animals

The Act establishes guidelines for the proper handling of animals for each of the following animal categories: household animals, animals for exhibition, industrial animals, and laboratory animals. Furthermore, the Act states that, when killing animals, methods that minimize their suffering must be used whenever possible.

<b>Animals at home*</b>	Animals kept as household pets or kept in schools
<b>Animals for exhibition*</b>	Animals kept for the purposes of exhibition or interaction with people (e.g., animals in zoos, petting zoos, pet shops, breeding businesses, animal talent agencies, etc.)
<b>Industrial animals*</b>	Animals kept for industrial purposes (e.g., cattle, chickens, etc.)
<b>Laboratory animals*</b>	Animals kept at laboratories and other such facilities for scientific purposes

\*Applies to mammals, birds, and reptiles



### c. Responsibilities of animal owners

A person who keeps an animal is, as its owner, responsible for it as a living being. While caring for the animal in a manner that is appropriate for its breed and habits and maintaining its health and safety, such person must also endeavor to ensure that the animal does not harm people nor cause trouble for others (for example, with its feces, urine, fur, etc.). Furthermore, such person must spay/neuter the animal to prevent uncontrolled reproduction, obtain knowledge about diseases (especially infectious diseases) that are transmitted among animals or from animals to people and then take steps to prevent such diseases, and attach a marker (microchip, etc.) to the animal that clearly indicates it belongs to him/her.

### d. Maintaining the living environment

In cases where a living environment is disrupted by smells, noise, or other problems that are caused by a person who keeps more animals than he/she is capable of managing, the prefectural governor or mayor of the government-designated city (hereinafter the "designated city") may issue a recommendation or order for improvement to that person.



### e. Regulation of animal handling businesses

If a person wishes to operate an animal handling business, he or she must register with the prefecture, etc., after satisfying standards for the appropriate handling of animals. Officials in charge of animal welfare for the prefecture, etc., shall enter the place of business to make inspections. If any problems pertaining to the facilities, methods for handling animals, or other items emerge, the prefectural governor or mayor of the designated city may issue a recommendation or order for improvement. If an animal handling business operator is found to be acting maliciously, the governor, etc., may refuse or rescind registration or order the suspension of the business.

### f. Regulation of care of dangerous animals

If a person wishes to keep a dangerous animal that has been specified by the national government (by a Cabinet Order) as an animal that may cause harm to human beings (hereinafter a "specified animal"), he or she must receive permission from the prefecture, etc.

The animal owner must use a microchip or other means for individual identification of the animal, and he or she must engage in the proper management of the animal by installing facilities with a structure that will prevent its escape.

#### g. Taking custody of dogs or cats

Prefectures, etc. will take custody of dogs or cats from their owners when applicable. Prefectures, etc. will also house dogs and cats whose owners are unknown, as well as sick or injured dogs and cats that are found on roads, in parks or plazas, or in other public areas.

#### h. "Be Kind to Animals Week" and dissemination and awareness-raising activities

The national government and local governments promote awareness about the welfare and proper care of animals through educational and publicity activities that are directed at schools, communities, and homes. They also hold a variety of events during "Be Kind to Animals Week," which is held from September 20 to 26 of each year.



#### i. Approaches by the national government and local governments

The national government establishes basic guidelines, while the prefectures set up promotional programs that are matched to regional circumstances. Moreover, prefectural governors and mayors of designated cities can appoint Animal Welfare Promoters to give necessary advice to animal owners in order to promote animal welfare and proper care. Local governors, etc., can also organize councils to support the activities of the Animal Welfare Promoters.

#### j. Penal provisions

A person who, without reason, kills or injures a protected animal (see page 8) shall be punished by imprisonment with work for not more than one year or a fine of not more than 1 million yen. A person who neglects to give a protected animal food and/or water or who abandons a protected animal shall be punished by a fine of not more than 500,000 yen. A person who keeps a dangerous animal (specified animal) without permission or who operates an animal handling business without registration shall be subject to a fine, imprisonment with work, or other punishment.

# 2

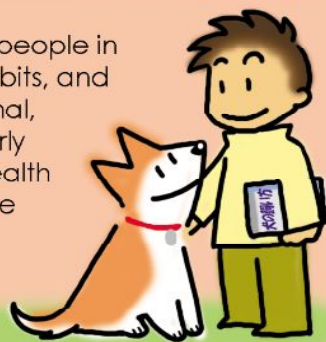
## Five points that should be observed by animal owners

Keeping an animal means being entrusted with its life. Consequently, an animal owner is responsible for ensuring that the animal can live comfortably and healthily, and for making certain that the animal does not cause trouble for the community and society. If we are to realize a society in which people and animals can live together, owners must treat their animals ethically and with consideration.

### 1

#### Properly understand your animal's habits, and bear responsibility for caring for it through its lifetime

Animals are living beings that differ from people in that each breed has its own ecology, habits, and physiology. If you intend to keep an animal, you should learn how to care for it properly before you acquire it, be mindful of its health and safety by caring for it in ways that are appropriate for its variety, and take responsibility for it over the course of its lifetime. Be aware that keeping wild animals involves special considerations.



### 2

#### Prevent harm and nuisance to others



Make sure that your animal does not damage the community's living environment or dirty public spaces with its feces, urine, hair, or feathers. Also train your animal in a manner that is suitable for its variety to ensure that it does not become a nuisance to others by harming people, barking, etc.



### 3

#### Prevent uncontrolled breeding

If animals multiply due to uncontrolled breeding, it may become impossible to care for each one properly. Because there are limits to the amount of effort, time, and space that a person can devote to animals, make sure that the number of animals you keep does not exceed your ability to manage them properly. Also, remember that every year tens of thousands of puppies and kittens are put to sleep. If you cannot take responsibility for the lives of all offspring your animal produces, be sure to take steps to control its breeding by, for example, having it spayed or neutered.



### 4

#### Learn about zoonosis



Obtain accurate information about diseases that can be transmitted between animals and human beings, and take steps to prevent infection for yourself and others.

### 5

#### Clearly indicate that you are the animal's owner

In order to prevent theft or loss, attach a microchip, nametag, leg band, or other marker to your animal that indicates it belongs to you.



# 3

## Prohibition of cruelty and abandonment

Cruelty and abandonment of protected animals are crimes. People who commit such acts shall be subject to imprisonment with work or a fine.

A person who has destroyed or injured, without reason, a protected animal

**Imprisonment for not more than 1 year or a fine of not more than 1 million yen**

A person who has committed on a protected animal cruelty such as causing debilitation by discontinuing feeding and or watering without reason

**Fine of not more than 500,000 yen**

A person who has abandoned a protected animal

**Fine of not more than 500,000 yen**

### What is a "protected animal"?

- All of the following animals, regardless of whether they are owned or not: Cattle, horses, pigs, sheep, goats, dogs, cats, domestic rabbits, chickens, domestic pigeons, and domestic ducks
- Animals categorized as "mammals, birds, or reptiles" that are kept by people.



## Prohibition of cruelty

**Animal cruelty** = Behavior that causes animals to suffer unnecessarily

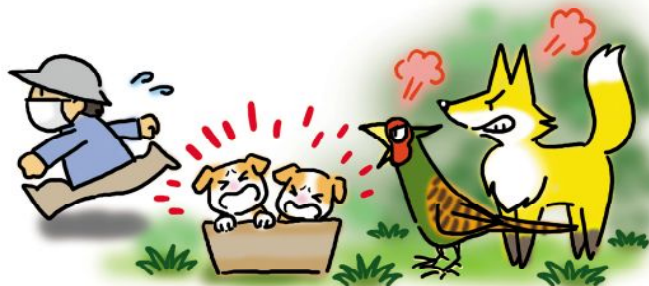
Animal cruelty refers to behavior that causes animals to suffer unnecessarily. It includes not only behavior that is intended to kill or injure animals without a justifiable reason, but also such neglectful behavior as failing to provide necessary care, treatment for illness or disease, or adequate food and water.



Kindness toward others is a natural human sentiment, and it is an important ethic for the building of a spiritually-rich society. On top of this, consideration for vulnerable animals nurtures empathy for and generosity to others. On the other hand, cruelty to animals is inhuman behavior that ignores the suffering of others, and it even hurts those who observe it. Moreover, it is said that animal cruelty committed by young people (instances of which have been seen more commonly in recent years) cripples the normal building of the inflictor's character and may lead to criminal cruelty which might be directed at people. It should be noted that the killing of animals for justifiable reasons— for example, for food or because they are suffering terribly from illness or injury that cannot be cured— is not cruelty. However, even in such cases, methods must be used that minimize suffering.

## Prohibition of abandonment

The responsibilities of people who own animals— which are living beings— do not stop at simply providing them with proper care and handling them with affection; it also includes looking after them appropriately over the course of their lifetimes. Those who abandon animals because they can no longer care for them do more than expose the animals to danger and suffering from hunger or thirst; they also cause a significant problem for nearby residents. And recently, more people are releasing non-native animals that do not live naturally in Japan into the wild. This causes serious social problems as such animals can destroy crops and ecosystems. Although, to a certain degree, "releasing" animals into the wild was once considered acceptable, in today's society— which is experiencing changes in social conditions and the natural environment, and in which the kinds of animals kept by human beings are diversifying— releasing animals is prohibited as an act that causes animals to suffer unnecessarily and that impacts on the surrounding environment and ecosystems.



# 4

## Regulations on animal handling businesses

Persons engaged in animal handling businesses must be registered by a prefectural governor or mayor of a designated city for each place of business and business category. Such people are also required to comply with standards pertaining to methods for the management of the animals, and the size and structure of animal facilities, etc. Moreover, as animal handlers, they must treat animals properly, as living beings.

### Regulated business categories

Persons involved in the selling, keeping, lending, training, or exhibiting of animals\* as a business must be registered prior to the commencement of such a business. This requirement also applies to businesses that do not own animals or animal facilities, such as sales agencies using the Internet, pet-sitting businesses, dispatched training businesses, etc.

\*This requirement applies to mammals, birds, and reptiles (except laboratory animals and live stocks).

Business category	Business description	Examples of relevant businesses
<b>Selling</b>	Business that engages in retail or wholesale sales of animals or the breeding, import, or export of animals for this purpose (including agency).	-Retailer -Wholesaler -Business that breeds or imports animals for sale -Business that rears animals for the purpose of sales at market stalls, etc. -Business not having animal facilities that engages in mail-order sales via the Internet, etc.
<b>Keeping</b>	Business that accepts customers' animals for the purpose of keeping	-Pet hotel operator -Beauty business (that treats animals) -Pet sitter
<b>Lending</b>	Business that lends out animals for show, photography, breeding, etc.	-Pet rental business -Animal dispatcher (for appearance in movies, photography, breeding; etc.)
<b>Training</b>	Business that accepts customers' animals for the purposes of training	-Business that trains animals -Business that dispatches trainers
<b>Exhibiting</b>	Business that exhibits animals (including those that provide opportunities for human beings to come into contact with animals)	-Zoo -Aquarium -Traveling zoo -Animal circus -Theme park that allows contact with animals -Horse-riding facility/animal therapy business (when the purpose is to allow "contact with animals")

## Standards that must be complied with

The following is an outline of the standards with which businesses must comply. In some cases, local governments may add measures independently to match regional circumstances.

### 1. Items pertaining to the structure, size, etc., of animal facilities, etc.

- Ensuring appropriate width and space for individual animals
- Installing the necessary facilities (watering and feeding utensils, toys, etc.)

### 2. Items pertaining to the maintenance and management of animal facilities, etc.

- Cleaning at least once per day
- Preventing the escape of animals

### 3. Items pertaining to animal management methods, etc.

- Limitation on sales, etc., of juvenile animals
- Pre-sales confirmation of animal condition
- Pre-sales explanations to purchasers
- Proper care and keeping
- Limitation on advertising content
- Limitation on trade that violates related laws

### 4. General items

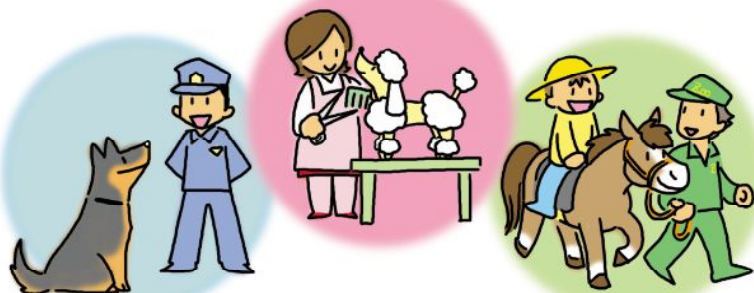
- Display of signs and name tags (identification tags)
- Assignment of a person responsible for animal handling

#### What is a person responsible for animal handling

A person responsible for an animal handling is a person possessing the knowledge and skills needed to manage business affairs appropriately, including having an ability to explain about the proper care and handling of animals to purchasers. A person responsible for an animal handling must have one of the following :

- 1) actual experience of six months or more,
- 2) a diploma from a specified school, or
- 3) a specified qualification.

For each place of business, a business operator must designate at least one full-time person responsible for animal handling from among all regular employees. Furthermore, the business operator must have a person responsible for animal handling attend training sessions that are provided by the prefecture, etc., at least once a year.





## On-site inspections, penal provisions, etc.

Officers in charge of animal welfare from prefectures and other entities will enter the place of business when necessary to make inspections. If a business is found not to comply with a necessary standard or is deemed to have inappropriate animal management or facilities, the prefectural governor or mayor of the designated city may issue a recommendation or an order for improvement to the business operator. If the business operator is found to be acting maliciously, the governor, etc., may rescind registration or order the suspension of business. A person who operates a business without registration or who does not comply with an improvement order or an order to suspend business shall be subject to a fine of not more than 300,000 yen. Furthermore, a person who fails to report changes to the content of his/her registration or who reports false information will be subject to a fine of not more than 200,000 yen.



### Be sure to check the following when purchasing an animal!

(When purchasing a mammal, bird, or reptile)

While there are various ways to obtain an animal, if you are purchasing from an animal handling business (pet shop, breeder, etc.), be sure to make certain that the business is operating lawfully.

#### Is there a sign or name tag (identification tag) ?

-Businesses that have been registered by the prefectural governor, etc., display a sign noting their registration number and other information.

Sign  
Registration  
number

#### Did you receive an explanation before purchasing the animal ?

-Before selling an animal, a business must inform the purchaser of the following: the health status of the animal, whether or not it has received its shots, the proper method for caring for it, its standard weight and height, etc.



#### Is the business selling animals that are too young ?

-Animals that have not been weaned must not be sold. Furthermore, animals such as dogs and cats that must be socialized must remain with their parents and siblings during the socialization period.

#### Are the cages too small ? Are they too bright ?

-Sufficient space must be provided to allow animals to stand and sleep, and consideration must be given to light and noise to ensure that they are not in excessive distress.

# 5

## Care and keeping of laboratory animals and industrial animals

### Care and keeping of laboratory animals

#### Laboratory animals

Animals that are cared for at research facilities, etc., to be provided for use in scientific activities (education, testing and research, manufacture of biological preparations, etc.)

While the supply of animals for scientific purposes is an essential part of scientific advancement and technical development, efforts must be made to handle such animals appropriately by remembering that they are living beings. They must therefore be handled with consideration for their physiology, ecology, and habits, and with a sense of gratitude. Moreover, when using animals for scientific purposes, efforts must be made to use methods that do not involve animals whenever possible, to minimize the number of animals that are used, and not to inflict suffering whenever possible.

It should be noted that other ministries and agencies have established guidelines on animal experiments to ensure the appropriate implementation of such experiments.

#### The "3 Rs"

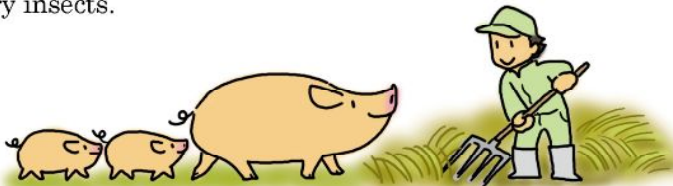
The "3 Rs" represent a basic philosophy for handling laboratory animals and animal experiments that has become firmly established worldwide. The three Rs refer to the application of alternative methods (replacement), efforts to decrease the number of animals used (reduction), and efforts to reduce animal suffering (refinement).

### Care and keeping of industrial animals

#### Industrial animals

Animals that have been reared for industrial use (live stock farming, etc.)

Industrial animals are used to produce livestock products, such as meat and leather. Owners of industrial animals must ensure the health and safety of these animals by handling each type in a manner that is matched to its physiology, ecology, and habits. Owners must also work to prevent nuisances for the surrounding region, such as smells and unsanitary insects.



# 6

## Regulations on the care of specified animals

When people have dangerous animals in their possession that may harm people (i.e., "specified animals"), they must obtain permission from the prefectural governor or mayor of the designated city for each animal type and each animal facility. Furthermore, they must comply with the standards concerning the structure of animal facilities and keeping methods. If a dangerous animal were to escape somehow, it could cause significant harm to people and living environments. Thus, owners of specified animals must assume even more responsibility and display even greater attention to the proper handling of animals than ordinary animal owners.

### Types of specified animals

Approximately 650 species of mammal, bird, and reptile are classified as specified animals. Among them are tigers, hawks, alligators, and vipers. It should be noted that animals whose care is regulated by the Invasive Alien Species Act\* are not classified as specified animals.

\*Act on Preventing Adverse Effects on Ecosystems Caused by Invasive Alien Species

### Standards that must be complied with

The following is an outline of the standards with which owners of specified animals must comply.

#### 1. Items pertaining to the structure and size of animal facilities

- Care and keeping in "cage-shaped facilities, etc." that meet certain standards
- Maintenance of the structure and strength of the facilities capable of preventing escape

#### 2. Items pertaining to the management of animal facilities

- Implementation of regular facility inspections
- Measures to prevent contact with third parties
- Display of signs indicating that specified animals are cared for

#### 3. Items pertaining to the management of animals

- Prevention of rearing animals outside of appropriate facilities
- Individual identification measures using microchips  
(leg bands are acceptable for birds)

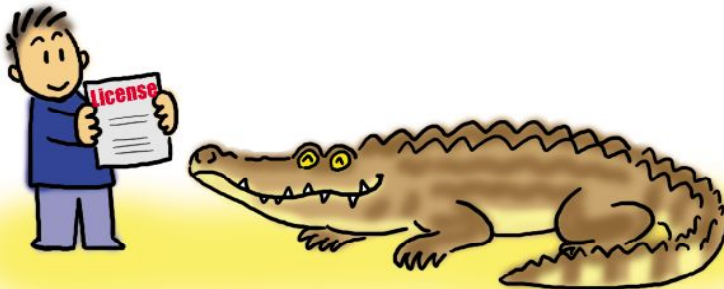
### Penal provisions

People who fail to comply with the required standards (inappropriate facility structure, management method, etc.) will have their permission to own specified animals rescinded. Furthermore, people who care for specified animals without permission or that move or change the structure of animal facilities without permission will be subject to imprisonment with work of not more than six months or a fine of not more than 500,000 yen.



## Specified animal types:

<b>Primates</b>	
Cebidae	<i>Alouatta spp Ateles spp Brachyteles spp Lagothrix spp</i>
Cercopithecidae	<i>Macaca spp(except Macaca cyclopis, Macaca fascicularis nor Macaca mulatta)</i> <i>Cercocebus spp Papio spp Mandrillus spp Theropithecus spp Cercopithecus spp</i> <i>Erythrocebus spp Colobus spp Procolobus spp Pygathrix spp Simias spp Nasalis spp</i> <i>Presbytis</i>
Hylobatidae	<i>Hylobates spp</i>
Hominidae	<i>Pongo spp Pan spp Gorilla spp</i>
<b>Carnivora</b>	
Canidae	<i>Canis : Canis adustus Canis aureus Canis latrans Canis lupus Canis mesomeles</i> <i>Canis rufus Canis simensis</i> <i>Chrysocyon spp Cuon spp Lycaon</i>
Ursidae	
Hyaenidae	
Felidae	<i>Felis : Felis aurata Felis caracal Felis chaus Felis concolor Felis pardalis Felis serval</i> <i>Felis temminckii Felis viverrina Felis yagouaroundi</i> <i>Lynx spp PanThera spp Neofelis spp Acinonyx spp</i>
<b>Proboscidea</b>	
Elephantidae	
<b>Perissodactyla</b>	
Rhinocerotidae	
<b>Artiodactyla</b>	
Hippopotamidae	
Giraffidae	<i>Giraffa spp</i>
Bovidae	<i>Synceros spp Bison spp</i>
<b>Struthioniformes</b>	
Casuariidae	
<b>Falconiformes</b>	
Cathartidae	<i>Gymnypops californianus Vultur gyphus Sarcoramphus papa</i>
Accipitridae	<i>Haliaeetus albicilla Haliaeetus leucocephalus Haliaeetus pelagicus Gypaetus barbatus</i> <i>Gyps africanus Gyps rueppellii Aegypius monachus Aegypius trachelictus Morphnus guianensis</i> <i>Harpia harpyia Harpyopsis novaeguineae Pithecophaga jefferyi Aquila chrysaetos Aquila audax</i> <i>Aquila verreauxii Stephanoaetus coronatus Plegaetus bellicosus</i>
<b>Testudinata</b>	
Chelydridae sp (except <i>Chelydra serpentina</i> )	
<b>Squamata</b>	
Helodermatidae sp	
Varanidae	<i>Varanus salvadorii Varanus komodoensis</i>
Boidae	<i>Boa constrictor Eunectes murinus Morelia amethystina Python molurus Python reticulatus</i> <i>Python sebae</i>
Colubridae	<i>Dispholidus sp Theltonis sp Rhabdophis sp Tachymenis sp</i>
Elapidae sp	
Viperidae sp (except <i>Protobothrops flavoviridis</i> )	
<b>Crocodylia</b>	
Alligatoridae sp	
Crocodylidae sp	
Gavialidae sp	





# 環境省

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