

FOREST PROTECTION ACT

Act No. 9763, jun. 9, 2009
Amended by Act No. 10000, Feb. 4, 2010
Act No. 10250, Apr. 12, 2010
Act No. 10846, Jul. 14, 2011
Act No. 11351, Feb. 22, 2012
Act No. 11690, Mar. 23, 2013
Act No. 12053, Aug. 13, 2013
Act No. 12732, jun. 3, 2014
Act No. 13138, Feb. 3, 2015
Act No. 13406, Jul. 20, 2015
Act No. 14519, Dec. 27, 2016
Act No. 14545, Jan. 17, 2017
Act No. 15394, Feb. 21, 2018
Act No. 15503, Mar. 20, 2018
Act No. 15830, Oct. 16, 2018
Act No. 16197, Jan. 8, 2019
Act No. 16230, Jan. 15, 2019
Act No. 16709, Dec. 3, 2019
Act No. 17014, Feb. 18, 2020
Act No. 17094, Mar. 24, 2020
Act No. 18023, Apr. 13, 2021
Act No. 19115, Dec. 27, 2022

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to contribute to the conservation of national land and the enhancement of the quality of life for the nation by keeping forests healthy and protecting forests systematically, by such means as controlling forest conservation zones, conducting preventive observations of forest diseases and pests, taking control measures against such diseases and pests, preventing and fighting forest fires,

preventing landslides and recovering therefrom, etc. <Amended on Feb. 22, 2012>

Article 2 (Definitions)

The terms used in this Act are defined as follows: <Amended on Jul. 14, 2011; Feb. 22, 2012; Jan. 14, 2014; Dec. 27, 2016; Jan. 17, 2017>

1. The term "forest conservation zone" means a zone designated and publicly notified as an area particularly necessary for the conservation of the habitat and scenic views, the development of water resources, the prevention of accidents, and the preservation and betterment of forest gene resources;
2. The term "ecological woods" means woods that require special conservation and management in the locality because the forest ecosystem therein is stable or has rich forest biodiversity;
3. The term "forest diseases and pests" means diseases and pests harmful to plants and trees in a non-forest area (excluding crops defined in subparagraph 4 of Article 2 of the Act on the Prevention of and Countermeasures against Agricultural and Fishery Disasters);
4. The term "preventive observations" means conducting investigations or examinations in an area in which a forest disease or pest is anticipated to develop or has developed to ascertain whether such disease or pest has developed, the seriousness of the disease or pest, the current status of damage, etc.;
5. The term "control measures" means all activities for preventing the development of forest diseases and pests, and for controlling or removing a disease or pest already developed;
6. The term "agency responsible for preventive observations and control measures" means a local government or an agency affiliated with the Korea Forest Service, responsible for preventive observations and control measures against forest diseases and pests;
- 6-2. The term "treatment of trees" means all activities to diagnose, and prescribe treatment for, damage to trees as well as to prevent or treat such damage;
- 6-3. The term "tree doctor" means a person in charge of treating trees who has been issued with a certificate of qualification for tree doctors pursuant to Article 21-6 (1);
- 6-4. The term "tree treatment technician" means a person in charge of preventing and treating damage to trees according to a tree doctor's diagnosis and prescriptions who has been issued with a certificate of qualification for tree treatment technicians pursuant to Article 21-6 (2);
- 6-5. The term "tree hospital" means a person intending to engage in tree treatment business who has been issued with a registration certificate pursuant to Article 21-9 (2);
7. The term "forest fire" means where trees, weeds, fallen leaves, etc. in a forest or in an area adjoining a forest are burned by a fire artificially or naturally ignited;
8. The term "fire prevention" means all activities for preventing and fighting forest fires;
9. The term "competent authority for forest fires" means an agency specified by Presidential Decree, including a central administrative agency and their affiliated agencies, involved in prevention of forest fires;

10. The term "landslide" means a landslide defined in subparagraph 5 of Article 2 of the Work against Land Erosion or Collapse Act;

11. The term "prevention of landslides" means all activities of taking proactive measures to prevent landslides in an area where landslides are likely to occur;

12. The term "landslide-related institution" means any institution prescribed by Presidential Decree, including a central administrative agency relating to duties for preventing landslides and an institution affiliated therewith;

13. The term "area vulnerable to landslides" means an area where harm to human lives and property is likely to occur due to landslides, which is designated and publicly notified pursuant to Article 45-8: Provided, That this shall not apply to a steep slope defined in subparagraph 1 of Article 2 of the Prevention of Steep Slope Disasters Act, an area at risk of subsidence as defined in subparagraph 2 of that Article, a road defined in Article 10 of the Road Act, and facilities defined in subparagraph 1 of Article 2 of the Special Act on the Safety Control and Maintenance of Establishments;

14. The term "landslide information systems" means a series of systems providing information on the classification of landslide hazards, and analyzing and informing about the probability of landslides.

Article 3 (Basic Principles for Forest Conservation)

The State and each local government shall protect forests in compliance with the following basic principles:

1. They shall keep forests intact from natural or artificial damage;
2. They shall maintain and enhance the health of forests and create a foundation for sustainable forest management;
3. They shall improve functions of forests for the public interest through the reasonable and systematic management of forest conservation zones;
4. They shall establish an organic cooperation system for forest conservation between the State and local governments to promptly cope with damage to forests.

Article 4 (Scope of Application)

Land and trees, other than a forest, shall be also governed by all or some of the provisions concerning forest conservation zones, veteran trees, forest diseases and pests, and treatment of trees, as provided in this Act. <Amended on Dec. 3, 2019>

Article 5 (Relationship to Other Statutes)

Except as otherwise provided in other statutes, forest conservation shall be governed by this Act.

Article 6 (Classification of Forests and Administrative Agencies Having Jurisdiction over Forests)

@Articles 4 and 5 of the Forest Resources Creation and Management Act shall apply to classification of forests and the administrative agency having jurisdiction of each forest.

CHAPTER II FOREST CONSERVATION ZONES

Article 7 (Designation of Forest Conservation Zones)

(1) Where it is particularly necessary to protect a forest, the Minister of the Korea Forest Service, the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, a Do Governor, or a Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor") may designate it as a forest conservation zone according to the following classification:

<Amended on Feb. 22, 2012; Jun. 3, 2014>

1. Conservation zone for the living environment: A zone considered necessary for conserving and maintaining the living environment and public health and sanitation around a city, an industrial complex, a major hospital, or a sanatorium;
2. Conservation zone for scenic views: A zone considered necessary for conserving scenic views around a scenic spot, a historic site, a tourist destination, a park, an amusement park, around access roads to such a place, around a road, rail road, or a beach;
3. Conservation zone for development of water resources: A zone considered necessary for developing water resources, preventing floods, or the quality control of drinking water sources;
4. Conservation zone for disaster prevention: A zone considered necessary for preventing soil erosion and rock slides and the prevention of damage by sea breeze, tidal waves, sand, etc.;
5. Forest genetic resources protection zone: A zone deemed necessary for preserving genes and species of plants in a forest or for conserving forest ecosystems: Provided, That in cases of a national forest zone defined in subparagraph 2 of Article 2 of the Natural Parks Act, he or she shall consult with the park management agency referred to in Article 4 (2) of that Act (hereinafter referred to as "park management agency").

(2) Deleted. *<Jun. 3, 2014>*

(3) Matters necessary for the demarcation and sub-categorization of forest conservation zones under paragraph (1) and other relevant matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013; Jun. 3, 2014>*

Article 8 (Public Notice of Designation of Forest Conservation Zones)

(1) When the Minister of the Korea Forest Service or a Mayor/Do Governor intends to designate a forest conservation zone pursuant to Article 7, he or she shall publicly announce the following matters regarding the area subject to the proposed designation; and shall notify the landowners, the head of the competent Si/Gun/Gu (the head of a Gu refers to the head of an autonomous Gu; hereinafter the same shall apply), the person whose mining rights to the area under Article 38 of the Mining Industry Act have been

registered and other persons prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, thereof: <Amended on Feb. 22, 2012; Mar. 23, 2013; Jun. 3, 2014; Dec. 27, 2016>

1. Grounds for the designation;
 2. Division of the zone;
 3. Location and size of the area subject to the designation;
 4. Period given for filing an objection against the designation;
 5. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.
- (2) A landowner or any person who has direct interest in the forest at issue may file an objection during the period given for filing objections under paragraph (1) in connection with the designation of a forest conservation area under Article 7, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>
- (3) The Minister of the Korea Forest Service or a Mayor/Do Governor shall make a decision on an objection within 20 days from the filing date of the objection under paragraph (2) and shall inform the applicant of results of the decision. <Amended on Feb. 22, 2012; Jun. 3, 2014>
- (4) If no objection under paragraph (2) is filed or if an objection is deemed groundless, the Minister of the Korea Forest Service or a Mayor/Do Governor, shall designate and publicly notify the forest conservation zone, and notify the landowners and the head of the competent Si/Gun/Gu thereof. <Amended on Feb. 22, 2012; Jun. 3, 2014>
- (5) The designation of a forest conservation zone shall become effective on the date of public notice under paragraph (4).
- (6) Topographic drawings under Article 8 of the Framework Act on the Regulation of Land Use shall be publicly notified together at the time a forest conservation zone is designated and publicly notified pursuant to paragraph (4).

Article 9 (Restrictions on Activities within Forest Conservation Zones)

(1) No one shall conduct any of the following activities within a forest conservation zone (excluding zones for which a plan for the development of a natural recreation forest has been formulated or approved pursuant to Article 14 (1) or (2) of the Forestry Culture and Recreation Act; the same shall apply hereafter in this Article): <Amended on Jun. 3, 2014; Feb. 21, 2018>

1. Thinning out standing trees or bamboo;
 2. Mining or collecting forestry products;
 - 2-2. Damaging or withering standing trees, bamboos or forestry products;
 3. Grazing livestock;
 4. Other activities specified by Presidential Decree as changing the form or quality of land.
- (2) Notwithstanding paragraph (1), the following activities may be conducted under the condition specified in each applicable subparagraph, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: <Amended on Mar. 23, 2013; Jun. 3, 2014>

1. Activities allowed with permission of the Minister of the Korea Forest Service or the competent Mayor/Do Governor: Installation of a forest conservation facility specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, control measures against forest diseases and pests, and other activities under subparagraphs of paragraph (1), incidental to activities specified by Presidential Decree;
 2. Activities allowed upon reporting to the Minister of the Korea Forest Service or the competent Mayor/Do Governor: Thinning out trees for forest care to the extent not contravening purposes of the designation of the forest conservation zone (excluding forest genetic resources protection zones), thinning out standing trees or bamboo for purpose of improving functions of the forest, or other activities specified by Presidential Decree among activities of mining or collecting forestry products;
 3. Activities allowed without permission of or reporting to the Minister of the Korea Forest Service or the competent Mayor/Do Governor: Activities specified by Presidential Decree, such as thinning out standing trees for installing a fire-arresting line to the extent not contravening purposes of the designation of the forest conservation zone (excluding forest genetic resources protection zones).
- (3) The Minister of the Korea Forest Service or the competent Mayor/Do Governor shall notify the applicant of whether relevant permission or report has been granted or received, within 15 days after receipt of an application for the permission or the report under paragraph (2) 1 or 2. *<Newly Inserted on Mar. 20, 2018>*
- (4) Where the Minister of the Korea Forest Service or the competent Mayor/Do Governor fails to notify the applicant of whether the relevant permission or report has been granted or received or of an extension of the period of treatment under statutes relating to treatment of civil petitions, within the period specified in paragraph (3), the permission or report shall be deemed granted or received on the date following the date of expiration of the period (referring to the relevant period of treatment if the period of treatment has been extended or re-extended pursuant to statutes relating to treatment of civil petitions). *<Newly Inserted on Mar. 20, 2018>*

Article 10 (Management of Forest Conservation Zones)

- (1) The Minister of the Korea Forest Service or a Mayor/Do Governor shall endeavor to conserve and manage designated forest conservation zones in conformity with the purpose of designation. In such cases, if it deems necessary to conserve and manage a forest conservation zone or to improve the functions of a forest conservation zone, he or she may designate a caretaker or enter into an agreement on the conservation of a forest (hereinafter referred to as "agreement on conservation and management of a forest") with the owner or caretaker of a forest conservation zone to authorize him or her to manage the zone. *<Amended on Feb. 22, 2012; Jun. 3, 2014>*
- (2) The Minister of the Korea Forest Service or a Mayor/Do Governor may issue an order to the owner or caretaker of a forest conservation zone or a person who executed an agreement on conservation and management of a forest regarding matters necessary for the conservation and management and may subsidize expenses incurred in the conservation and management, as prescribed by Presidential Decree.

<Amended on Jun. 3, 2014>

(3) The State or a local government shall, if the owner of or a person with a right to use and profit from land, standing trees or bamboo in a forest conservation zone is not permitted to conduct an activity under Article 9 (2) 1 on the ground of public interest, compensate the owner for losses that he or she is ordinarily anticipated to sustain due to denial of such permission, as prescribed by Presidential Decree. *<Amended on Aug. 13, 2013; Mar. 24, 2020>*

(4) The Minister of the Korea Forest Service or a Mayor/Do Governor may install and operate the following facilities necessary to protect and manage a forest genetic resources protection zone that meets the standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, in terms of its size, location, etc.: *<Newly Inserted on Feb. 22, 2012; Mar. 23, 2013; Jun. 3, 2014>*

1. Facilities for the examination, preservation and research of forest genetic resources;
2. Facilities for education, investigation and guidance in the forest genetic resources protection zone;
3. Other facilities necessary to protect and manage the forest genetic resources protection zone, which are prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 10-2 (Management of Forest Genetic Resources Protection Zones in National Parks)

(1) In order to protect and manage forest genetic resources protection zones in a national park as defined in subparagraph 2 of Article 2 of the Natural Parks Act, the head of a regional forest office may perform the following acts. In such cases, he or she shall give prior notice thereof to the park management agency concerned:

1. Examination, preservation and research of forest genetic resources;
2. Control of forest diseases and pests;
3. Prevention of forest fires;
4. Other acts necessary to protect and manage forest genetic resources protection zones, which are prescribed by Presidential Decree.

(2) Where it is necessary to protect and manage forest genetic resources protection zones in a national park, the head of a regional forest office may restrict human access thereto, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: Provided, That this shall not apply to cases falling under any of the following subparagraphs: *<Amended on Mar. 23, 2013>*

1. Tourist trails established and operated by a park management agency;
2. Where a park management agency gains access to manage the park.

Article 10-3 (Formulation and Implementation of Master Plans for Management of Forest Genetic Resources Protection Zones)

(1) In order to protect and manage forest genetic resources protection zones, the Minister of the Korea Forest Service shall formulate and implement a master plan for the management of forest genetic resources protection zones, including the following (hereinafter referred to as "master management plan"),

every five years:

1. Matters concerning the establishment of objectives for protection and management of forest genetic resources protection zones;
2. Matters concerning the examination and research of forest genetic resources;
3. Matters concerning the geographic distribution of forest genetic resources;
4. Matters necessary for the sustainable use of forest genetic resources protection zones;
5. Matters necessary for the protection and management of forest genetic resources.

(2) The Minister of the Korea Forest Service shall formulate and implement an implementation plan for forest genetic resources protection zones (hereafter in this Article referred to as "implementation plan") each year in accordance with the master management plan and endeavor to secure funds necessary therefor. *<Newly Inserted on Jan. 8, 2019>*

(3) The Minister of the Korea Forest Service shall have prior consultations with the heads of relevant administrative agencies and the heads of local governments in order to formulate or amend a master management plan: Provided, That this shall not apply where the Minister of the Korea Forest Service amends insignificant matters prescribed by Presidential Decree. *<Amended on Jan. 8, 2019>*

(4) Upon formulating or amending a master management plan or an implementation plan, the Minister of the Korea Forest Service shall publish the formulated or amended master management plan or implementation plan; notify the heads of the relevant central administrative agencies and Mayors/Do Governor of such plan; and submit such plan to the competent standing committee of the National Assembly, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Newly Inserted on Jan. 8, 2019>*

(5) Where necessary for formulating a master management plan or an implementation plan, the Minister of the Korea Forest Service may request the heads of relevant administrative agencies and the heads of local governments to submit data. In such cases, the heads of relevant administrative agencies and the heads of local governments shall comply with such request in the absence of good cause. *<Amended on Jan. 8, 2019; Mar. 24, 2020>*

(6) Pursuant to a master management plan, each Mayor/Do Governor and the director general of each regional office of forest service shall respectively formulate and implement a management plan for the forest genetic resources protection zones under his or her jurisdiction (hereafter in this Article referred to as "local management plan") every five years. *<Amended on Jan. 8, 2019>*

(7) Pursuant to a master management plan and a local management plan, each Mayor/Do Governor and the director general of each regional office of forest service shall respectively formulate and implement an annual implementation plan. *<Amended on Jan. 8, 2019>*

Article 10-4 (Evaluation of Efficacy)

(1) The Minister of the Korea Forest Service may evaluate the efficacy of protection and management of forest genetic resources protection zones (hereafter referred to as "evaluation of efficacy" in this Article).

- (2) The Minister of the Korea Forest Service shall reflect the results of evaluation of efficacy in a master management plan.
- (3) Matters necessary for the standards, methods, timing, etc. for the evaluation of efficacy shall be prescribed by Presidential Decree.

Article 11 (Cancellation of Designation of Forest Conservation Zones)

(1) The Minister of the Korea Forest Service or a Mayor/Do Governor may fully or partially revoke the designation of a forest conservation zone as follows: *<Amended on Feb. 4, 2010; Feb. 22, 2012; Mar. 23, 2013; Jun. 3, 2014; Dec. 27, 2016; Dec. 3, 2019>*

1. Conservation zones for the living environment, conservation zones for scenic views, conservation zones for development of water resources, and conservation zones for disaster prevention:

- (a) Where it is deemed unnecessary to keep the relevant area as a forest conservation zone because the purpose of designation has been attained;
- (b) Where it is deemed the purpose of designation is no longer relevant because of any damage caused by a natural disaster, or any other ground prescribed by Presidential Decree;
- (c) Where it is intended to use the relevant forest conservation zone as land for school facilities, farm road facilities, major industrial facilities, military facilities, river facilities, roads, railroad facilities, or other official or public facilities prescribed by Presidential Decree;
- (d) Where it is intended to use the relevant forest conservation zone for purposes related to agriculture, forestry, fishing industry, or mining industry and for purposes prescribed by Presidential Decree, such as the development of agricultural land, facilities including housing on farms, facilities for fishery farming, etc.;
- (e) Where it is deemed inevitable to revoke the designation of a forest conservation zone for the public interest, such as for designating and managing a protection zone (including the surface area occupied by State-designated cultural heritage) under Article 27 of the Cultural Heritage Protection Act, and where any ground prescribed by Presidential Decree arises;
- (f) Where it is intended to use the relevant forest conservation zone for purposes prescribed by Presidential Decree, such as collecting sand or stones in some parts of the forest conservation zone, to the extent such purposes do not impede the purpose of designation of a forest conservation zone;
- (g) Where part of a conservation zone for development of water resources designated by the Minister of the Korea Forest Service pursuant to Article 7 (1) is included in a site for another purpose prescribed by Presidential Decree within the scope prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, so as not to impede its purpose of designation;
- (h) Where it is deemed inevitable to revoke the designation of a forest conservation zone for the public interest, such as for designating and managing a protection zone of City/Do-designated cultural heritage (including the surface area occupied by the City/Do-designated cultural heritage) under Article 74 (2) of the Cultural Heritage Protection Act, and where any ground prescribed by

Presidential Decree arises;

2. Forest gene resources protection zones:

(a) In cases falling under subparagraph 1 (a) or (b);

(b) Where such protection zones are used as sites for military installations or other facilities specified by Presidential Decree for public use or public purposes or where it is deemed inevitable to revoke the designation of such protection zones for the public interest.

(2) A Mayor/Do Governor who intends to fully or partially revoke the designation of a forest conservation zone, in any of the following cases, shall first consult with the Minister of the Korea Forest Service:

<Amended on Jul. 20, 2015; Dec. 3, 2019>

1. In cases falling under paragraph (1) 1 (a), (b), (g), or (h);

2. In cases falling under paragraph (1) 2 (a).

(3) Upon receipt of a request for consultation under paragraph (2), the Minister of the Korea Forest Service shall undergo deliberation by the Central Mountainous District Management Committee established under Article 22 (1) of the Mountainous Districts Management Act. *<Newly Inserted on Jul. 20, 2015>*

(4) The Minister of the Korea Forest Service shall notify the competent Mayor/Do Governor of the consultation opinion reached based on the results of deliberation by the Central Mountainous District Management Committee referred to in paragraph (3). *<Newly Inserted on Jul. 20, 2015>*

(5) Details about the procedures, method, etc. for revoking the designation of any forest conservation zone, shall be prescribed by Presidential Decree. *<Newly Inserted on Jul. 20, 2015>*

Article 11-2 (Re-Designation of Forest Conservation Zones)

(1) Any forest conservation zone, the designation of which has been revoked pursuant to Article 11 (1) 1 (c) through (h) or 2 (b), may be re-designated as such if it falls under any of the following: *<Amended on Dec. 3, 2019; Mar. 24, 2020>*

1. Where the relevant project has not commenced by not later than three years from the date the revocation of the designation of the forest conservation zone was publicly notified;

2. Where the designation of a project zone, etc. for the relevant project becomes ineffective due to the revocation of authorization or permission therefor, expiration of the period, etc.

(2) Where any designating authority re-designates a forest conservation zone pursuant to paragraph (1), he or she shall publicly notify the following matters and shall inform the landowners, the head of the competent Si/Gun/Gu, and those prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs thereof pursuant to Article 8 (1). In such cases, no period for raising an objection shall be set:

1. Grounds for the re-designation of the forest conservation zone;

2. Division of the zone;

3. Location and area of the land subject to re-designation;

4. Base date of re-designation.

Article 12 (Purchase and Exchange of Land within Forest Conservation Zones)

(1) If necessary for achieving purposes of the designation of a forest conservation zone, the State or a local government may purchase parcels of land within the forest conservation zone (including trees and bamboo therein; the same shall apply hereafter in this Article) or parcels of land specified by Presidential Decree around the forest conservation zone within budget limits or exchange them with State-owned or public forests, through negotiations with landowners or at the request of landowners: Provided, That any of the following land may be selected for purchase or exchange in preference to land of other forest conservation zones: <Amended on Jun. 3, 2014>

1. Jeju Gotjawal;

2. Land with fresh air;

3. Other land prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) As to the procedures for purchasing or exchanging parcels of land pursuant to paragraph (1) and other necessary matters, the State Property Act, the State Forest Administration and Management Act, or the Public Property and Commodity Management Act shall apply mutatis mutandis.

(3) Purchase or exchange prices in cases of purchase or exchange of parcels of land pursuant to paragraph (1) shall be calculated in accordance with the Act on the Acquisition of Land for Public Works and the Compensation therefor.

Article 12-2 (Sale and Exchange of Land in Conservation Zones for Development of Water Resources)

Where the head of a central administrative agency, etc. under subparagraph 11 of Article 2 of the State Property Act intends to sell or make exchanges of property designated as a conservation zone for development of water resources pursuant to Ordinance of the Ministry of Agriculture, Food and Rural Affairs, of the national forests under his or her jurisdiction (excluding national forests under the jurisdiction of the Korea Forest Service), he or she shall have prior consultations with the person authorized to designate such zone, and inform the other party to the sale or exchange of the result of the consultations. <Amended on Mar. 23, 2013>

Article 13 (Designation and Management of Veteran Trees)

(1) A Mayor/Do Governor or the director general of a regional office of forest service shall designate a tree that requires special protection (hereinafter referred to as “veteran tree”), such as an old tree, giant tree, or rare tree of historic or scientific value, as a veteran tree.

(2) To designate a tree as a veteran tree under paragraph (1), a Mayor/Do Governor or the director general of a regional office of forest service shall publicly announce the following matters and inform those prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, including the owner of the tree to be designated and the head of the Si/Gun/Gu having jurisdiction over such tree, of the same:

<Amended on Mar. 24, 2020>

1. The grounds for designation;
 2. The address of the tree to be designated;
 3. Information on the tree to be designated, including its species, age, height, diameter at breast height, and crown width;
 4. The period for filing an objection to designation;
 5. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.
- (3) In respect of the designation of a veteran tree under paragraph (1), the owner of, or any person who has a direct interest in, a tree to be designated as a veteran tree may file an objection with a Mayor/Do Governor or the director general of a regional office of forest service within the period for filing an objection under paragraph (2) 4, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.
- (4) A Mayor/Do Governor or the director general of a regional office of forest service shall make a determination as to an objection within 20 days of receipt of the objection and inform the applicant of the determination without delay.
- (5) If no objection is filed or an objection is deemed groundless, the Mayor/Do Governor or the director general of the regional office of forest service shall designate a tree as a veteran tree and publicly notify such designation, and inform its owner and the head of the Si/Gun/Gu having jurisdiction over the tree of such designation.
- (6) The designation of a veteran tree shall take effect from the date the designation is publicly notified.

Article 13-2 (Management and Relocation of Veteran Trees)

- (1) A Mayor/Do Governor or the director general of a regional office of forest service shall manage a veteran tree safely at the location where it stands: Provided, That a Mayor/Do Governor or the director general of a regional office of forest service may manage a veteran tree after relocation in any of the following cases:
1. If the land on which the veteran tree is growing is to be used as a site for any common or public facilities prescribed by Presidential Decree, such as school facilities, farm road facilities, major industrial facilities, military facilities, river facilities, roads, and railroad facilities;
 2. If relocation is inevitable to prevent harm to residents' life or body.
- (2) To relocate a veteran tree under the proviso of paragraph (1), opinions of experts, such as tree doctors, shall be heard.
- (3) Each year a Mayor/Do Governor or the director general of a regional office of forest service shall regularly inspect whether veteran trees have diseases or are destroyed in order to protect and manage the veteran trees.
- (4) To ascertain the current state, etc. of veteran trees, the Minister of the Korea Forest Service may request the heads of local governments and the heads of related institutions and organizations to submit

data. In such cases, upon receipt of a request to submit data, the heads of local governments and the heads of related institutions and organizations shall comply therewith unless there is a compelling reason not to do so.

(5) The State and a local government may protect and manage a veteran tree by purchasing the land occupied by the veteran tree or exchanging the land with another lot of land. Article 12 shall apply *mutatis mutandis* in this case.

Article 13-3 (Prohibited Activities with Regard to Veteran Trees)

(1) No person shall engage in any activity that destroys all or part of any veteran tree.

(2) Notwithstanding paragraph (1), a Mayor/Do Governor or the director general of a regional office of forest service may engage in such activities as cutting part of a veteran tree or installing a protective device in any of the following cases. In such cases, opinions of experts, such as tree doctors, shall be heard:

1. To prevent and treat a disease of the veteran tree;
2. To protect crops growing near the veteran tree;
3. Other cases prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) To protect and manage a veteran tree, a Mayor/Do Governor or the director general of a regional office of forest service may restrict any development activities within an area equivalent to the crown width of the veteran tree, out of the land on which the veteran tree is growing. In such cases, he or she shall explain a reason therefor to the landowner, etc. of the relevant area in advance.

Article 13-4 (Revocation of Designation of Veteran Trees)

(1) A Mayor/Do Governor or the director general of a regional office of forest service may revoke the designation of a veteran tree if the purpose of designation ceases to exist or cannot be achieved because the veteran tree has been destroyed or damaged due to a natural disaster, fire, etc.

(2) Upon revoking the designation of a veteran tree, a Mayor/Do Governor or the director general of a regional office of forest service shall publicly announce such revocation and notify its owner and the head of the Si/Gun/Gu having jurisdiction over the veteran tree thereof.

(3) Further details about procedures, methods, etc. for revoking the designation of veteran trees shall be prescribed by Presidential Decree.

Article 13-5 (Deliberative Committee on Veteran Trees)

(1) A Mayor/Do Governor or the director general of a regional office of forest service may establish a deliberative committee on veteran trees to enhance expertise in affairs, such as designating, revoking the designation of, and relocating, veteran trees.

(2) Deliberative committees on veteran trees shall deliberate on the following:

1. Matters about the designation of veteran trees;
 2. Matters about the revocation of designation of veteran trees;
 3. Matters about the relocation of veteran trees;
 4. Other matters deemed significant by a Mayor/Do Governor or the director general of a regional office of forest service.
- (3) Matters necessary for the composition, operation, etc. of deliberative committees on veteran trees shall be prescribed by Presidential Decree.

Article 13-6 (Support for Damage Caused by Veteran Trees)

- (1) The State or a local government may establish a compensation scheme, such as joining a mutual aid for compensation for damage caused by public works under Article 16 (1) 2 of the Korea Local Finance Association Act in order to support persons who suffer loss of life or damage to their property due to the State or local government's mismanagement of veteran trees.
- (2) Scope of veteran trees and requirements and procedures for support under paragraph (1) and other necessary matters shall be prescribed by Presidential Decree.

Article 14 (Designation of Forest Cleanup Zone)

- (1) The Minister of the Korea Forest Service, a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, the head of a Si/Gun/Gu, or the head of a regional forest office may, if a forest has been polluted or is anticipated to be polluted and thus it is considered necessary to take measures for preventing the forest from pollution or cleaning up pollution or if deemed necessary for conserving a forest or forest environment, designate all or part of the forest as a forest cleanup zone in accordance with standards prescribed by Presidential Decree. *<Amended on Jun. 3, 2014>*
- (2) The Minister of the Korea Forest Service, a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, the head of a Si/Gun/Gu, or the head of a regional forest office may install facilities for preventing pollution in a forest cleanup zone designated pursuant to paragraph (1) and take other measures necessary for preventing and cleaning the forest from pollution and conserving the forest environment. *<Amended on Jun. 3, 2014>*
- (3) The Minister of the Korea Forest Service, a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, the head of a Si/Gun/Gu, or the head of a regional forest office may cancel the designation of a forest cleanup zone, if he or she finds that purposes of the designation have been achieved or that it is not necessary to keep the designation any longer. *<Amended on Jun. 3, 2014>*
- (4) The Minister of the Korea Forest Service, a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, the head of a Si/Gun/Gu, or the head of a regional forest office shall, whenever he or she designates a forest cleanup zone pursuant to paragraph (1) or cancels the designation pursuant to paragraph (3), publicly notify such fact. *<Amended on Jun. 3, 2014>*

(5) The procedures for designation and management of forest cleanup zones and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

Article 15 (Designation of Restricted Zones)

(1) If necessary for preventing forest fires, maintaining natural scenic views, conserving the natural environment, or forest conservation on other grounds, a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, the head of a Si/Gun/Gu, or the head of a regional forest office may designate part of a forest (excluding a park zone under the Natural Parks Act) as a restricted zone for a specified period and restrict access by the general public or the passage of vehicles. *<Amended on Jun. 3, 2014; Mar. 20, 2018>*

(2) Upon designating a restricted zone in a mountain, a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, the head of a Si/Gun/Gu, or the head of a regional forest office shall publicly notify such fact, affected areas, the period for restricting access by the general public or the passage of vehicles, etc., and shall install signs specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, around the restricted zone. *<Amended on Mar. 23, 2013; Jun. 3, 2014; Mar. 20, 2018>*

(3) Any person who intends to enter a restricted zone in a mountain (including persons who intend to pass through the zone by vehicle) shall obtain permission from the competent Special Self-Governing City Mayor, the competent Special Self-Governing Province Governor, the head of the competent Si/Gun/Gu, or the head of the competent regional forest office: Provided, That a person may enter a restricted zone without permission for carrying out a forest project, fighting a forest fire, or for other reasons specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013; Jun. 3, 2014; Mar. 20, 2018>*

(4) A Special Self-Governing City Mayor, a Special Self-Governing Province Governor, the head of a Si/Gun/Gu, or the head of a regional forest office shall notify the applicant of whether to grant permission within three days after receipt of an application for permission under the main sentence of paragraph (3). *<Newly Inserted on Mar. 20, 2018>*

(5) Where a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, the head of a Si/Gun/Gu, or the head of a regional forest office fails to notify the applicant of whether to grant permission or of an extension of the period of treatment under statutes relating to treatment of civil petitions, within the period specified in paragraph (4), permission shall be deemed granted on the date following the date of expiration of the period (referring to the relevant period of treatment if the period of treatment has been extended or re-extended pursuant to statutes relating to treatment of civil petitions). *<Newly Inserted on Mar. 20, 2018>*

(6) If the purpose of the designation of a restricted zone have been achieved or frustrated, a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, the head of a Si/Gun/Gu, or the head of a regional forest office shall cancel the designation without delay and give public notice of such

fact. <Amended on Jun. 3, 2014; Mar. 20, 2018>

(7) The procedures for the designation of a restricted zone in a mountain and the cancellation of the designation and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013; Mar. 20, 2018>

Article 16 (Prohibited Activities for Prevention of Forest Pollution)

No one shall commit any of the following acts in a forest:

1. Dumping sewage or waste;
2. Moving, contaminating, or destroying a sign installed by a forest administrative authority for the conservation and management of the forest.

Article 17 (Employment of Forest Guards)

(1) The Minister of the Korea Forest Service, a Mayor/Do Governor, the head of a Si/Gun/Gu, or the head of a regional forest office may employ forest wardens, if necessary for forest conservation, including the prevention of a forest conservation zone or a forest cleanup zone from destruction and pollution. <Amended on Jun. 3, 2014; Mar. 20, 2018>

(2) A forest warden under paragraph (1) shall perform the following duties:

1. Prevention of forest from destruction and pollution and guidance therefor;
2. Protection of forest plants;
3. Preventive observations of forest diseases and pests;
4. Activities for prevention of forest fires;
5. Other activities necessary for forest conservation.

(3) If necessary for forest wardens to perform their duties, the Minister of the Korea Forest Service, a Mayor/Do Governor, the head of a Si/Gun/Gu, or the head of a regional forest office may reimburse expenses incurred in their activities within the budget. <Amended on Jun. 3, 2014; Mar. 20, 2018>

(4) The qualification for forest wardens, the method of employment of such wardens, and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or municipal ordinance of each local government. <Amended on Mar. 23, 2013>

Article 18 (Designation of Ecological Woods)

(1) The Minister of the Korea Forest Service may designate a forest as an ecological woods, if it is necessary for stabilizing the ecosystem of the forest, maintaining and improving biodiversity in the forest and in conducting research, education, exploration, and learning by experience.

(2) The head of a local government or the head of a regional forest office shall, if he or she intends to have a forest designated as an ecological woods pursuant to paragraph (1), file an application for the designation of ecological woods with the Minister of the Korea Forest Service, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

(3) The Minister of the Korea Forest Service shall, upon receiving an application for designation pursuant to paragraph (2), designate the forest as ecological woods, if it satisfies standards prescribed by Presidential Decree in terms of locations and the size of forest.

(4) The Minister of the Korea Forest Service may install facilities for conducting research, education, exploration, and learning by experience under paragraph (1) (hereinafter referred to as "forest ecosystem center") in ecological woods or an area around such ecological woods or support a local government that intends to reinstate the destroyed forest ecological system.

(5) Standards for the designation of ecological woods and the cancellation of the designation, standards for the selection of areas eligible for designation, the scale of facilities of forest ecosystem centers, the scope of facilities installed, and other matters necessary for the management of ecological woods shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

Article 18-2 (Designation and Management of Species subject to Special Forest Conservation)

(1) The Minister of the Korea Forest Service or each Mayor/Do Governor may designate and manage forest resources, which are specially weak to climate change, forest disaster, artificial forest destruction, etc. or which need to be preferentially protected for the stability of the forest ecosystem and for their high value in terms of economy, culture and academy, as species subject to special forest conservation (hereinafter referred to as "protected species"): Provided, That where the Minister of the Korea Forest Service or each Mayor/Do Governor intends to designate or manage species, which have already been designated as protected species under other Acts and subordinate statutes, as protective species under this Act, he or she shall consult with the heads of related central administrative agencies in advance.

(2) The Minister of the Korea Forest Service, a Mayor/Do Governor or the head of a regional forest office may designate an area which specially needs to be protected, among areas in which protected species designated under paragraph (1) inhabit in group, as a conservation zone for forest gene resources under Article 7 (1) or ecological woods under Article 18 (1).

(3) The Minister of the Korea Forest Service, a Mayor/Do Governor or the head of a regional forest office may establish and implement methods to minimize damage on protected species and their habitat in conducting forest business prescribed in subparagraph 3 of Article 2 of the Forest Resources Creation and Management Act.

(4) The Minister of the Korea Forest Service or a Mayor/Do Governor may subsidize all or part of costs necessary for conservation, management, proliferation, usage, development of variety and distribution of protected species designated under paragraph (1) within the budget.

(5) Other matters necessary for the type and method of designation of protected species under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

Article 18-3 (Prohibition of Thinning Out and Extracting of Protected Species)

(1) No one shall thin out, mine, collect, damage, or wither protected species designated pursuant to Article 18-2 or destruct their habitats. *<Amended on Jun. 3, 2014>*

(2) Notwithstanding paragraph (1), any person who obtains permission from the Minister of the Korea Forest Service, a Mayor/Do Governor or the head of a regional forest office in any of the following, may mine or collect protected species: Provided, That where he or she has obtained permission to thin out or extract protected species under other Act and subordinate statutes, he or she shall comply with such Acts and subordinate statutes: *<Amended on Mar. 23, 2013; Jun. 3, 2014>*

1. Where he or she intends to use the protected species for academic purpose, research, proliferation or restoration;
 2. Where an arboretum registered pursuant to Article 9 of the Creation and Furtherance of Arboreturns Act intends to use the protected species for exhibitions or education;
 3. Other cases prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs to the extent not hindering the continuous growth and proliferation of protected species.
- (3) Where a habitat is damaged since the protected species designated pursuant to Article 18-2 (1) have been thinned out or extracted, the Minister of the Korea Forest Service, a Mayor/Do Governor or the head of a regional forest office may restore or recover them.
- (4) Matters necessary for permission for thinning out or extracting protected species under paragraph (2) and restoration, recovery, etc. under paragraph (3) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

Article 19 (Levels of Health and Vitality of Forests)

- (1) The Minister of the Korea Forest Service may examine and assess levels of the health and diversity maintained in each forest ecosystem (hereinafter referred to as "levels of health and vitality of forests") in order to enhance functions of forests.
- (2) If deemed necessary as a result of examination and assessment of levels of health and vitality of forests pursuant to paragraph (1) that the forest needs special care, the Minister of the Korea Forest Service shall establish and implement measures for conservation.
- (3) Standards for examination on levels of health and vitality of forests, the method of assessment of such levels, and other necessary measures shall be prescribed by Presidential Decree.

CHAPTER III PREVENTIVE OBSERVATION AND CONTROL MEASURES AGAINST FOREST DISEASES AND PESTS

Article 20 (Establishment of Long-Term Plans for Preventive Observations and Preventive Measures against Forest Diseases and Pests)

(1) The Minister of the Korea Forest Service shall establish and implement a long-term nationwide plan for preventive observations and control measures against forest diseases and pests (hereinafter referred to as "long-term nationwide plan") every 10 years, including the following, in order to conduct preventive observations and control measures in an efficient and systematic manner:

1. Objectives and direction-setting for implementation of the long-term nationwide plans;
2. Matters concerning the expansion of budget, manpower, etc. for preventive observations and control measures against forest diseases and pests;
3. Matters concerning the improvement of systems, including the rearrangement of Acts and subordinate statutes regarding preventive observations and control measures against forest diseases and pests;
4. Matters concerning education, research, and international cooperation in preventive observations and control measures against forest diseases and pests;
5. Matters concerning recovery and restoration of areas destroyed by forest diseases and pests;
6. Other matters specified by Presidential Decree concerning preventive observations and control measures against forest diseases and pests.

(2) Each Mayor/Do Governor or the head of each regional forest office shall establish and implement a long-term regional plan for preventive observations and control measures against forest diseases and pests (hereinafter referred to as "long-term regional plan") every 10 years in conformity with a long-term nationwide plan, taking into consideration the characteristics of the region under his or her jurisdiction.

(3) Matters necessary for the establishment and implementation of the long-term nationwide plans and long-term regional plans shall be prescribed by Presidential Decree.

Article 21 (Annual Plans for Preventive Observation and Control Measures against Forest Diseases and Pests)

(1) The Minister of the Korea Forest Service shall establish a nationwide plan for preventive observations and control measures against forest diseases and pests each year (hereinafter referred to as "annual nationwide plan") and notify each Mayor/Do Governor and the head of each regional forest office thereof. The same shall also apply to revisions to an annual nationwide plan.

(2) Each Mayor/Do Governor and the head of each regional forest office shall establish and implement a regional plan for preventive observations and control measures against forest diseases and pests each year (hereinafter referred to as "annual regional plan") in conformity with an annual nationwide plan, taking into consideration the characteristics of the region under his or her jurisdiction.

(3) Matters necessary for the establishment and implementation of the annual nationwide plans and annual regional plans shall be prescribed by Presidential Decree.

Article 21-2 (Investigations and Research of Forest Diseases and Pests, and Technical Development)

(1) The Minister of the Korea Forest Service, a Mayor/Do Governor or the head of a regional forest office shall investigate and research forest diseases and pests, and the type, dispersion and ecological characteristics of forest insects, etc. related to forest diseases and pests, and develop preventative technology.

(2) The Minister of the Korea Forest Service, a Mayor/Do Governor or the head of a regional forest office shall reflect the result of an investigation and research under paragraph (1) in a nationwide long-term plan, regional long-term plan, annual nationwide plan or annual regional plan, respectively.

(3) Matters necessary for the subject matter and method of investigations and research, development of preventative technology, etc. under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

Article 21-3 (Establishment and Implementation of Policies for Treatment of Trees)

(1) The Minister of the Korea Forest Service, a Mayor/Do Governor or the head of a regional forest office may shall establish and implement a policy for treatment of trees, including the following matters:

<Amended on Dec. 27, 2016>

1. Matters for prevention and diagnosis of damage and method to cure damage;
2. Matters regarding nurturing professionals related to treatment of trees;
3. Other matters necessary for the treatment of trees, as prescribed by Presidential Decree.

(2) Matters necessary for the establishment and implementation of treatment of trees under paragraph (1) shall be prescribed by Presidential Decree.

Article 21-4 (Acquiring Qualification of Tree Doctors)

(1) Any person intending to be a tree doctor shall pass a qualifying examination for tree doctors administered by the Minister of the Korea Forest Service, after completing education at a training institution for tree doctors referred to in Article 21-7.

(2) Eligibility to take a qualifying examination for tree doctors, examination subjects, and other details necessary for the examination shall be prescribed by Presidential Decree.

(3) Any person intending to be a tree treatment technician shall complete education at a training institution for tree treatment technicians referred to in Article 21-7.

(4) No tree doctor or tree treatment technician (hereinafter referred to as "tree doctor, etc."), shall work for at least two hospitals simultaneously.

(5) No person, other than persons who have the qualification of a tree doctor, etc. referred to in this Act, shall use the name "tree doctor, etc." or any other similar name.

(6) No person who is disqualified as prescribed in Article 21-5 as of the date the person files an application for issuing a qualification certificate of tree doctor, etc. can acquire such qualification. *<Newly*

Article 21-5 (Disqualification for Tree Doctors)

None of the following persons shall be qualified as a tree doctor, etc.: *<Amended on Mar. 24, 2020>*

1. A minor;
2. A person under adult guardianship or person under limited guardianship;
3. A person for whom two years have not passed since the execution of his or her imprisonment with prison labor sentenced to by a court for violating this Act, the Pesticide Control Act, or the Special Act on the Extermination of Pine Wilt Disease, was terminated (including where such execution is deemed terminated) or exempted.

Article 21-6 (Issuance of Certificate of Qualification for Tree Doctors)

- (1) The Minister of the Korea Forest Service shall issue a certificate of qualification for tree doctors, to a person who has passed a qualifying examination for tree doctors under Article 21-4 (1).
- (2) The Minister of the Korea Forest Service shall issue a certificate of qualification for tree treatment technicians, to a person who has completed education for tree treatment technicians under Article 21-4 (3).
- (3) Where a person issued with a certificate of qualification for tree doctors, etc. has lost his or her certificate of qualification or where the certificate of qualification is defaced, he or she may be reissued with the certificate of qualification by the Minister of the Korea Forest Service.
- (4) No person shall borrow from, or lend to, another person his or her certificate of qualification for tree doctors, etc., or engage in brokering such activities.
- (5) Matters necessary for the procedures for issuing or re-issuing certificates of qualification for tree doctors, etc. as well as for the management thereof under paragraphs (1) through (3), shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.
- (6) The Minister of the Korea Forest Service may revoke the qualification of a tree doctor, etc. or issue an order to suspend the qualification of the tree doctor, etc. for a period not exceeding three years in any of the following cases: Provided, That the Minister of the Korea Forest Service shall revoke the qualification of the tree doctor, etc. in cases falling under subparagraph 1, 3, 5, or 6: *<Amended on Dec. 3, 2019>*

1. Where the tree doctor, etc. obtains the qualification of a tree doctor, etc. by fraud or other improper means;
2. Where the tree doctor, etc. works for at least two tree hospitals simultaneously, in violation of Article 21-4 (4);
3. Where the tree doctor, etc. becomes disqualified under Article 21-5;
4. Where the tree doctor, etc. lends his or her certificate of qualification for tree doctors, etc. to another person, in violation of paragraph (4);
5. Where the tree doctor, etc. treats trees during the period of suspension of qualification for a tree doctor, etc.;

6. Where the tree doctor, etc. treats trees differently from the actual conditions, by intention;
 7. Where the tree doctor, etc. treats trees differently from the actual conditions, by negligence;
 8. Where the tree doctor, etc. issues a prescription or relevant document under Article 21-12 by fraud or other improper means.
- (7) Detailed standards for the revocation or suspension of qualification of tree doctors, etc. under paragraph (6), shall be prescribed by Presidential Decree, in consideration of the type, degree, etc. of the relevant violation.

Article 21-7 (Designation of Training Institutions for Tree Doctors)

(1) The Minister of the Korea Forest Service may designate a training institution, facility, or organization related to tree medicine, which meets the requirements prescribed by Presidential Decree, as a training institution for tree doctors, etc.

(2) Where any training institution for tree doctors, etc. designated as such pursuant to paragraph (1) falls under any of the following cases, the Minister of the Korea Forest Service may revoke its designation or issue a corrective order, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: Provided, That where any training institution for tree doctors, etc. falls under subparagraph 1, he or she shall revoke its designation: *<Amended on Dec. 3, 2019>*

1. Where the refresher training institution is designated by fraud or other improper means;
2. Where it fails to meet any of the requirements for designation referred to in paragraph (1);
3. Any other cases prescribed by Presidential Decree, including where the relevant institution is operated in a manner different from the training courses for tree doctors, etc. submitted at the time of designation;
4. Where the refresher training institution fails to file a report or submit data or refuses an examination or inspection required under Article 21-14 (1) without good cause.

(3) The Minister of the Korea Forest Service shall not designate any person for whom designation has been revoked under paragraph (2) (including the representative of a corporation the designation of which has been revoked; or a corporation re-established by such representative to make it designated as a training institution for tree doctors, etc.), as a training institution for tree doctors, etc., within one year after revocation of the designation: Provided, That where the designation has been revoked on the ground specified in paragraph (2) 1, the Minister of the Korea Forest Service shall not designate the relevant person as a training institution for tree doctors, etc., within three years after revocation of the designation.

(4) The Minister of the Korea Forest Service shall endeavor to designate and operate at least one training institution for tree doctors, etc. for each metropolitan local government. *<Newly Inserted on Apr. 13, 2021>*

(5) The details and period of education to be implemented by training institutions for tree doctors, etc. designated as such pursuant to paragraph (1), and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Apr. 13, 2021>*

(6) Detailed standards for revocation of the designation of training institutions for tree doctors, etc. as well as for corrective orders referred to in paragraph (2), shall be prescribed by Presidential Decree, in consideration of the type, severity, etc. of the relevant violation. *<Amended on Apr. 13, 2021>*

Article 21-8 (Measures against Cheaters)

Where any examinee cheats in an examination for tree doctors referred to in Article 21-4 (1), the Minister of the Korea Forest Service shall suspend or nullify the examination, and shall suspend the examinee's eligibility to take the examination for three years from the date such examination is implemented.

Article 21-9 (Registration of Tree Hospitals)

(1) A person who intends to provide the service of treating trees shall be a corporation and be registered with the competent Mayor/Do Governor upon meeting the registration requirements for each type of tree hospital prescribed by Presidential Decree, such as technology levels and capital. *<Amended on Dec. 3, 2019>*

(2) The competent Mayor/Do Governor shall issue a registration certificate to a person that has registered a tree hospital under paragraph (1).

(3) Where any alteration is made to significant matters prescribed by Presidential Decree, among matters registered pursuant to paragraph (1), an alteration registration shall be made during the period prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(4) No person shall treat any of the following trees without registering the relevant tree hospital: Provided, That this shall not apply where the State or a local government implements a project to control forest diseases and pests or where the State, a local government, or the tree owner directly treats trees:

1. Trees which inhabit a forest defined in Article 2 of the Creation and Management of Forest Resources Act (hereafter in this paragraph referred to as "forest");
2. Trees in an area other than forest (excluding crops defined in subparagraph 4 of Article 2 of the Act on the Prevention of and Countermeasures against Agricultural and Fishery Disasters).

(5) No person shall lend the registration certificate of a tree hospital issued pursuant to paragraph (2), to another person.

(6) Procedures for registering a tree hospital or for making an alteration registration, and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 21-10 (Revocation of Registration of Tree Hospitals)

(1) A Mayor/Do Governor may revoke the registration of a tree hospital or issue an order to suspend its business for a period not exceeding one year in any of the following cases: Provided, That the Mayor/Do Governor shall revoke the registration of the tree hospital in cases falling under subparagraph 1, 5, or 6: *<Amended on Dec. 3, 2019; Dec. 27, 2022>*

1. Where the tree hospital is registered by fraud or other improper means;
 2. Where the tree hospital fails to meet the registration requirements prescribed in Article 21-9 (1);
 3. Where the tree hospital fails to file an alteration registration, or files an alteration registration by improper means, in violation of Article 21-9 (3);
 4. Where the tree hospital lends the certificate of registration to another person, in violation of Article 21-9 (5);
 - 4-2. Where the tree hospital fails to file a report or submit data or refuses an examination or inspection required under Article 21-14 (1) without good cause;
 5. Where the tree hospital engages in tree treatment business during the period of business suspension, or receives an order to suspend business at least three times during the last five years;
 6. Where the tree hospital is closed.
- (2) No person for which three years have not elapsed since the revocation of registration under paragraph (1) 1 through 4, 4-2, and 5, shall be registered as a tree hospital under Article 21-9 (1). *<Amended on Dec. 3, 2019>*
- (3) Detailed standards for the revocation of registration or the suspension of business referred to in paragraph (1), shall be prescribed by Presidential Decree, in consideration of the type, severity, etc. of the relevant violation.
- (4) Upon revoking the registration of a tree hospital or issuing an order to suspend its business under paragraph (1), the relevant Mayor/Do Governor shall notify the Minister of the Korea Forest Service thereof. *<Newly Inserted on Dec. 3, 2019>*
- (5) Where suspension of business is to be ordered under subparagraph 3 or 4-2 of paragraph (1) but is likely to cause great inconvenience to users or harm the public interest, the Mayor/Do Governor may impose a penalty surcharge of up to 20 million won in lieu of the business suspension. *<Newly Inserted on Dec. 27, 2022>*
- (6) Types of violations for which penalty surcharges are imposed under Article 5, penalty surcharges depending on the severity, etc. of the violation, and other necessary matters shall be prescribed by Presidential Decree. *<Newly Inserted on Dec. 27, 2022>*
- (7) Where a person subject to a penalty surcharge under paragraph (5) fails to pay it by the deadline, the Mayor/Do Governor shall collect it in accordance with the Act on the Collection of Local Administrative Penalty Charges. *<Newly Inserted on Dec. 27, 2020>*

Article 21-11 (Korean Association of Tree Doctors)

- (1) In order to promote welfare of tree doctors and develop technology for treatment of trees, tree doctors may establish a Korean association of tree doctors (hereafter referred to as "Association" in this Article), after obtaining authorization therefor from the Minister of the Korea Forest Service.
- (2) The Association shall be a corporation.

(3) Matters concerning the qualifications for members of the Association, its executive officers, its operations, etc. shall be prescribed by the articles of association; and matters to be included in the articles of association shall be prescribed by Presidential Decree.

(4) Except as provided in this Act, the provisions of the Civil Act concerning incorporated associations shall apply mutatis mutandis to the Association.

Article 21-12 (Issuance of Prescriptions)

(1) Every tree doctor shall prepare treatment charts; document details about trees treated directed by him or her in the treatment charts; sign the treatment charts and, where necessary, issue a prescription, diagnosis report, or certificate (hereinafter referred to as “prescription or relevant document”).

(2) No tree doctor shall issue any prescription or relevant document unless the tree doctor directly treats a tree: Provided, That if a tree doctor who directly treated a tree is unable to issue a prescription or relevant document due to any unavoidable cause, any other tree doctor working for the same tree hospital may issue a prescription or relevant document based on the treatment chart of the tree.

(3) Upon receipt of a request to issue a prescription or relevant document by a person who asked for treatment of a tree, the tree doctor who directly treated the tree shall not reject the request without good cause.

(4) Where a tree hospital that provides tree treatment services intends to use a pesticide as prescribed in the Pesticide Control Act in the course of treating trees, the tree hospital must have a prescription issued by a tree doctor and use the pesticide as stated in the prescription.

(5) Where a person who intends to use a pesticide inquires about information about the pesticide, including the name, usage, and amount to use, the tree doctor who issued the prescription under paragraph (4) shall immediately respond to such inquiry.

(6) Forms of the treatment charts, prescriptions, and relevant documents under paragraph (1), matters to be stated therein, the retention period and methods, and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 21-13 (Training for Tree Doctors)

(1) Tree doctors working for tree hospitals shall receive refresher training regularly in order to enhance their expertise and vocational ethics: Provided, That this shall not apply if a tree doctor is unable to receive refresher training on the grounds prescribed by Presidential Decree, including a disease or leave of absence.

(2) The Minister of the Korea Forest Service may designate an institution or organization that meets the requirements prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, including facilities, personnel, and training records, as an institution conducting refresher training (hereafter in this Article referred to as “refresher training institution”).

(3) The Minister of the Korea Forest Service may revoke the designation of a refresher training institution in any of the following cases: Provided, That the Minister of the Korea Forest Service must revoke the designation of a refresher training institution in cases falling under subparagraph 1:

1. Where the refresher training institution is designated by fraud or other improper means;
 2. Where the refresher training institution records a person who has not completed a refresher training as having completed it;
 3. Where the refresher training institution fails to meet the requirements prescribed in paragraph (2);
 4. Where the refresher training institution fails to file a report or submit data or refuses an examination or inspection required under Article 21-14 (1) without good cause.
- (4) The period, content, methods, procedures, costs of refresher training under paragraph (1), and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 21-14 (Reporting and Inspection)

(1) The Minister of the Korea Forest Service or a Mayor/Do Governor may request any of the following entities to file a report on its business activities or to submit relevant data with respect to his or her functions, or assign a subordinate public official to examine or inspect the ledgers, documents, and other things or to make necessary inquiries to related persons by entering its establishment or office:

1. A training institution for tree doctors, etc. designated under Article 21-7;
 2. A tree hospital registered under Article 21-9;
 3. A Korean Association of Tree Doctors established under Article 21-11;
 4. A refresher training institution designated under Article 21-13.
- (2) To conduct an examination or inspection or to make inquiries under paragraph (1) (hereafter in this Article referred to as “examination or similar activities”), the Minister of the Korea Forest Service or a Mayor/Do Governor shall notify the examinee or inspectee, in writing, of a plan stating the date, reasons, and details of the examination or similar activities by not later than seven days of the examination or similar activities: Provided, That he or she may notify the examinee or inspectee, orally, simultaneously with the commencement of the examination or inspection, in any of the following cases:
1. If urgent or the giving of a prior notice can defeat the purpose of the examination or similar activities;
 2. If a public official conducts the examination or similar activities with the voluntary cooperation of the subject of such examination or similar activities.
- (3) A public official who conducts an examination or similar activities under paragraph (1) shall carry an identification indicating his or her authority and present it to relevant persons.
- (4) If necessary to examine and verify whether or not a tree hospital meets the registration requirements prescribed in Article 21-9, a Mayor/Do Governor may request the heads of relevant agencies to provide data on insurance for tree doctors, etc. employed by the tree hospital, including the National Health Insurance, National Pension, Employment Insurance, and Industrial Accident Compensation Insurance. In such cases, upon receipt of a request to provide data, the heads of relevant agencies shall comply therewith

unless there is good cause.

(5) Where the Minister of the Korea Forest Service finds the fact that a tree hospital falls under any subparagraph of Article 21-10 (1), he or she may notify the relevant Mayor/Do Governor of such fact and request such Mayor/Do Governor to revoke the registration of, or suspend the business of, the tree hospital.

(6) Where a Mayor/Do Governor finds the fact that a tree doctor, etc. falls under any subparagraph of Article 21-6 (6), he or she shall notify the Minister of the Korea Forest Service of such fact.

Article 22 (Headquarters for Preventive Observations and Control Measures against Forest Diseases and Pests)

(1) The Minister of the Korea Forest Service shall establish and operate central headquarters for preventive observations and control measures against forest diseases and pests (hereinafter referred to as "central headquarters for preventive observations and control measures") in the Korea Forest Service in order to provide support necessary for preventive observations and control measures against forest diseases and pests.

(2) The head of each local government, the head of each regional forest office, and the head of each State forest office shall establish and operate regional headquarters for preventive observations and control measures against forest diseases and pests (hereinafter referred to as "regional headquarters for preventive observations and control measures") in order to efficiently carry out preventive observations and control measures against forest diseases and pests.

(3) The Minister of the Korea Forest Service shall serve as the head of the central headquarters for preventive observations and control measures, while the head of each local government, the head of each regional forest office, and the head of each State forest office shall serve as the head of each regional headquarters for preventive observations and control measures.

(4) The organization and operation of the central headquarters for preventive observations and control measures and each regional headquarters for preventive observations and control measures and other necessary matters shall be prescribed by Presidential Decree.

Article 23 (Preventive Observations)

(1) The Minister of the Korea Forest Service and the head of each agency responsible for preventive observations and control measures shall make preventive observations on an area where a forest disease or pests are likely to develop or have already developed.

(2) The method and timing of preventive observations under paragraph (1), measures to be taken against results of preventive observations, and other relevant matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

Article 24 (Order to Take Control Measures)

(1) When a forest disease or pests are likely to develop or has already developed, the relevant forest owner shall take measures necessary for preventive observations and control measures.

(2) When a forest disease or pests are likely to develop or have already developed, the Minister of the Korea Forest Service, a Mayor/Do Governor, the head of a Si/Gun/Gu, or the head of a regional forest office may take measures necessary for preventive observations and control measures. *<Amended on Feb. 22, 2012>*

(3) When a forest disease or pests are likely to develop or have already developed, a Mayor/Do Governor, the head of a Si/Gun/Gu, or the head of a regional forest office may order the relevant forest owner, forest caretaker, person engaged in forestry business, or the owner or distributor of trees, etc. to take the following measures. In such cases, the relevant person so ordered shall comply therewith, unless an extenuating circumstance exists: *<Newly Inserted on Feb. 22, 2012>*

1. Removal of trees, branches, or roots infected by a forest disease or pests;
2. Restrictions on the relocation, or prohibition of use, of seedlings for forestry, felled trees, trees for landscaping, turfs, soil and rocks, etc., which are likely to be infected or have been infected by a forest disease or pests;
3. Prevention of disease from animals, such as insects carrying a forest disease or pests or causing damage, or removal of plants spreading damage from a forest disease or pests;
4. Disinfection of seedlings and soil likely to develop or have developed a forest disease or pests.

(4) When a Mayor/Do Governor, the head of a Si/Gun/Gu or the head of a regional forest office issues an order to restrict the relocation, or prohibit the use, of seedlings for forestry, felled trees, or trees for landscaping pursuant to paragraph (3) 2, he or she shall publicly announce the details thereof for ten or more days on the bulletin boards or Internet websites of the relevant agencies. *<Amended on Feb. 22, 2012>*

(5) When a person, to whom an order to restrict relocation or prohibit use was issued pursuant to paragraph (3) 2, files an application for cancellation of the restriction on relocation or the prohibition of use, such restriction on relocation or prohibition of use may be canceled only where it is confirmed that control measures against a forest disease or pests are complete. *<Amended on Feb. 22, 2012>*

(6) Matters necessary for the confirmation on completion of control measures against a forest disease or pests and the restriction on relocation or the prohibition of use shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Feb. 22, 2012; Mar. 23, 2013>*

(7) A Mayor/Do Governor, the head of a Si/Gun/Gu, or the head of a regional forest office may subsidize expenses incurred in carrying out measures under the subparagraphs of paragraph (3), as prescribed by Presidential Decree. *<Amended on Feb. 22, 2012>*

Article 25 (Control Measures against Forest Diseases and Pests)

(1) The Minister of the Korea Forest Service or the head of an agency responsible for preventive observations and control measures shall, when he or she intends to take control measures against a forest

disease or pests, make public announcement of the following matters no later than 14 days before commencing a pest control project: Provided, That he or she may give public notice after first taking control measures, if urgent control measures are required: *<Amended on Mar. 24, 2020>*

1. The date and timing of control measures and the area subject to the measures;
2. The type of the disease or pest subject to control measures;
3. The method and details of control measures;
4. Other necessary matters concerning control measures.

(2) Further details necessary for the inspection on, and measures against, results of a pest control project under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

(3) Further details concerning the method of control measures against forest diseases and pests shall be prescribed by the Minister of the Korea Forest Service separately.

Article 26 (Planning and Supervision of Pest Control Projects)

(1) The head of an agency responsible for preventive observations and control measures shall, when he or she intends to implement a pest control project of a scale specified by Presidential Decree, retain a person who shall take charge of planning and supervision of the pest control project. *<Amended on Feb. 22, 2012>*

(2) To be qualified for planning and supervision under paragraph (1), a person shall meet the requirements under any of the following subparagraphs: *<Amended on Apr. 12, 2010>*

1. A professional engineer who runs an office specializing in forestry under the Professional Engineers Act;
2. An engineering business entity specializing in forestry under the Engineering Technology Promotion Act;
3. Other persons prescribed by Presidential Decree.

(3) A person who is retained for planning and supervision of a pest control project shall comply with this Act, orders issued pursuant to this Act, and other relevant Acts and subordinate statutes in performing the planning and supervisory work.

(4) The supervisor of a pest control project shall, if he or she discovers any violation of this Act, an order issued pursuant to this Act, or other relevant Act or subordinate statute or if the contractor of the pest control project fails to perform the pest control project in conformity with plans and designs, request the contractor to correct such violation or perform the works again.

(5) The supervisor of a pest control project may, if the contractor of the pest control project does not comply with a request under paragraph (4), request the contractor to suspend the pest control project in writing. In such cases, the contractor of a pest control project shall, upon receiving a request to suspend works, shall suspend works immediately, unless he or she has any justifiable ground to the contrary.

(6) The standards and procedure for the planning and supervision of a pest control project and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

<Amended on Mar. 23, 2013>

Article 27 (Designation of Special Pest Control Zone against Forest Diseases and Pests, Cancellation of such Designation)

(1) The Minister of the Korea Forest Service may designate an area as a special pest control zone against forest diseases and pests (hereinafter referred to as "special pest control zone") where preventive observations and control measures are urgently required in order to prevent forest diseases and pests from spreading.

(2) The Minister of the Korea Forest Service shall, when he or she designates a special pest control zone pursuant to paragraph (1), give public notice of details of the designation and shall give a notice thereof to the head of the agency responsible for preventive observations and control measures in the special pest control zone.

(3) The head of an agency responsible for preventive observations and control measures may fell trees infected by a forest disease or pests and take other urgent measures necessary for preventive observations and control measures in a special pest control zone, as prescribed by Presidential Decree. <Amended on Feb. 22, 2012>

(4) The Minister of the Korea Forest Service shall, if he or she finds that purposes of the designation of a special pest control zone have been achieved or that it is no longer necessary to keep the designation, cancel the designation and give public notice of the fact.

(5) The designation and management of a special pest control zone and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

Article 27-2 (Establishment of Forest Diseases and Pests Monitoring Headquarters)

(1) To conduct preventive observations and control measures of, and to educate on and publicize forest diseases and pests, the Minister of the Korea Forest Service shall establish a Forest Diseases and Pests Monitoring Headquarters in the Korea Forestry Promotion Institute established under Article 29-2 of the Forestry and Mountain Villages Development Promotion Act (hereinafter referred to as the "Monitoring Headquarters") to conduct the following affairs:

1. To monitor the occurrence of forest diseases and pests and to manage statistics thereon;
2. To analyze trends in, and to forecast, the occurrence of forest diseases and pests;
3. To monitor the quality of control measures of forest diseases, pests, etc.;
4. To educate on and publicize the preventive observations and control measures of forest diseases, pests, etc.;
5. Other projects related to forest diseases and pests, entrusted by the Minister of the Korea Forest Service.

(2) The Minister of the Korea Forest Service may operate the Monitoring Headquarters in integration with the Pine Wilt Disease Monitoring Headquarters established under Article 14-4 of the Special Act on the Extermination of Pine Wilt Disease.

(3) The State or a local government may subsidize expenses incurred in operating the Monitoring Headquarters and conducting its affairs.

CHAPTER IV PREVENTION OF, AND RESTORATION FROM, FOREST FIRES

SECTION 1 Establishment of Measures for Prevention of Forest Fires

Article 28 (Establishment of Long-Term Measures for Prevention of Forest Fires)

(1) The Minister of the Korea Forest Service shall establish and enforce nationwide long-term measures for prevention of forest fires, including the following matters, every five years for efficient and systematic prevention of forest fires:

1. Goals and the direction of nationwide long-term measures for prevention of forest fires;
2. Matters concerning the expansion of human resources, facilities, and equipment for prevention of forest fires;
3. Matters concerning the rearrangement of Acts and subordinate statutes relevant to prevention of forest fires and the improvement of systems;
4. Matters concerning requesting cooperation in prevention of forest fires;
5. Matters concerning education and training on prevention of forest fires;
6. Matters concerning research on prevention of forest fires;
7. Matters concerning recovery and restoration of areas destroyed by forest fires;
8. Other matters specified by Presidential Decree concerning prevention of forest fires.

(2) Each Mayor/Do Governor or the head of each regional forest office shall establish and enforce regional long-term measures for prevention of forest fires every five years, taking into consideration distinct characteristics of the region under his or her jurisdiction.

(3) The Minister of the Korea Forest Service, a Mayor/Do Governor, or the head of a regional forest office may request the head of the competent authority for forest fires to submit data necessary for the establishment or amendment of nationwide or regional long-term measures for prevention of forest fires, and the head of the competent authority for forest fires shall, upon receiving such a request, comply with the request, unless he or she has any justifiable reason to the contrary.

(4) Matters necessary for the establishment or amendment of nationwide and regional long-term measures for prevention of forest fires under paragraphs (1) through (3) shall be prescribed by Presidential Decree.

Article 29 (Establishment of Annual Measures for Prevention of Forest Fires)

- (1) The Minister of the Korea Forest Service shall establish annual nationwide measures for prevention of forest fires every year and notify the measures to each Mayor/Do Governor, the head of each agency affiliated to the Korea Forest Service, and the head of each competent authority for forest fires. The same shall also apply to an amendment of the annual nationwide measures for prevention of forest fires.
- (2) The head of each local government, the head of each regional forest office, and the head of each State forest office in a regional forest office (hereinafter referred to as "regional agencies responsible for control of forest fires") shall establish and enforce annual regional measures for prevention of forest fires every year in conformity with annual nationwide measures for prevention of forest fires, taking into consideration distinct characteristics of the region under his or her jurisdiction.
- (3) Matters necessary for the establishment and enforcement of annual nationwide and regional measures for prevention of forest fires under paragraphs (1) and (2) shall be prescribed by Presidential Decree.

Article 30 (Establishment of Headquarters for Measures for Prevention of Forest Fires)

- (1) The Minister of the Korea Forest Service shall establish and operate central headquarters for preventive measures against forest fires in the Korea Forest Service in order to systematically enforce annual nationwide measures against forest fires during each forest fire alert period and promptly prepare measures necessary for prevention of forest fires.
- (2) The head of each regional agency responsible for control of forest fires shall establish and operate regional headquarters for preventive measures against forest fires within the regional agency responsible for control of forest fires in order to systematically enforce annual regional measures against forest fires during each forest fire alert period and promptly prepare measures necessary for prevention of forest fires.
- (3) The Minister of the Korea Forest Service shall serve as the head of the central headquarters for preventive measures against forest fires, while the head of each regional agency responsible for control of forest fires shall serve as the head of each regional headquarters for preventive measures against forest fires.
- (4) The head of the central headquarters for preventive measures against forest fires and the head of each regional headquarters for preventive measures against forest fires may organize and operate a council for prevention of forest fires consisting of competent agencies for forest fires, as prescribed by Presidential Decree.
- (5) The operation of the central headquarters for preventive measures against forest fires and each regional headquarters for preventive measures against forest fires and other necessary matters shall be prescribed by Presidential Decree.

Article 31 (Designation of Forest Fire Alert Period)

- (1) The Minister of the Korea Forest Service shall calculate an index showing the degree of risk of the outbreak of forest fires (hereinafter referred to as "forest fire risk index") according to the state of

substances that may cause a fire in a forest and weather conditions and notify citizens of the index.

(2) The Minister of the Korea Forest Service or the head of a local government shall designate a period during which the probability of the outbreak of forest fires is high in each season, because of a high forest fire risk index, as a forest fire alert period and may also designate a period, during which special measures for prevention of forest fires are required during a forest fire alert period, as a special action period against forest fires, as prescribed by Presidential Decree.

(3) The Minister of the Korea Forest Service or the head of a local government shall, when he or she designates a forest fire alert period or a special action period against forest fires under paragraph (2), give public notice of details thereof, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. The same shall also apply to a modification to or cancellation of such a forest fire alert period or a special action period against forest fires. *<Amended on Mar. 23, 2013>*

Article 32 (Forest Fire Warnings and Countermeasures)

(1) The Minister of the Korea Forest Service may issue a national crisis warning of a disaster by a forest fire (hereinafter referred to as "forest fire warning") under the main sentence of Article 38 (1) of the Framework Act on the Management of Disasters and Safety. In such cases, the standards for issuing forest fire warnings shall be prescribed by Presidential Decree. *<Amended on Jan. 8, 2019>*

(2) If a forest fire warning is issued, the Minister of the Korea Forest Service, the head of a local government, the head of an agency affiliated with the Korea Forest Service, or the head of a park office affiliated with the Korea National Park Service shall take necessary countermeasures, such as control of access to mountains, in compliance with guidelines prescribed by Presidential Decree for countermeasures against each forest fire warning. *<Amended on Oct. 16, 2018>*

SECTION 2 Prevention of and Fighting Forest Fires

Article 33 (Prevention of Forest Fires)

(1) The owner or caretaker of a forest shall install facilities necessary for preventing and fighting forest fires and shall take measures necessary for fighting a forest fire in the event a fire breaks out.

(2) The Minister of the Korea Forest Service shall prepare an efficient system for preventing and fighting forest fires, and the head of a regional agency responsible for control of forest fires shall prevent and fight a forest fire according to the system, once a fire breaks out. *<Amended on Mar. 20, 2018>*

(3) The Minister of the Korea Forest Service or the head of a regional agency responsible for control of forest fires shall secure human resources, equipment, and budget necessary for preventing and fighting forest fires and take other necessary measures in case of forest fires. In such cases, the Minister of the Korea Forest Service may grant a subsidy to a local government to cover part of the expenses incurred in introducing forest firefighting equipment, including helicopters. *<Amended on Mar. 20, 2018; Apr. 13, 2021>*

(4) The Minister of the Korea Forest Service or the head of a regional agency responsible for control of forest fires shall regularly check equipment, etc. necessary for preventing and fighting forest fires provided for in paragraph (3) to ensure the normal operation thereof. *<Newly Inserted on Mar. 20, 2018>*

(5) To efficiently prevent and fight forest fires, the Minister of the Korea Forest Service or the head of a regional agency responsible for control of forest fires may conduct research or survey on the prevention of forest fires. *<Newly Inserted on Mar. 20, 2018>*

(6) Matters necessary for the types of and support, etc. for fire extinguishing equipment under the latter part of paragraph (3) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Newly Inserted on Apr. 13, 2021>*

Article 34 (Restriction on Activities for Prevention of Forest Fires)

(1) No one shall commit any of the following acts in a forest or in an area near a forest specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: *<Amended on Mar. 23, 2013; Feb. 18, 2020>*

1. Making a fire or carrying a fire into the forest;
2. Smoking a cigarette or discarding a cigarette butt;
3. Flying a small hot-air balloon, such as a sky lantern, during a period prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) Notwithstanding paragraph (1), any act referred to in paragraph (1) 1 are allowed in any of the following cases or areas: *<Amended on Mar. 23, 2013; Jun. 3, 2014; Dec. 27, 2016>*

1. Where a measure specified by Presidential Decree, such as removing combustible substances, has been taken to prevent a forest fire from spreading and permission has been obtained from the competent Special Self-Governing City Mayor, the competent Special Self-Governing Province Governor, the competent head of a Si/Gun/Gu, or the competent head of a regional forest office, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs;
2. Where such activities are conducted in an area specified by Presidential Decree, such as a camp site in which camping is permitted.

(3) A Special Self-Governing City Mayor, a Special Self-Governing Province Governor, the head of a Si/Gun/Gu, or the head of a regional forest office may, when he or she grants permission under paragraph (2) 1, attach a condition to the permission to require to take measures necessary for preventing forest fires, and the person who has obtain permission shall notify the owner, tenant, or caretaker of a neighboring forest of his or her intended activities before starting a fire. *<Amended on Jun. 3, 2014>*

(4) A Special Self-Governing City Mayor, a Special Self-Governing Province Governor, the head of a Si/Gun/Gu, or the head of a regional forest office shall, if he or she considers it necessary for preventing forest fires, prohibit any person who enters a forest from carrying with him or her a burner, combustible substance, or inflammable substance. *<Amended on Jun. 3, 2014>*

Article 35 (Education on Forest Fire Prevention)

(1) The Minister of the Korea Forest Service shall establish and implement a plan for education on forest fire prevention, including the following matters therein, to train professional human resources specializing in forest fire prevention and enhancing citizens' awareness and knowledge of prevention of forest fires, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: *<Amended on Mar. 23, 2013>*

1. Objectives of education and direction-setting for the operation thereof;
2. Curriculum, methods, candidates, and the period of education and other relevant matters.

(2) The head of each local agency responsible for forest fire management shall have employees in charge of fire prevention receive education on prevention of forest fires, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

(3) The head of each local agency responsible for forest fire management shall provide education on forest fire prevention to any of the following persons, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: *<Newly Inserted on Jun. 3, 2014>*

1. Fire-fighters of specialized forest firefighting and prevention squad under Article 41 (1) 2;
2. Other persons designated by Ordinance of the Ministry of Agriculture, Food and Rural Affairs to be engaged in the local agency responsible for forest fire management in order to perform duties for forest fire prevention.

(4) Where the head of an agency or organization referred to in each subparagraph of Article 39 (1) requests education on forest fire prevention to personnel necessary for fighting forest fires under the jurisdiction of such agency or organization, the head of each local agency responsible for forest fire management may provide education on forest fire prevention, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Newly Inserted on Jun. 3, 2014>*

(5) The head of each local agency responsible for forest fire management may entrust the Korea Forest Fires Prevention Technology Association under Article 35-2 with the duties of education on forest fire prevention under paragraphs (3) and (4). *<Newly Inserted on Jun. 3, 2014>*

Article 35-2 (Establishment of Korea Forest Fire Prevention Technology Association)

(1) The Korea Forest Fire Prevention Technology Association (hereinafter referred to as the "Association") shall be established to provide education and training on forest fire prevention, research and investigation on forest fire prevention, and its duties delegated by the administrative agency.

(2) The Association shall be a corporation.

(3) Except as provided in this Act, provisions concerning incorporated bodies in the Civil Act shall apply mutatis mutandis to the Association.

Article 35-3 (Duties of the Association)

The Association shall perform the following duties:

1. Education and training concerning forest fire prevention;
2. Research and investigation concerning forest fire prevention;
3. International exchanges concerning technology and information for forest fire prevention;
4. Duties entrusted by administrative agencies concerning forest fire prevention;
5. Other duties concerning forest fire prevention.

Article 35-4 (Qualifications of Association Members)

Members of the Association shall be any of the following persons: *<Amended on Mar. 20, 2018>*

1. A person who is engaged in a research organization or service business in a field related to forest fire prevention;
2. A person with expertise or broad experience concerning forest fire prevention;
3. A person specified in any subparagraph of Article 35 (3);
4. Any other person related to the prevention of forest fires, who is prescribed by the articles of incorporation of the Association.

Article 35-5 (Articles of Incorporation of Association)

(1) Matters to be indicated in the articles of incorporation of the Association shall be prescribed by President Decree.

(2) The Association shall obtain an approval from the Minister of the Korea Forest Service in order to modify its articles of incorporation.

Article 35-6 (Operational Expenses of Association)

The operational expenses of the Association shall be financed by membership fees, business income, etc.

Article 35-7 (Prohibition of Use of Similar Name)

No person, other than the Association, shall use the name “Korea Forest Fire Prevention Technology Association” or similar.

Article 36 (Information and Reporting on Forest Fires)

(1) A person who perceives a sign of a fire or discovers a forest fire in a forest or in an area near a forest shall inform the Korea Forest Service, the local agency responsible for control of forest fires, or the competent agency for forest fires of his or her perception or discovery without delay.

(2) The Korea Forest Service or the competent agency for forest fires shall, upon receiving information on the outbreak of a forest fire, promptly notify the information to the competent local agency responsible for control of forest fires.

(3) The competent local agency responsible for control of forest fires shall, upon receiving a notice of information on the outbreak of a forest fire, rush to the scene quickly to conduct activities necessary for fighting the forest fire.

(4) Matters necessary for reporting on the current status of outbreak of forest fires, reporting damage by forest fires and other relevant matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

Article 37 (Consolidated Command of Fighting Forest Fires)

(1) A Special Self-Governing City Mayor, a Special Self-Governing Province Governor, the head of a Si/Gun/Gu, or the head of a State forest office shall, if a forest fire in a medium or small scale that meets criteria prescribed by Presidential Decree breaks out in his or her jurisdiction, get a consolidated command of fighting the forest fire (hereinafter referred to as "consolidated command"): Provided, That if a forest fire spreads to a State forest, a public forest, or a private forest, the competent Special Self-Governing City Mayor, the competent Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall get a consolidated command. <Amended on Jun. 3, 2014>

(2) The competent Mayor/Do Governor shall, if a forest fire grows to a huge forest fire that meets criteria prescribed by Presidential Decree, get a consolidated command of fighting the forest fire: Provided, That if huge forest fires break out at two or more spots in his or her jurisdiction, the Mayor/Do Governor may delegate the consolidated command for at least one spots to the head of a Si/Gun/Gu.

(3) If a forest fire stretches over at least two Sis/Guns/Gus, the competent Mayor/Do Governor shall get a consolidated command, while if a forest fire stretches over at least two Cities/Dos, the Minister of the Korea Forest Service shall take a consolidated command. In such cases, the Mayor/Do Governor or the Minister of the Korea Forest Service may delegate the consolidated command to the head of a Si/Gun/Gu or a Mayor/Do Governor, as prescribed by Presidential Decree.

Article 38 (Establishment and Operation of Consolidated Command Headquarters at Forest Fire Site)

(1) The head of a local government or the head of a State forest office, who gets a consolidated command of forest firefighting pursuant to Article 37, shall establish the consolidated command headquarters at the forest fire site to command firefighting and may issue orders to firefighters as necessary for extinguishing the fire.

(2) The head of consolidated command headquarters at the forest fire site (hereinafter referred to as the "consolidated commander at the forest fire site") shall call officials in charge in each competent agency for forest fires to hold meetings for countermeasures at the forest fire site and allocate assignments to each agency so as to establish a consolidated command system with competent agencies that are mobilized to the forest fire site for assistance.

(3) The organization, missions, and reporting of the consolidated command headquarters at a forest fire site and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and

Article 39 (Cooperation)

(1) Where deemed necessary in relation to forest firefighting, the consolidated commander at a forest fire site may request the head of any of the following agencies or organizations to provide equipment and human resources necessary for fighting the forest fire and controlling the site, and the head of the agency or organization so requested shall give full cooperation, unless there is a compelling reason not to do so:

<Amended on Mar. 20, 2018; Oct. 16, 2018>

1. A firefighting office or station;
2. A police office or station;
3. A military unit;
4. The Cultural Heritage Administration or its affiliated agencies;
5. The Korea National Park Service or its affiliated park offices (including its subordinate organizations);
6. A meteorological office or station;
7. Other forestry-related agency or organization specified by Presidential Decree.

(2) Persons dispatched to a forest fire site pursuant to paragraph (1) shall conduct assignments allocated under the command of the consolidated commander at the forest fire site.

(3) The entities to which the consolidated commander at a forest fire site may request cooperation pursuant to paragraph (1), the method and procedure for such request, the liability for expenses incurred in such cooperation, and other necessary matters shall be prescribed by Presidential Decree.

Article 40 (Demand for Censure in Connection with Prevention of Forest Fires)

(1) The Minister of the Korea Forest Service or the head of the local agency responsible for control of forest fires shall notify the head of an agency or organization of a list of public officials or employees who belong to the local agency responsible for control of forest fires or the competent agency for forest fires but who violated an instruction or neglected their assignment while conducting works for prevention of forest fires, firefighting, or restoration, along with relevant materials that can prove such violation or neglect. <Amended on Mar. 20, 2018>

(2) The consolidated commander at a forest fire site shall notify the head of an agency or organization of a list of public officials or employees who belong to the local agency responsible for control of forest fires or the competent agency for forest fires but who did not follow the command under Article 38 or neglected an assignment allocated thereto, along with relevant materials that can prove such violation or neglect. <Amended on Mar. 20, 2018>

(3) The head of an agency or organization shall, upon receipt of a notice pursuant to paragraphs (1) or (2), shall censure the public officials or employees on the list or take other appropriate measures and shall notify the head of the notifying agency of results of the measures taken.

(4) The Minister of the Korea Forest Service, the head of the local agency responsible for control of forest fires, or the consolidated commander at a forest fire site may assign public officials under his or her control to make investigations necessary for proving facts under paragraphs (1) and (2). In such cases, an investing public official shall carry with him or her an identification card showing his or her authority and produce it to people concerned.

(5) Guidelines for the notice under paragraphs (1) and (2), investigations and demand for censure under paragraph (4), and other necessary matters shall be prescribed by Presidential Decree.

Article 41 (Installation of Forest Firefighting Forces)

(1) The Minister of the Korea Forest Service may establish a forest firefighting force comprised of public officials who have finished the educational course specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs (including special forest guards under the Arrangement of Staff Assigned for Special Forest Protection Act), and assign the forest firefighting force to conduct the following missions:

<Amended on Mar. 23, 2013; Feb. 18, 2020>

1. Fighting forest fires;
2. Commanding and controlling the firefighters of specialized forest firefighting and prevention squad and the firefighters of a special firefighting squad for forest fire disasters;
3. Assisting the consolidated commander at a forest fire site in commanding firefighting;
4. Collecting and conveying basic information for establishing strategies for fighting forest fires;
5. Education and public relations activities for people regarding prevention of and fighting fighting forest fires.

(2) A Special Self-Governing City Mayor, a Special Self-Governing Province Governor, the head of a Si/Gun/Gu, or the head of a State forest office may organize and establish a specialized forest firefighting and prevention squad and a special firefighting squad for forest fire disasters with persons who have received education and training on fighting fighting forest fires, prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, among residents in his or her jurisdiction in order to prevent forest fires. *<Amended on Mar. 23, 2013; Jun. 3, 2014; Feb. 18, 2020>*

(3) Matters necessary for the organization and operation of the forest firefighting force, specialized forest firefighting and prevention squad, and special firefighting squad for forest fire disasters under paragraphs (1) and (2) and other relevant matters shall be prescribed by Presidential Decree. *<Amended on Feb. 18, 2020>*

SECTION 3 Recovery of Areas Destroyed by Forest Fire

Article 42 (Investigation of Forest Fire)

(1) The Minister of the Korea Forest Service or the heads of regional agencies responsible for control of forest fires shall investigate the causes and status of damage caused by forest fires in all areas affected by

such forest fires, as prescribed by Presidential Decree.

(2) To conduct investigations under paragraph (1), the Minister of the Korea Forest Service or the heads of regional agencies responsible for control of forest fires may organize and operate a special investigation team for forest fire, as prescribed by Presidential Decree.

Article 43 (Recovery of Areas Destroyed by Forest Fire)

The Minister of the Korea Forest Service or the head of the local agency responsible for forest fires shall recover areas destroyed by a forest fire or establish and implement a plan for restoration of the forest, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

Article 44 (Compensation for Casualties)

The Minister of the Korea Forest Service or the head of the local agency responsible for forest fires may pay compensation to persons who are killed or injured in the course of work for prevention of a forest fire or rescue of people, as prescribed by Presidential Decree: Provided, That a person who is liable for the outbreak of a forest fire may be disqualified from receiving any compensation.

Article 45 (Evaluation and Analysis on Actions against Forest Fire)

The Minister of the Korea Forest Service may evaluate and analyze problems in actions taken against a forest fire in an area where the forest fire broke out and schemes for improvement thereof and notify results of such evaluation and analysis to the head of the local agency responsible for forest fires.

CHAPTER V LANDSLIDE PREVENTION AND COUNTERMEASURES AND RECOVERY THEREFROM

SECTION 1 Formulation of Measures for Prevention of Landslides

Article 45-2 (Formulation and Implementation of Long-term Plans for Prevention of Landslides)

(1) For the systematic prevention of landslides, the Minister of the Korea Forest Service shall formulate and implement a long-term national plan for the prevention of landslides, including the following matters, every five years:

1. Objectives of and direction-setting for the promotion of the long-term national plan for the prevention of landslides;
2. Matters concerning the installation and management of erosion control facilities under subparagraph 3 of Article 2 of the Work against Land Erosion or Collapse Act, such as debris barriers;

3. Matters concerning the expansion of budget, personnel, facilities, etc. for the prevention of landslides;
 4. Matters concerning systematic improvement, such as the rearrangement of Acts and subordinate statutes concerning the prevention of landslides;
 5. Matters concerning making requests for cooperation in the prevention of landslides;
 6. Matters concerning the construction of information systems for landslides, designation and management of areas vulnerable to landslides, etc.;
 7. Matters concerning education and research of the prevention of landslides;
 8. Matters concerning recovery and reinstatement of areas damaged by landslides;
 9. Other matters prescribed by Presidential Decree concerning the prevention of landslides.
- (2) Where the Minister of the Korea Forest Service formulates a long-term national plan for the prevention of landslides pursuant to paragraph (1), he or she shall notify Mayors/Do Governors, the heads of regional forest offices and the heads of landslide-related institutions of such plan. The same shall also apply to any modification of the long-term national plan for the prevention of landslides.
- (3) Each Mayor/Do Governor or the head of each regional forest office shall formulate a long-term local plan for the prevention of landslides every five years in consideration of the characteristics of the areas under his or her jurisdiction, based on a long-term national plan for the prevention of landslides.
- (4) Where a Mayor/Do Governor or the head of a regional forest office formulates a long-term local plan for the prevention of landslides pursuant to paragraph (3), he or she shall notify the Minister of the Korea Forest Service, the heads of competent Sis/Guns/Gus, the heads of regional forest offices, the heads of State forest offices and the heads of landslide-related institutions of such plan. The same shall also apply to any modification of the long-term local plan for the prevention of landslides.
- (5) The Minister of the Korea Forest Service, a Mayor/Do Governor or the head of a regional forest office may request the heads of landslide-related institutions to submit data necessary for the formulation and modification of long-term national measures for the prevention of landslides and long-term local measures for the prevention of landslides. In such cases, landslide-related institutions so requested shall comply therewith in the absence of any justifiable ground.
- (6) Matters necessary for the formulation and modification of long-term national measures for the prevention of landslides and long-term local measures for the prevention of landslides under paragraphs (1) through (5) shall be prescribed by Presidential Decree.

Article 45-3 (Formulation and Implementation of Annual Measures for Prevention of Landslides)

- (1) The Minister of the Korea Forest Service shall formulate annual national measures for the prevention of landslides based on the long-term national plan for the prevention of landslides under Article 45-2 (1).
- (2) Where the Minister of the Korea Forest Service formulates annual national measures for the prevention of landslides pursuant to paragraph (1), he or she shall notify Mayors/Do Governors, the heads of regional forest offices and the heads of landslide-related institutions of such measures. The same shall also apply to

any modification of the annual national measures for the prevention of landslides.

(3) The heads of local governments, the heads of regional forest offices and the heads of State forest offices (hereinafter referred to as "local landslide prevention institutions") shall formulate and implement annual local measures for the prevention of landslides in consideration of the characteristics of areas under their jurisdiction, based on annual national measures for the prevention of landslides under paragraph (1).

(4) Matters necessary for the formulation and modification of long-term national measures for the prevention of landslides and long-term local measures for the prevention of landslides under paragraphs (1) and (3) shall be prescribed by Presidential Decree.

Article 45-4 (Establishment and Operation of Landslide Prevention Support Center)

(1) For the systematic promotion of annual national measures for the prevention of landslides, the collection and dissemination of information on the probability of landslides, the prompt countermeasures, and the management of situation, etc. during the period of countermeasures against summertime disasters specified by the Central Disaster and Safety Measures Headquarters under Article 14 of the Framework Act on the Management of Disasters and Safety, the Minister of the Korea Forest Service shall establish and operate a landslide prevention support center under his or her jurisdiction.

(2) The Minister of the Korea Forest Service shall serve as the head of the landslide prevention support center.

(3) Matters necessary for the operation of the landslide prevention support center and other matters shall be prescribed by Presidential Decree.

Article 45-5 (Establishment and Operation of Landslide Information System)

(1) The Minister of the Korea Forest Service shall construct and operate a landslide information system to ensure that anyone may gain information on landslides therefrom, such as information on the prediction of landslides, landslide maps, and prediction of the scope of landslide damage.

(2) The head of a local landslide prevention institution shall utilize the landslide information system under paragraph (1) for the prevention of landslides.

(3) Detailed matters, such as the extent of establishment of the landslide information system under paragraph (1) and procedures for the operation thereof, shall be prescribed by Presidential Decree.

Article 45-6 (Provision of Landslide Prediction Information and Issuance of Landslide Crisis Alerts)

(1) The Minister of the Korea Forest Service may provide information on the prediction of landslides to the heads of local landslide prevention institutions, etc., as prescribed by Presidential Decree.

(2) The Minister of the Korea Forest Service may issue a landslide crisis alert pursuant to Article 38 (1) of the Framework Act on the Management of Disasters and Safety. *<Newly Inserted on Mar. 20, 2018>*

(3) Where a landslide breaks out or is likely to break out, the head of a local landslide prevention institution may take appropriate preventive measures, such as evacuation orders, mandatory evacuation,

and restrictions on passage, by applying mutatis mutandis the provisions of Articles 40 through 43 of the Framework Act on the Management of Disasters and Safety, to residents of the relevant area or those who are in an area susceptible to a landslide, in consideration of information on the prediction of landslides provided pursuant to paragraph (1) or the landslide crisis alert issued pursuant to paragraph (2). *<Amended on Mar. 20, 2018>*

(4) The standards for issuing a landslide crisis alert pursuant to paragraph (2), measures to be taken, and other necessary matters shall be prescribed by Presidential Decree. *<Newly Inserted on Mar. 20, 2018>*

SECTION 2 Landslide Prevention and Countermeasures

Article 45-7 (Inspection of Areas Susceptible to Landslides)

(1) The Minister of the Korea Forest Service shall conduct a basic inspection of areas susceptible to landslides every five years throughout the whole country, and notify the heads of local landslide prevention institutions, etc. of the result thereof.

(2) The head of a local landslide prevention institution shall conduct an inspection of actual conditions of areas susceptible to landslides every five years according to the result of a basic inspection under paragraph (1).

(3) The details and methods of inspections under paragraphs (1) and (2) and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

Article 45-8 (Designation and Rescission of Landslide-Prone Areas)

(1) In order to protect people's lives and property, and forest resources from landslides, such as installing preventive facilities in areas susceptible to landslides, the heads of local landslide prevention institutions may designate landslide-prone areas, based on the findings of an inspection of actual conditions under Article 45-7 (2). In such cases, it shall be deliberated upon by the relevant committee for designation of landslide-prone area referred to in Article 45-9 and undergo the process of resident consensus gathering.

(2) Where the head of a local landslide prevention institution intends to designate a landslide-prone area pursuant to paragraph (1), he or she shall publicly announce the following matters with regard to the area to be designated, and inform the owners of the relevant land and the head of the competent Si/Gun/Gu thereof: *<Amended on Mar. 23, 2013>*

1. Grounds for the designation;
2. Location and area of the land to be designated;
3. Period within which objections can be raised against the designation;
4. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) The owner of land or a person directly related to the relevant forest (hereinafter referred to as "interested person") may raise an objection against the designation of a landslide-prone area pursuant to

paragraph (1) within the period for raising an objection referred to in paragraph (2), as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

(4) The head of a local landslide prevention institution shall render a decision within 20 days from the date of receipt of an objection raised under paragraph (3), and inform the applicant of the result thereof without delay.

(5) If no objection under paragraph (3) is raised or an objection is deemed groundless, the head of a local landslide prevention institution shall designate and publicly notify the relevant area as a landslide-prone area, and notify the owners of the land, interested persons, and the head of the competent Si/Gun/Gu thereof: Provided, That where the addresses or whereabouts of the owners of the land and the interested persons are unknown, public announcement prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs shall be made in lieu thereof. The same shall also apply to any change to an area publicly notified. *<Amended on Mar. 23, 2013>*

(6) The designation of a landslide-prone area shall become effective from the date of public notice under paragraph (5).

(7) Where the purpose of designation of a landslide-prone area under paragraph (1) is accomplished, due to the implementation, etc. of a land erosion control project under Article 3 of the Erosion Control Work Act, such as installing debris barriers, the head of a local landslide prevention institution may rescind such designation.

(8) Where the head of a local landslide prevention institution designates, publicly notifies, or rescinds a landslide-prone area pursuant to paragraph (5) or (7), he or she shall report thereon to the Minister of the Korea Forest Service and the head of a relevant central administrative agency through the competent Mayor/Do Governor.

(9) The head of a local landslide prevention institution shall install warning signs in landslide-prone areas. *<Newly Inserted on Feb. 3, 2015>*

(10) No person shall relocate or destroy any warning sign installed under paragraph (9) without permission from the person who installed the sign. *<Newly Inserted on Feb. 3, 2015>*

(11) If the head of a local landslide prevention institution fails to designate an area as a landslide-prone area, although it is necessary to designate the area as a landslide-prone area under paragraph (1), the Minister of the Korea Forest Service or the relevant Mayor/Do Governor may request the head of the local landslide prevention institution to designate and publicly notify such area as a landslide-prone area. In such cases, the head of the local landslide prevention institution shall comply with such request, unless there is a compelling reason not to do so. *<Amended on Feb. 3, 2015; Mar. 24, 2020>*

(12) Other matters necessary for the designation and public notice of landslide-prone areas, the installation of warning signs, etc. shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013; Feb. 3, 2015>*

Article 45-9 (Committees for Designation of Areas Vulnerable to Landslides)

(1) In order to deliberate on the designation of areas vulnerable to landslides under Article 45-8, the head of a regional forest office shall constitute and operate a committee for the designation of areas vulnerable to landslides under his or her jurisdiction, as prescribed by Presidential Decree.

(2) In order to deliberate on the designation of areas vulnerable to landslides under Article 45-8, the head of a local government may constitute and operate a committee for the designation of areas vulnerable to landslides under his or her jurisdiction, according to municipal ordinance of the local government, as prescribed by Presidential Decree.

Article 45-10 (Restrictions of Acts in Areas Vulnerable to Landslides)

No one shall perform any of the following acts in areas vulnerable to landslides designated and publicly notified under Article 45-8 (5):

1. Damaging erosion control facilities as defined in subparagraph 3 of Article 2 of the Work against Land Erosion or Collapse Act, such as debris barriers to prevent landslides, etc.;
2. Refusing or obstructing the installation or management of erosion control facilities as defined in subparagraph 3 of Article 2 of the Work against Land Erosion or Collapse Act, such as debris barriers to prevent landslides, etc.

Article 45-11 (Management of Landslide-Prone Areas)

(1) The head of a local landslide prevention institution shall preferentially implement land erosion control projects under Articles 5 and 6 of the Erosion Control Work Act in order to prevent landslides in landslide-prone areas, implement on-site inspections of landslide-prone areas at least twice a year, and take necessary measures, such as emergency measures, repair, and reinforcement.

(2) If an on-site inspection implemented under paragraph (1) reveals any probability of a landslide, the head of a local landslide prevention institution may restrict or prohibit the owner of the land and interested persons from the use of relevant facilities, land, etc. or order them to take safety measures, such as repair, reinforcement, and removal, as prescribed by Presidential Decree.

(3) The owner of land and an interested person ordered to take safety measures pursuant to paragraph (2) shall implement such safety measures and notify the head of the competent local landslide prevention institution of the result thereof, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

(4) Where a person ordered to take safety measures pursuant to paragraph (2) fails to implement such order, the head of a local landslide prevention institution may take necessary safety measures in his or her place. In such cases, the Administrative Vicarious Execution Act shall apply mutatis mutandis.

Article 45-12 (Purchase or Exchange of Mountainous Districts in Areas Vulnerable to Landslides)

(1) Where necessary to accomplish the purpose of designation of an area vulnerable to landslides, the head of a local landslide prevention institution may purchase a mountainous district (including standing trees and bamboo; hereafter the same shall apply in this Article) in an area vulnerable to landslides or a mountainous district in the vicinity of an area vulnerable to landslides prescribed by Presidential Decree within the budget after consultation with the owner of the mountainous district or at the request of the owner of the mountainous district, or exchange it with a national forest or public forest.

(2) The State Property Act, the State Forest Administration and Management Act and the Public Property and Commodity Management Act shall apply mutatis mutandis to the procedures of purchase or exchange of mountainous districts under paragraph (1) and other necessary matters.

(3) Where purchase or exchange of mountainous districts is intended pursuant to paragraph (1), the price of such purchase or exchange shall conform to the price calculated pursuant to the Act on Acquisition of and Compensation for Land for Public Works.

Article 45-13 (Education on Prevention of Landslides)

(1) In order to foster human resources specialized in the field of prevention of landslides, raise people's awareness of the prevention of landslides, and allow them to obtain knowledge on the prevention of landslides, the Minister of the Korea Forest Service shall formulate and implement an education plan for the prevention of landslides, including the following matters, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: <Amended on Mar. 23, 2013>

1. Objectives of education and direction-setting for the operation thereof;
2. Details and methods of education, persons to receive education, period of education, etc.

(2) The head of a local landslide prevention institution shall have its personnel in charge of the prevention of landslides receive education on prevention of landslides, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

Article 45-14 (Reporting on Landslides)

(1) Any person who witnesses a landslide or perceives a sign of a landslide in a forest or a neighboring area shall report it, without delay, to the Korea Forest Service, a local landslide prevention institution, or a landslide-related institution.

(2) When the Korea Forest Service or a landslide-related institution receives a report on a landslide, it shall inform a local landslide prevention institution thereof, without delay.

(3) The competent local landslide prevention institution that receives a report on a landslide shall immediately check on the situation of the scene and take necessary action, such as emergency recovery, so that further damage may not be incurred.

(4) Necessary matters, such as reporting on the situation of landslides and damage reporting, shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

Article 45-15 (Establishment of Landslide Countermeasure Teams)

(1) The Minister of the Korea Forest Service and the head of a local landslide prevention institution shall establish a landslide countermeasure team comprised of public officials (including staff members assigned for special forest protection pursuant to the Arrangement of Staff Assigned for Special Forest Protection Act) who have received education prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, and have it perform the following duties: *<Amended on Mar. 23, 2013>*

1. Prevention of landslides and countermeasures thereagainst;
2. Installation and management of erosion control facilities under subparagraph 3 of Article 2 of the Work against Land Erosion or Collapse Act, such as debris barriers, for the prevention of landslides;
3. Matters concerning the designation and management of areas vulnerable to landslides;
4. Constitution and operation of a prevention team at the scene of landslides under paragraph (2);
5. Collection and transmission of basic information for the formulation of landslide prevention measures;
6. Education of residents and public relations on the prevention of landslides and countermeasures thereagainst.

(2) For the prevention of landslides and countermeasures thereagainst, the head of a local landslide prevention institution may constitute and operate a prevention team at the scene of landslides, as prescribed by Presidential Decree.

SECTION 3 Recovery of Areas Where Landslides Occurred

Article 45-16 (Recovery of Areas where Landslides Occurred)

The Minister of the Korea Forest Service or the head of a local landslide prevention institution shall recover an area where a landslide has occurred, or formulate and implement a forest restoration plan, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

Article 45-17 (Evaluation and Analysis of Countermeasures against Landslides)

(1) The Minister of the Korea Forest Service shall evaluate and analyze problems in countermeasures against landslides of an area where a landslide has occurred, plans for improvement, etc. as prescribed by Presidential Decree, reflect the results in the annual national plan for the prevention of landslides for the following year, and may notify the heads of local landslide prevention institutions of the results.

(2) The head of a local landslide prevention institution who has been notified of the results of evaluation and analysis pursuant to paragraph (1) shall reflect the results in the annual local landslide prevention plan for the following year considering the characteristics of the relevant area.

Article 45-18 (Requests for Reprimand concerning Prevention of Landslides)

- (1) Where public officials or employees of a local landslide prevention institution or a landslide-related institution fail to comply with directions or are negligent of assigned duties when duties regarding the prevention of landslides or recovery therefrom are performed, the Minister of the Korea Forest Service or the head of a local landslide prevention institution shall notify the head of such institution of the list of such public officials or employees of the local landslide prevention institution or landslide-related institution, together with evidentiary data. *<Amended on Jan. 8, 2019>*
- (2) The head of a relevant institution notified pursuant to paragraph (1) shall take appropriate measures, such as reprimanding relevant public officials or employees, and inform the Minister of the Korea Forest Service or the head of a local landslide prevention institution of the result thereof.
- (3) Except as otherwise provided in this Act, Article 77 of the Framework Act on the Management of Disasters and Safety shall apply mutatis mutandis to requests for reprimand under paragraph (1).

CHAPTER VI SUPPLEMENTARY PROVISIONS

Article 46 (Commissioning of Voluntary Forest Instructor)

(1) The Minister of the Korea Forest Service, each Mayor/Do Governor, the head of each Si/Gun/Gu, or the head of each State forest office (hereafter referred to as the "commissioning authority" in this Article) may commission any of the following persons as an instructor who carries out work for inspiring people to love forests and promoting activities for forest conservation (hereinafter referred to as "voluntary forest instructor"): *<Amended on Mar. 23, 2013>*

1. A forester;
2. A member of an organization related to forestry or environment;
3. A member of a legal entity incorporated with permission of the Minister of the Korea Forest Service;
4. A person who is considered necessary for inspiring people to love forests and promoting activities for forest conservation and who meets requirements specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) Each voluntary forest instructor shall carry out the following missions:

1. Prevention of forest fires, protection of forests from destruction, cleanup of forests, and other activities for forest conservation;
2. Public relations activities and guidance for citizens regarding forest conservation.

(3) The commissioning authority shall dismiss a voluntary forest instructor, if a sentence imposed upon the instructor to punish him or her by a fine or heavier punishment for a violation of an Act or regulation governing forestry becomes final and conclusive.

(4) Matters necessary for commissioning and operation of voluntary forest instructors and other relevant matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended*

on Mar. 23, 2013>

Article 47 (Purchase of Forest Disaster Insurance)

The Minister of the Korea Forest Service may recommend forest owners to purchase forest disaster insurance (including forest mutual aid under the Forestry Cooperatives Act) to cover damage that forest owners may sustain due to a forest fire.

Article 48 (Awards)

The Minister of the Korea Forest Service, the head of a local government, or the director general of a regional office of forest service may grant a prize or monetary reward to the following persons, institutions, and organizations, as prescribed by Presidential Decree: <Amended on Feb. 22, 2012; Jun. 3, 2014; Jan. 8, 2019>

1. A person who reports, or makes an accusation regarding, any of the following persons to a forest administrative office or an investigative agency:
 - (a) A person who violates Article 9 (1) or (2) 1 or 2 (including cases to which it applies mutatis mutandis pursuant to Article 13 (2));
 - (b) A person who violates Article 13-3 (1);
 - (c) A person who violates Article 18-3 (1) or (2);
2. A person who reports damage or suspected damage by a forest disease or pest;
3. A person, institution, or organization who contributes to preventing forest fire, reporting an outbreak of forest fire, or reporting or apprehending a criminal involved in forest fire;
4. A person who reports damage from a landslide or suspected landslide.

Article 48-2 (Fees)

(1) Any of the following persons shall pay fees, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs:

1. A person who intends to take a qualifying examination for tree doctors under Article 21-4 (1);
2. A person who intends to be issued or reissued with a certificate of qualification for tree doctors, etc. under Article 21-6.

Article 48-3 (Hearings)

Where the Minister of the Korea Forest Service or a Mayor/Do Governor intends to take any of the following dispositions, he or she shall hold a hearing:

1. Revoking or suspending the qualification of a tree doctor, etc. under Article 21-6 (6);
2. Revoking the designation of a training institution for tree doctors, etc., or issuing a corrective order, under Article 21-7 (2);

3. Revoking registration of a tree hospital or suspending its business under Article 21-10 (1).

Article 49 (Access to Another's Land)

(1) The Minister of the Korea Forest Service, the head of an agency responsible for preventive observations and control measures, or the head of a local agency responsible for control of forest fires may, if necessary for preventive observations of and control measures against forest diseases and pests, prevention of forest fires, or examination of levels of health and vitality of forests, authorize a public official in charge or a person who conducts preventive observations of and control measures against forest diseases and pests, prevention of forest fires, or examination of levels of health and vitality of forests to enter or temporarily use another's land or a building or an artificial structure fixed thereon or, if inevitable, relocate or remove plants or other things.

(2) As to access to land, Article 47 (2) through (5) and Article 48 of the Management of Mountainous Districts Act shall apply *mutatis mutandis* in addition to paragraph (1).

Article 50 (Operation of Forest Aircraft)

(1) The Minister of the Korea Forest Service shall operate forest aircraft (referring to an aircraft, light aircraft, and ultra-light aircraft defined in subparagraphs 1 through 3 of Article 2 of the Aviation Safety Act) for prevention and extinguishing of forest fires, preventive observations of and control measures against forest diseases and pests, and other forestry projects specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013; Jan. 8, 2019>*

(2) Matters necessary for the operation of forest aircraft under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

Article 51 (Succession to Rights and Obligations)

(1) A disposition made to a forest owner or a landowner whose land is not a forest pursuant to this Act or an order issued pursuant to this Act shall remain effective for his or her successor.

(2) An application, report, or other act filed, made, or conducted by a forest owner or a landowner whose land is not a forest pursuant to this Act or an order issued pursuant to this Act shall remain effective for his or her successor.

Article 52 (Delegation and Entrustment of Authority)

(1) The Minister of the Korea Forest Service may partially delegate his or her authority under this Act to the head of an affiliated agency or the head of a local government, as prescribed by Presidential Decree.

(2) Each Mayor/Do Governor may partially delegate his or her authority under this Act to the head of each Si/Gun/Gu (including the head of each administrative city under the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City), as prescribed by Presidential Decree.

(3) The head of a regional forest office may partially delegate his or her authority under this Act to the head of each State forest office, as prescribed by Presidential Decree.

(4) The Minister of the Korea Forest Service, the head of a local government, the head of a regional forest office, or the head of a State forest office may entrust some of his or her business affairs under this Act to an appropriate institution or organization, as prescribed by Presidential Decree. *<Amended on Mar. 20, 2018>*

CHAPTER VII PENALTY PROVISIONS

Article 53 (Penalty Provisions)

(1) A person who sets fire to a forest conservation zone or a protected tree, shall be punished by imprisonment with labor for at least seven years, but not exceeding 15 years. *<Amended on Dec. 27, 2016>*

(2) A person who sets fire to another's forest, shall be punished by imprisonment with labor for at least five years, but not exceeding 15 years. *<Newly Inserted on Dec. 27, 2016>*

(3) A person who sets fire to his or her own forest, shall be punished by imprisonment with labor for at least one year, but not exceeding 10 years. *<Amended on Dec. 27, 2016>*

(4) In cases falling under paragraph (3), a person who inflicts damage on another's forest by causing a fire to spread to such another person's forest, shall be punished by imprisonment with labor for at least two years, but not exceeding 10 years. *<Amended on Dec. 27, 2016>*

(5) A person who burns another's forest by negligence or who jeopardizes the general public by burning his or her own forest by negligence, shall be punished by imprisonment with labor for not exceeding three years or by a fine not exceeding 30 million won. *<Amended on Dec. 27, 2016>*

(6) An attempt to commit a crime referred to in paragraphs (1) through (3) shall be punished. *<Amended on Dec. 27, 2016>*

Article 54 (Penalty Provisions)

(1) Any person who steals a veteran tree or a product thereof from a forest conservation zone shall be punished by imprisonment with labor for at least one year, but not exceeding 10 years.

(2) Any of the following persons shall be punished by imprisonment with labor for not more than five years or by a fine not exceeding 50 million won: *<Amended on Jul. 14, 2011; Jun. 3, 2014; Dec. 27, 2016; Jan. 8, 2019>*

1. A person who thins standing trees or bamboos, mines or collects forestry products, or damages or withers any standing tree, bamboo, or forestry products, in violation of Article 9 (1); grazes livestock; or changes the form or quality of land prescribed by Presidential Decree;

2. A person who cuts standing trees or bamboo, thins or extracts a forestry product, grazes livestock, or otherwise changes the form or quality of any land specified by Presidential Decree, without permission under Article 9 (2) 1;

3. A person who thins, mines, collects, damages, or withers a protected species or destroys any habitat thereof, in violation of Article 18-3 (1) or (2);

4. A person who damages erosion control facilities, or rejects or hinders the installation or management of erosion control facilities, in a landslide-prone area, in violation of Article 45-10.

(3) A person who destroys all or part of any veteran tree in violation of Article 13-3 (1) shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won.

<Newly Inserted on Jan. 8, 2019>

(4) A person who fails to comply with an order issued under Article 24 (3) 2 shall be punished by a fine not exceeding 10 million won. *<Amended on Feb. 22, 2012; Jan. 8, 2019>*

(5) Any of the following persons shall be punished by a fine not exceeding five million won: *<Amended on Dec. 27, 2016; Jan. 8, 2019>*

1. A person who treats trees without acquiring the qualification of a tree doctor, etc. under Article 21-4 (1) or (3);

2. A tree doctor, etc. who works for at least two tree hospitals simultaneously, in violation of Article 21-4 (4);

3. A person who uses the name “tree doctor, etc.” or any other similar name, in violation of Article 21-4 (5);

4. Deleted; *<Mar. 24, 2020>*

5. A tree doctor, etc. who treats trees during the period of suspension of qualification referred to in Article 21-6 (6);

6. A person who treats trees without registering the relevant tree hospital, in violation of Article 21-9 (4);

7. A person who lends the registration certificate of a tree hospital to another person, in violation of Article 21-9 (5);

8. A person who fails to comply with an order issued pursuant to Article 24 (3) 1, 3, or 4;

9. A person who violates Article 26 (3) in the course of planning or supervision.

(6) A person who violates paragraph (2) may be punished by penal detention or a minor fine, depending upon extenuating circumstances, if the damage caused by the violation is less than 100,000 won at the place of origin. *<Amended on Jan. 8, 2019>*

(7) A person who habitually commits a crime specified in paragraph (2) shall be punished by imprisonment with labor for not exceeding 10 years. *<Amended on Jan. 8, 2019>*

(8) An attempt to commit a crime specified in paragraph (1) shall be punished. *<Amended on Jan. 8, 2019>*

Article 54-2 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding 10 million won: *<Amended on Mar. 24, 2020>*

1. A person who acquires the qualification of a tree doctor, etc. by fraud or other improper means, in violation of Article 21-4 (1) or (3);
- 1-2. A person who borrows from, or lends to, another person his or her certificate of qualification for tree doctors, etc., or engages in brokering such acts, in violation of Article 21-6 (4);
2. A person designated as a training institution for tree doctors, etc. pursuant to Article 21-7 (1), by fraud or other improper means;
3. A person who registers a tree hospital pursuant to Article 21-9 (1), by fraud or other improper means.

Article 55 (Confiscation and Additional Collection)

- (1) Forestry products related to a crime under Article 54 (1) or (2) shall be confiscated: Provided, That forestry products from a crime under Article 54 (1) shall be returned to the victims or disposed of and the price therefrom shall be paid, as prescribed by Presidential Decree.
- (2) If it is impossible to confiscate forestry products under paragraph (1), their value shall be additionally collected.

Article 56 (Joint Penalty Provisions)

If the representative of a corporation or an agent, employee, or other servant of a corporation or individual commits an offense under any provision of Article 54 (2) through (6) and subparagraph 1-2 of Article 54-2 in relation to the duties of the corporation or individual, not only shall such offender be punished accordingly, but the corporation or individual also shall be punished by the fine or the minor fine prescribed in the relevant provision, while any of the aforesaid persons commits an offense under Article 54 (7), not only shall such offender be punished accordingly, but the corporation or individual also shall be punished by a fine not exceeding 20 million won: Provided, That this shall not apply where the corporation or individual has not been negligent in giving due attention and supervision concerning the relevant duties to prevent such offense. *<Amended on Jan. 8, 2019; Mar. 24, 2020>*

Article 57 (Administrative Fines)

- (1) Any of the following persons shall be subject to an administrative fine not exceeding five million won: *<Amended on Dec. 3, 2019>*
 1. A person who fells a tree for forest tending, fells other standing tree or bamboo prescribed by Presidential Decree, or harvests or collects forest products, without reporting required under Article 9 (2) 2;
 2. A tree hospital that uses a pesticide without a prescription issued by a tree doctor or does not use a pesticide as stated in a prescription, in violation of Article 21-12 (4).
- (2) Any person who relocates or destroys a warning sign, in violation of Article 45-8 (10), shall be subject to an administrative fine not exceeding two million won. *<Newly Inserted on Feb. 3, 2015>*

(3) Any of the following persons shall be subject to an administrative fine not exceeding one million won:
<Amended on Feb. 3, 2015; Dec. 3, 2019; Feb. 18, 2020>

1. A person who dumps sewage or waste in a forest, in violation of subparagraph 1 of Article 16;
- 1-2. A tree doctor who fails to prepare a treatment chart or to document the details of treatment in a treatment chart, or documents false information, in violation of Article 21-12 (1);
- 1-3. A tree doctor who issues a prescription or relevant document without directly treating a tree, in violation of Article 21-12 (2);
- 1-4. A tree doctor who refuses to issue a prescription or relevant document without good cause, in violation of Article 21-12 (3);
- 1-5. A tree doctor who fails to receive refresher training, in violation of Article 21-13 (1);
2. A person who makes a fire in a forest or in an area near a forest or carries a fire thereinto, in violation of Article 34 (1) 1 (excluding those who have obtained permission under paragraph (2) of the aforesaid Article);
3. A person who flies a small hot-air balloon, such as a sky lantern, in a forest or in an area near a forest during a period prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, in violation of Article 34 (1) 3.

(4) Any of the following persons shall be subject to an administrative fine not exceeding 300,000 won:
<Amended on Feb. 3, 2015>

1. A person who smokes a cigarette or who discards a lit cigarette butt in a forest, in violation of Article 34 (1) 2;
2. A person who sets a fire without giving notice to the owner, tenant, or caretaker of a neighboring forest, in violation of Article 34 (3);
3. A person who enters a forest, carrying a burner, combustible substance, or inflammable substance, in violation of a prohibition order issued under Article 34 (4).

(5) Any of the following persons shall be subject to an administrative fine not exceeding 200,000 won:
<Amended on Feb. 3, 2015; Mar. 20, 2018>

1. A person who enters a restricted zone in a mountain (including persons who pass through the zone by vehicle) without permission under Article 15 (3);
2. A person who moves at will, defaces, or destroys a sign installed by a forest administrative office, in violation of subparagraph 2 of Article 16.

(6) Administrative fines prescribed in paragraphs (1) through (5) shall be imposed and collected by the Minister of the Korea Forest Service, a Mayor/Do Governor, the head of a Si/Gun/Gu, the director general of a regional office of forest service, or the head of a State forest office, as prescribed by Presidential Decree. <Amended on Feb. 3, 2015>

ADDENDA <Act No. 9763, Jun. 9, 2009>

Article 1 (Enforcement Decree)

This Act shall enter into force nine months after the date of its promulgation: Provided, That Article 7 (34) of the Addenda shall enter into force on March 26, 2010.

Article 2 (Applicability concerning Planning and Supervision of Pest Control Projects)

@Article 26 shall apply to pest control projects implemented after this Act enters into force.

Article 3 (Transitional Measures concerning Dispositions, etc. under the Creation and Management of Forest Resources Act)

- (1) Dispositions, etc. made pursuant to the former Creation and Management of Forest Resources Act, as described in the left column of the following table, as at the time this Act enters into force shall be deemed dispositions, etc. made pursuant to this Act, as described in the right column of the same table:
- (2) A disposition, a report, or other act made or conducted to an administrative agency pursuant to the former Creation and Management of Forest Resources Act as at the time this Act enters into force shall be deemed a disposition, a report, or other act made or conducted to the administrative agency pursuant to this Act.

Article 4 (Transitional Measures concerning Designation of Reserved Forest, etc.)

Reserved forests and gene resources protection forests that fall within the left column of the following table, among reserved forests and gene resources protection forests designated pursuant to the former Creation and Management of Forest Resources Act as at the time this Act enters into force shall be deemed zones designated and publicly notified as those in the right column of the same table, among forest conservation zones under Articles 7 and 8. In such cases, a forest designated as a reserved forest and a gene resources protection forest at the same time pursuant to the former Creation and Management of Forest Resources Act shall be deemed a forest designated and publicly notified as a conservation zone for forest gene resources in the right column of the same table: Reserved forests and gene resources protection forests designated and publicly notified pursuant to the former Creation and Management of Forest Resources Act

Reserved forests and gene resources protection forests designated pursuant to the former Creation and Management of Forest Resources Act	Conservation zones designated and publicly notified pursuant to this Act
Reserved forests designated for the prevention of erosion and collapse of soil, rocks, or sand or the attraction and proliferation of fishes	1. Conservation zones for disaster prevention
Reserved forests designated for conservation, maintenance, and improvement of the living environment	2. Conservation zones for the living environment
Reserved forests designated for the development of water resources	3. Conservation zones for development of water resources
Reserved forests designated for the preservation of places of interest, historic sites, or scenic views	4. Conservation zones for scenic views
Forest gene resources protection forests	5. Conservation zones for forest gene resources

Article 5 (Transitional Measures concerning Ecological Woods)

Ecological woods already developed or under development pursuant to Article 42 of the former Creation and Management of Forest Resources Act as at the time this Act enters into force shall be deemed ecological woods designated pursuant to Article 18 (1).

Article 6 (Transitional Measures concerning Penalty Provisions and Fines for Negligence)

In applying penal provisions or imposing fines for negligence, offenses committed before this Act enters into force shall be governed by the former Creation and Management of Forest Resources Act.

Article 7 Omitted.

Article 8 (Relationships with other Acts)

A citation of the former Forest Resources Creation and Management Act or any provision thereof by any other Act in force as at the time this Act enters into force shall be deemed a citation of this Act or a corresponding provision of this Act in lieu of the former Forest Resources Creation and Management Act, if such corresponding provision exists in this Act.

ADDENDA <Act No. 10000, Feb. 4, 2010>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

(Proviso Omitted.)

Articles 2 through 7 Omitted.

ADDENDA <Act No. 10250, Apr. 12, 2010>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Articles 2 through 9 Omitted.

ADDENDUM <Act No. 10846, Jul. 14, 2011>

This Act shall enter into force six months after the date of its promulgation.

ADDENDUM <Act No. 11351, Feb. 22, 2012>

This Act shall enter into force six months after the date of its promulgation.

ADDENDA <Act No. 11690, Mar. 23, 2013>

Article 1 (Enforcement Date)

(1) This Act shall enter into force on the date of its promulgation.

(2) Omitted.

Articles 2 through 7 Omitted.

ADDENDUM <Act No. 12053, Aug. 13, 2013>

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

ADDENDA <Act No. 12248, Jan. 14, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Articles 2 through 25 Omitted.

ADDENDUM <Act No. 12732, Jun. 3, 2014>

This Act shall enter into force six months after the date of its promulgation.

ADDENDUM <Act No. 13138, Feb. 3, 2015>

This Act shall enter into force six months after the date of its promulgation.

ADDENDUM <Act No. 13406, Jul. 20, 2015>

This Act shall enter into force six months after the date of its promulgation.

ADDENDA <Act No. 14519, Dec. 27, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force one year and six months after the date of its promulgation: Provided, That the amended provisions of Article 11-2 shall enter into force on the date of its promulgation; and the amended provisions of Articles 8 (1), 34 (2), and 53 shall enter into force six months after the date of its promulgation.

Article 2 (Special Exceptions to Revocation of Designation of Forest Genetic Resources Protection Zones)

(1) A person whose mining rights (excluding exploring rights) are registered under Article 38 of the Mining Industry Act (hereinafter referred to as "mining right holder") for any area within the relevant forest before a forest genetic resources protection zone is designated in such forest pursuant to Article 7 (1) 5, may file an application for revocation of the designation of the forest genetic resources protection

zone with the Minister of the Korea Forest Service or the competent Mayor/Do Governor (hereinafter referred to as "designating authority"), within one year from the date three months have elapsed since the promulgation of this Act, if necessary to perform extracting activities specified in such mining rights.

(2) When a mining right holder files an application for revocation of the designation of a forest genetic resources protection zone pursuant to paragraph (1), he or she shall attach the following documents to the application; and where it is necessary to supplement or additionally supplement any document, any designating authority may require the mining right holder to supplement the document within a period not exceeding six months from the application date, and the mining right holder shall submit a supplemented document within such period:

1. A copy of a document verifying the relevant mining rights;
2. A map on a scale of at least 1:6,000, which includes a plan for facilities, such as a pithead, mineral separation and processing facility and access road, and which indicates an area for which the application for revocation of the designation of the forest genetic resources protection zone has been filed; or any numerical map fulfilling similar functions;

3. A schedule which states various types of authorization and permission required for extracting activities after revocation of the designation of the forest genetic resources protection zone; a construction schedule for the facilities; and the date scheduled to commence the extracting activities.

(3) Where a mining right holder applies for revocation of the designation of a forest genetic resources protection zone pursuant to paragraph (1), any designating authority may revoke its designation for an area of up to 20,000 square meters in a forest which is deemed necessary for extracting activities, installation of appurtenant facilities, etc.

(4) Where a forest genetic resources protection zone, the designation of which has been revoked pursuant to paragraph (3), falls under any of the following cases, any designating authority may withdraw the revocation of its designation and then re-designate it as a forest genetic resources protection zone:

1. Where extracting activities do not commence within three years from the date the designation of the forest genetic resources protection zone has been revoked;
2. Where no extracting activities are performed for at least three consecutive months during a period of three years after the commencement of extracting activities;
3. Where the forest genetic resources protection zone is used for other than its original purpose at the time of revocation of its designation, such as extracting minerals or installing appurtenant facilities.

(5) Where any designating authority re-designates a forest genetic resources protection zone pursuant to paragraph (4), he or she shall publicly notify the following matters; and shall inform the landowners, the head of the competent Si/Gun/Gu, and the relevant mining right holder of such fact; and in such cases, the period for raising an objection shall not be set:

1. Grounds for the re-designation of the forest genetic resources protection zone;
2. Division of the zone;
3. Location and area of the land subject to re-designation;
4. Base date of re-designation.

Article 3 (Transitional Measures concerning Tree Protection Engineers, etc.)

Any person who has acquired the qualification of a tree protection engineer under Article 17 of the Framework Act on Qualifications or that of a plant protection engineer or industrial engineer under the National Technical Qualifications Act, and served, for at least one year, as the representative or an employee of any corporation registered as a forest project corporation under Article 24 of the Creation and Management of Forest Resources Act which engages in diagnosis of damage to trees and prescriptions and treatment for such damage, as at the time this Act enters into force, shall be deemed to have acquired the qualification of a tree doctor under the amended provisions of Article 21-4 (1), until five years after this Act enters into force.

Article 4 Omitted.

ADDENDA <Act No. 14545, Jan. 17, 2017>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 15 Omitted.

ADDENDA <Act No. 15394, Feb. 21, 2018>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Articles 2 through 6 Omitted.

ADDENDA <Act No. 15503, Mar. 20, 2018>

Article 1 (Enforcement Date)

This Act shall enter into force on June 28, 2018.

Article 2 (Applicability to Permission, Reporting, etc. within Forest Conservation Zones, etc.)

(1) The amended provisions of Article 9 (3) and (4) (including where the provisions are applied mutatis mutandis pursuant to Article 13 (2)) shall begin to apply from the first application for permission or the first report filed to conduct such activities as thinning out standing trees within a forest conservation zone after this Act enters into force.

(2) The amended provisions of Article 15 (4) and (5) shall begin to apply from the first application for permission filed to enter a restricted zone in a mountain after this Act enters into force.

ADDENDA <Act No. 15830, Oct. 16, 2018>

Article 1 (Enforcement Date)

This Act shall enter into force three months after the date of its promulgation.

Articles 2 and 3 Omitted.

ADDENDA <Act No. 16197, Jan. 8, 2019>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Articles 21-4 (6) and 50 (1) shall enter into force on the date of its promulgation.

Article 2 (Applicability to Acquiring Qualifications of Tree Doctors)

The amended provisions of Article 21-4 (6) shall begin to apply from the first application for issuance of a qualification certificate of tree doctor, etc. to be filed after this Act enters into force.

ADDENDUM <Act No. 16230, Jan. 15, 2019>

This Act shall enter into force six months after the date of its promulgation.

ADDENDUM <Act No. 16709, Dec. 3, 2019>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 11, 11-2 (1), 21-6 (6) 8, 21-12, 21-13, 57 (1) 2, and 57 (3) 1-2 through 1-5 shall enter into force six months after the date of its promulgation.

ADDENDUM <Act No. 17014, Feb. 18, 2020>

This Act shall enter into force six months after the date of its promulgation.

ADDENDUM <Act No. 17094, Mar. 24, 2020>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 54 (5) 4, subparagraph 1-2 of Article 54-2, and Article 56 shall enter into force six months after the date of its promulgation.

ADDENDUM <Act No. 18023, Apr. 13, 2021>

This Act shall enter into force six months after the date of its promulgation.

ADDENDA <Act No. 19115, Dec. 27, 2022>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Article 2 (Applicability to Imposition of Penalty Surcharges)

The amended provisions of Article 21-10 shall also apply to cases to which Article 21-10 (1) 3 or 4-2 is applicable before this Act enters into force and suspension of business is to be ordered under that paragraph, but the suspension of business is not ordered on the relevant violation.

Last updated : 2023-07-25

