

FORESTRY CULTURE AND RECREATION ACT

Act No. 7676, Aug. 4, 2005

Amended by Act No. 8752, Dec. 21, 2007

Act No. 8852, Feb. 29, 2008

Act No. 10116, Mar. 17, 2010

Act No. 10459, Mar. 9, 2011

Act No. 10845, Jul. 14, 2011

Act No. 10940, Jul. 25, 2011

Act No. 11430, May 23, 2012

Act No. 11690, Mar. 23, 2013

Act No. 12731, jun. 3, 2014

Act No. 13026, Jan. 20, 2015

Act No. 13255, Mar. 27, 2015

Act No. 14268, May 29, 2016

Act No. 14518, Dec. 27, 2016

Article 1 (Purpose)

The purpose of this Act is to contribute to improving the quality of life of citizens by providing citizens with comfortable and safe services for forestry culture and recreation, by providing for matters concerning the conservation, use, and management of forestry culture and forest resources for recreation.

Article 2 (Definitions)

The terms used in this Act shall be defined as follows: <Amended by Act No. 10116, Mar. 17, 2010; Act No. 10459, Mar. 9, 2011; Act No. 10845, Jul. 14, 2011; Act No. 13026, Jan. 20, 2015>

1. The term "forestry culture and recreation" means a holistic lifestyle formed through interactions between forests and human beings and activities in forests for mental and physical relaxation and healing;
2. The term "natural recreation forest" means a forest developed for citizens' emotional development, relaxation for health, and education on forestry (including recreational facilities and land therein);
3. The term "forest bath" means a forest (including facilities and land therein) developed to provide citizens with a place in which they can take a walk and have a physical exercise, while breathing and feeling clean air in order to improve their health;

4. The term "forest therapy" means immune-strengthening and health-promoting activities, which utilize a variety of elements of the forest, including scents and scenic views;
5. The term "healing forest" means a forest developed for forest therapy (including facilities and land therein);
6. The term "forest paths" means paths formed in forests under Article 23 for activities (including roads outside forests connected thereto), such as mountain climbing, trekking, leisure sports, exploration, or relaxation and healing;
7. The term "cultural assets in a forest" means tangible and intangible assets formed in or in connection with a forest, which are worth preserving in an ecological, scenic and emotional aspect;
8. The term "camping site in a forest" means a space developed with facilities appropriate for camping in a forest using tents or automobiles, etc. (including facilities and land);
9. The term "leisure facilities in a forest" means facilities and its appurtenant facilities which are continuously used for adventurous or experiential activities performed in a forest.

Article 3 (Responsibilities of State and Local Governments)

The State and a local government shall establish and implement policies for the promotion of forestry culture and recreation and shall ensure that the conservation and use of resources for forestry culture and recreation shall be in balance and harmony.

Article 4 (Establishment and Implementation of Basic Plans, etc. for Forestry Culture and Recreation)

(1) The Minister of the Korea Forest Service shall establish and implement a basic plan for forestry culture and recreation (hereinafter referred to as "basic plan") every ten years for forests across the country, subject to consultation with the heads of related central administrative agencies.

(2) The basic plan under paragraph (1) shall include the following matters:

1. Basic objectives and the direction of policies for forestry culture and recreation;
2. Matters concerning conditions and prospects of forestry culture and recreation;
3. Matters concerning supply and demand of forestry culture and recreation;
4. Matters concerning the conservation, use, management, and expansion of forestry culture and resources for recreation;
5. Matters concerning facilities for forestry culture and recreation and the safety control thereof;
6. Matters concerning the establishment and operation of an information network for forestry culture and recreation;
7. Other matters concerning major policies pertaining to forestry culture and recreation.

(3) The Minister of the Korea Forest Service or the Special Metropolitan City Mayor, a Metropolitan City Mayor, the Metropolitan Autonomous City Mayor, a Do Governor, or the Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor") may establish and implement a regional plan for forestry culture and recreation (hereinafter referred to as "regional plan") every ten years in conformity with the basic plan, taking local characteristics of each region into consideration. <Amended

by Act No. 10116, Mar. 17, 2010; Act No. 13026, Jan. 20, 2015>

(4) Deleted. <by Act No. 13026, Jan. 20, 2015>

(5) The Minister of the Korea Forest Service shall evaluate the results of the implementation of each regional plan under paragraph (3), and may support local governments differently according to the evaluation results. <Amended by Act No. 12731, Jun. 3, 2014; Act No. 13026, Jan. 20, 2015>

(6) Necessary matters concerning the procedures for the establishment of the basic plan and regional plans under paragraphs (1) and (3) and amendments to such plans shall be prescribed by Presidential Decree.

Article 5 (Basic Surveys for Establishing Plans)

(1) Where the Minister of the Korea Forest Service or a Mayor/Do Governor intends to establish or amend the basic plan or a regional plan, he/she shall conduct a basic survey on the current status of resources for forestry culture and recreation and the actual conditions of the use of land in surrounding areas.

(2) If necessary for efficient surveys, the Minister of the Korea Forest Service or a Mayor/Do Governor shall entrust basic surveys under paragraph (1) to a forestry cooperative established under the Forestry Cooperatives Act (hereinafter referred to as "forestry cooperative") or other corporations or organizations specified by Presidential Decree.

Article 6 (Establishment, Operation, etc. of Information Network for Forestry Culture and Recreation)

The Minister of the Korea Forest Service shall establish and operate an information network for forestry culture and recreation for the purpose of efficiently providing users with information and data about forestry culture and recreation.

Article 11-2 (Forest Therapy Instructors)

(1) The Minister of the Korea Forest Service may accredit persons qualified to instruct forest therapy (hereinafter referred to as "forest therapy instructor") and nurture them, as prescribed by Presidential Decree, in order to promote the forest therapy.

(2) A forest therapy instructor accredited under paragraph (1) shall be responsible for developing, disseminating, or instructing forest therapy programs prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs in a natural recreation forest, forest bath, healing forest, forest path, etc. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12731, Jun. 3, 2014>

(3) None of the following persons shall become a forest therapy instructor: <Amended by Act No. 12731, Jun. 3, 2014; Act No. 14518, Dec. 27, 2016>

1. Any person declared incompetent under the adult guardianship or quasi-competent under the limited guardianship;

2. Any person in whose case two years have not passed since a sentence of imprisonment without labor or heavier punishment, imposed on him/her for committing any of the following crimes, was completely executed or discharged:

- (a) A crime falling under this Act or the Forest Education Promotion Act;

- (b) A crime falling under Articles 297, 297-2, 298 through 301, 301-2, 302, 303, 305, 305-2 or 339 of the Criminal Act;

(c) A crime falling under Articles 3 through 11 of the Act on Special Cases concerning the Punishment, etc. of Sexual Crimes or Article 15 (limited to an attempted crime falling under Articles 3 through 9 of the same Act) of the same Act;

(d) A crime falling under Articles 7 through 10 of the Act on the Protection of Children and Juveniles against Sexual Abuse;

(e) A crime subject to aggravated punishment under other Acts among the crimes falling under subparagraphs (b) through (d);

3. Any person who is under the suspended execution of sentence of imprisonment without labor or heavier punishment sentenced to him/her for committing a crime falling under any item of subparagraph 2;

4. Any person whose qualifications are forfeited or suspended by a court ruling or operation of law.

(4) No person other than those whose qualification is accredited pursuant to this Act shall use the title of a forest therapy instructor or any similar titles. *<Amended by Act No. 14518, Dec. 27, 2016>*

Article 11-3 (Use, etc. of Forest Therapy Instructors)

(1) The State or local governments may use forest therapy instructors or have them be used so that citizens effectively use healing forest.

(2) The Minister of the Korea Forest Service or the head of a local government may subsidize expenses, etc. incurred by forest therapy instructors in engaging in their activities.

Article 11-4 (Designation, etc. of Training Institutions of Forest Therapy Instructors)

(1) The Minister of the Korea Forest Service may designate national or public educational institutions and forest therapy-related educational institutions or organizations as training institutions of forest therapy instructors, as prescribed by Presidential Decree.

(2) The Minister of the Korea Forest Service may revoke the designation or order the correction as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, if a training institution of forest therapy instructors falls under any of the following: Provided, That he/she shall revoke its designation in cases of falling under subparagraph 1: *<Newly Inserted by Act No. 12731, Jun. 3, 2014>*

1. Where its designation is granted by fraud or other improper means;

2. Where it does not conform to the requirements for designation;

3. Where it violates other matters prescribed by Presidential Decree.

(3) The Minister of the Korea Forest Service shall not designate the person (including the representative in the case of a corporation) as a training institution of forest therapy instructors whose designation has been revoked under paragraph (2), within one year from the date on which the designation has been revoked: Provided, That he/she shall not designate the person as a training institution of forest therapy instructors within three years from the date on which the designation has been revoked if its designation has been revoked by the reason of paragraph (2) 1. *<Newly Inserted by Act No. 12731, Jun. 3, 2014>*

(4) Education curriculum and period required for training forest therapy instructors and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended*

by Act No. 11690, Mar. 23, 2013; Act No. 12731, Jun. 3, 2014>

Article 12 Deleted. *<by Act No. 10940, Jul. 25, 2011>*

Article 13 (Designation of Natural Recreation Forest)

(1) The Minister of the Korea Forest Service may designate and develop a State forest under his/her jurisdiction as a natural recreation forest. *<Amended by Act No. 10116, Mar. 17, 2010>*

(2) Upon receiving an application for designation from the owner of a public or private forest (including a person who has the right to use or profit therefrom; hereafter the same shall apply in this Chapter and Article 32) or from a person permitted to lease or use (hereinafter referred to as "lease, etc.") a State forest, the Minister of the Korea Forest Service may designate the forest that the applicant owns or obtains a lease, etc. as a natural recreation forest. In such cases, procedures for applying for designation shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Act No. 10116, Mar. 17, 2010; Act No. 11690, Mar. 23, 2013>*

(3) Deleted. *<by Act No. 13026, Jan. 20, 2015>*

(4) Where the Minister of the Korea Forest Service designates a natural recreation forest pursuant to paragraph (1) or (2), he/she shall notify the applicant and the heads of related administrative agencies of the designation and issue public notice of the name, location, lot number, and area of the natural recreation forest and other necessary matters. *<Amended by Act No. 10116, Mar. 17, 2010>*

(5) The method of and procedures for the designation of a natural recreation forest and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Act No. 13026, Jan. 20, 2015>*

Article 13 (Designation of Natural Recreation Forest)

(1) The Minister of the Korea Forest Service may designate and develop a State forest under his/her jurisdiction as a natural recreation forest. *<Amended by Act No. 10116, Mar. 17, 2010>*

(2) Upon receiving an application for designation from the owner of a public or private forest (including a person who has the right to use or profit therefrom; hereafter the same shall apply in this Chapter and Article 32) or from a person permitted to lease or use (hereinafter referred to as "lease, etc.") a State forest, the Minister of the Korea Forest Service may designate the forest that the applicant owns or obtains a lease, etc., as a natural recreation forest. In such cases, procedures for applying for designation shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Act No. 10116, Mar. 17, 2010; Act No. 11690, Mar. 23, 2013>*

(3) The Minister of the Korea Forest Service may include land surrounded by a forest that he/she intends to designate as a natural recreation forest under paragraphs (1) and (2), in the designation of a natural recreation forest if such land needs to be managed as a natural recreation forest and has the land area smaller than or equal to the area prescribed by Presidential Decree. In such cases, the designated land shall be considered to be a forest defined in subparagraph 1 of Article 2 of the Creation and Management of Forest Resources Act. *<Newly Inserted by Act No. 14518, Dec. 27, 2016>*

(4) Where the Minister of the Korea Forest Service designates a natural recreation forest pursuant to paragraphs (1) through (3), he/she shall notify the applicant and the heads of related administrative agencies of the designation and issue public notice of the name, location, lot number, and area of the natural recreation forest and other necessary matters. *<Amended by Act No. 10116, Mar. 17, 2010; Act No. 14518, Dec. 27, 2016>*

(5) The method of and procedures for the designation of a natural recreation forest and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Act No. 13026, Jan. 20, 2015>*

Article 14 (Development of Natural Recreation Forest)

(1) A person who intends to establish a recreation facility or tend woods in the forest designated as a natural recreation forest pursuant to Article 13 (2) shall prepare a plan for the development of the recreation facility or the tending of woods (hereinafter referred to as "plan for the development of a natural recreation forest") and gain approval from the competent Mayor/Do Governor, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. The foregoing procedures shall also apply to intended modifications to such plan. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 10116, Mar. 17, 2010; Act No. 11690, Mar. 23, 2013>*

(2) Where a Mayor/Do Governor approves a plan for the development of a natural recreation forest, he/she shall notify the Minister of the Korea Forest Service of the approval.

(3) The types of, and standards for, recreation facilities that may be established within a natural recreation forest shall be prescribed by Presidential Decree.

(4) If a natural recreation forest is developed under Article 13 (1) and (2), it shall be deemed that the report on the conversion of a mountainous district under Article 15 of the Mountainous Districts Management Act has been filed. *<Amended by Act No. 13026, Jan. 20, 2015>*

(5) The Minister of the Korea Forest Service or the head of a local government may grant a full or partial subsidy or loan for the project cost to a person who develops a natural recreation forest according to a plan for the development of a natural recreation forest. *<Amended by Act No. 13026, Jan. 20, 2015>*

Article 14 (Development of Natural Recreation Forest)

(1) A person who intends to establish a recreation facility or tend woods in the forest designated as a natural recreation forest pursuant to Article 13 (2) and (3) shall prepare a plan for the development of the recreation facility or the tending of woods (hereinafter referred to as "plan for the development of a natural recreation forest") and gain approval from the competent Mayor/Do Governor, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. The foregoing procedures shall also apply to intended modifications to such plan. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 10116, Mar. 17, 2010; Act No. 11690, Mar. 23, 2013; Act No. 14518, Dec. 27, 2016>*

(2) Where a Mayor/Do Governor approves a plan for the development of a natural recreation forest, he/she shall notify the Minister of the Korea Forest Service of the approval.

(3) The types of, and standards for, recreation facilities that may be established within a natural recreation forest shall be prescribed by Presidential Decree.

(4) If a natural recreation forest is developed under Article 13 (1) and paragraph (1) of this Article, it shall be deemed that the report on the conversion of a mountainous district under Article 15 of the Mountainous Districts Management Act has been filed. *<Amended by Act No. 13026, Jan. 20, 2015; Act No. 14518, Dec. 27, 2016>*

(5) The Minister of the Korea Forest Service or the head of a local government may fully or partially grant a subsidy or loan for the project cost to a person who develops a natural recreation forest according to a plan for the development of a natural recreation forest. *<Amended by Act No. 13026, Jan. 20, 2015>*

Article 15 Deleted. *<by Act No. 10116, Mar. 17, 2010>*

Article 16 (Revocation of Approval of Plan for Development of Natural Recreation Forest)

(1) If a person who has obtained an approval of a plan for the development of a natural recreation forest pursuant to Article 14 (1) falls under any of the following, the competent Mayor/Do Governor may revoke the approval: Provided, That the approval shall be revoked in cases of falling under subparagraph 1: *<Amended by Act No. 10116, Mar. 17, 2010>*

1. Where a person has obtained the approval by fraud or other improper means;
2. Where a person fails to commence the project for the development of a natural recreation forest within one year from the date of approval, or has suspended the project for one years or more, without good cause;
3. If a person failed to perform a project in conformity with the contents of the approved plan for the development of a natural recreation forest without good cause;
4. Deleted. *<by Act No. 10116, Mar. 17, 2010>*

(2) Where a Mayor/Do Governor revokes the approval of a plan for the development of a natural recreation forest pursuant to paragraph (1), he/she shall notify the Minister of the Korea Forest Service of the revocation.

(3) Upon receiving a notice under paragraph (2), the Minister of the Korea Forest Service may order the person, the approval of which is revoked pursuant to paragraph (1), to restore the forest to its original state or may recover the full or partial amount of the subsidy or loan granted pursuant to Article 14 (5), if any.

(4) If a person who receives an order to restore a forest to its original state pursuant to paragraph (3) fails to comply with the order, the Minister of the Korea Forest Service may vicariously execute the restoration by applying mutatis mutandis the Administrative Vicarious Execution Act. Costs and expenses required for such vicarious execution may be covered with the charge deposited for restoration in accordance with Article 38 of the Mountainous Districts Management Act.

Article 17 Deleted. *<by Act No. 13026, Jan. 20, 2015>*

Article 18 (Resting Year System for Natural Recreation Forest)

(1) The Minister of the Korea Forest Service or the head of a local government may implement a resting year system under which the general public's entry to all or part of a state-owned or public natural

recreation forest shall be restricted or prohibited for a specified period for protecting a natural recreation forest and the safety of users.

(2) In cases of a natural recreation forest, other than those under paragraph (1), upon its owner's application, the head of a Si (referring to the Metropolitan Autonomous City Mayor in cases of a Metropolitan Autonomous City and the Special Self-Governing Province Governor in cases of a Special Self-Governing Province; hereinafter the same shall apply), a Gun, or an autonomous Gu (hereinafter referred to as "head of a Si/Gun/Gu") may implement the resting year system. *<Amended by Act No. 10116, Mar. 17, 2010; Act No. 14518, Dec. 27, 2016>*

(3) Where the Minister of the Korea Forest Service or the head of a local government implements the resting year system referred to in paragraph (1) or (2), he/she shall issue public notice of the location and area of the natural recreation forest, the period of restriction or prohibition of entry, and other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(4) A person who intends to enter a natural recreation forest in resting years shall obtain permission from the Minister of the Korea Forest Service or the head of the competent local government: Provided, That a person may enter such forest for executing forestry projects or extinguishing forest fires, or if there is any grounds specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 19 (Revocation, etc. of Designation of Natural Recreation Forest)

(1) If any of the following causes and events occurs with regard to the forest designated as a natural recreation forest, the Minister of the Korea Forest Service may revoke the designation or alter part of the designated zone: *<Amended by Act No. 10116, Mar. 17, 2010; Act No. 13026, Jan. 20, 2015>*

1. Where the person whose forest has been designated as a natural recreation forest requests to revoke the designation or alter the designated zone;
2. Where the forest physiognomy or area of a forest no longer meets the criteria for the feasibility assessment under Article 21-2 (1) due to damage from an act of God, etc.;
3. Where it is unlikely to accomplish the purpose of designation, or it is necessary to alter the designated zone, due to the execution of a public project.

(2) Where the Minister of the Korea Forest Service revokes the designation of a natural recreation forest or alter part of the designated zone of a natural recreation forest pursuant to paragraph (1), he/she shall notify the revocation or alteration to the owner of the forest or the person who possesses the forest under a lease and the heads of related administrative agencies, and issue a public notice of the name, location, lot number, and area of the natural recreation forest and other necessary matters.

Article 20 (Development of Forest Bath, etc.)

(1) The Minister of the Korea Forest Service may develop a forest bath or healing forest, camping site in a forest, or leports facilities in a forest (hereinafter referred to as "forest bath, etc.") in a state-owned forest under his/her jurisdiction. *<Amended by Act No. 10116, Mar. 17, 2010; Act No. 13026, Jan. 20, 2015>*

(2) Where the owner of a public or private forest or a person who possesses a state-owned forest under a lease intends to develop a forest bath in the forest that he/she owns or possesses under a lease, he/she shall prepare a plan for the development of facilities necessary for the forest bath or the tending of woods (hereinafter referred to as "plan for the development of a forest bath, etc.") and gain approval from the competent Mayor/Do Governor, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 10116, Mar. 17, 2010; Act No. 11690, Mar. 23, 2013>*

(3) Where a Mayor/Do Governor approves a plan for the development of a forest bath pursuant to paragraph (2), he/she shall notify the Minister of the Korea Forest Service of the approval. *<Amended by Act No. 10116, Mar. 17, 2010>*

(4) Necessary matters concerning the types and standards of facilities installed in a forest bath developed pursuant to paragraph (1) or (2) shall be prescribed by Presidential Decree. *<Amended by Act No. 10116, Mar. 17, 2010>*

(5) If a forest bath is developed pursuant to paragraph (1) or (2), it shall be deemed that the permission for the conversion of a mountainous district has been granted, or the report on the conversion of a mountainous district has been filed, under Article 14 or 15 of the Mountainous Districts Management Act, and it shall be also deemed that the permission for, or the report on, the felling of standing trees under Article 36 of the Creation and Management of Forest Resources Act has been granted or filed. *<Amended by Act No. 10116, Mar. 17, 2010; Act No. 13026, Jan. 20, 2015>*

(6) The Minister of the Korea Forest Service or the head of a local government may grant a full or partial subsidy or loan to a person who develops a forest bath, etc. in accordance with a plan for the development of a forest bath, etc. *<Amended by Act No. 10116, Mar. 17, 2010; Act No. 13026, Jan. 20, 2015>*

Article 20 (Development of Forest Bath, etc.)

(1) The Minister of the Korea Forest Service may develop a forest bath or healing forest, camping site in a forest, or reports facilities in a forest (hereinafter referred to as "forest bath, etc.") in a state-owned forest under his/her jurisdiction. *<Amended by Act No. 10116, Mar. 17, 2010; Act No. 13026, Jan. 20, 2015>*

(2) Where the owner of a public or private forest or a person who possesses a state-owned forest under a lease intends to develop a forest bath in the forest that he/she owns or possesses under a lease, he/she shall prepare a plan for the development of facilities necessary for the forest bath or the tending of woods (hereinafter referred to as "plan for the development of a forest bath, etc.") and gain approval from the competent Mayor/Do Governor, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 10116, Mar. 17, 2010; Act No. 11690, Mar. 23, 2013>*

(3) The Minister of the Korea Forest Service may develop land, which is surrounded by a forest that he/she intends to develop as a forest bath, etc., under paragraphs (1) and (2), as a forest bath, etc., or approve a plan for the development of a forest bath, etc., by including such land therein, if such land needs to be developed as a forest bath, etc., and has the land area smaller than or equal to the area prescribed by

Presidential Decree. In such cases, the developed or approved land shall be considered to be a forest as defined in subparagraph 1 of Article 2 of the Creation and Management of Forest Resources Act. *<Newly Inserted by Act No. 14518, Dec. 27, 2016>*

(4) Where a Mayor/Do Governor approves a plan for the development of a forest bath pursuant to paragraph (2), he/she shall notify the Minister of the Korea Forest Service of the approval. *<Amended by Act No. 10116, Mar. 17, 2010>*

(5) Matters necessary for the types and standards of facilities installed in a forest bath developed pursuant to paragraphs (1) through (3) shall be prescribed by Presidential Decree. *<Amended by Act No. 10116, Mar. 17, 2010; Act No. 14518, Dec. 27, 2016>*

(6) If a forest bath is developed pursuant to paragraph (1), (2) or (3), it shall be deemed that the permission for the conversion of a mountainous district has been granted, or the report on the conversion of a mountainous district has been filed, under Article 14 or 15 of the Mountainous Districts Management Act, and it shall also be deemed that the permission for, or the report on, the felling of standing trees under Article 36 of the Creation and Management of Forest Resources Act has been granted or filed. *<Amended by Act No. 10116, Mar. 17, 2010; Act No. 13026, Jan. 20, 2015; Act No. 14518, Dec. 27, 2016>*

(7) The Minister of the Korea Forest Service or the head of a local government may fully or partially grant a subsidy or loan to a person who develops a forest bath, etc., in accordance with a plan for the development of a forest bath, etc. *<Amended by Act No. 10116, Mar. 17, 2010; Act No. 13026, Jan. 20, 2015>*

Article 20-2 (Legal Fiction of Authorization, Permission, etc., under Other Acts)

(1) Where a plan for the development of a natural recreation forest, or its amendment, is approved under Article 14 (1) or a plan for the development of a forest bath, etc., is approved under Article 20 (2), it shall be considered that the following approval, permission, authorization, reporting, consultation, etc., (hereinafter referred to as “authorization, permission, etc.”) have been obtained or completed, and where a development plan or its amendment is approved, the authorization, permission, etc., under the following Acts shall be deemed announced or notified:

1. A building permit prescribed in Article 11 of the Building Act, a building report prescribed in Article 14 of the same Act, any revision to a permit or report prescribed in Article 16 of the same Act, permission for or reporting on temporary structures provided for in Article 20 of the same Act, and construction consultation provided for in Article 29 of the same Act;
2. Permission, or revised permission, for occupation and use of a river provided for in Article 33 of the River Act;
3. Authorization, or revised authorization, of the waterworks business prescribed in Article 17 or 49 of the Water Supply and Waterworks Installation Act, and authorization, or authorization of or reporting on alteration, of the installation of exclusive waterworks referred to in Article 52 of the same Act;
4. Permission for, reporting on, or revised permission for lumbering, etc., prescribed in Article 36 (1) and (4) of the Creation and Management of Forest Resources Act;

5. Permission for execution of roadworks prescribed in Article 36 of the Road Act, permission or revised permission for occupation of roads prescribed in Article 61 of the same Act, and consultation with or approval from the road management agency referred to in Article 107 of the same Act;

6. Decision, or revised decision, on an urban/Gun management plan (limited to the infrastructure referred to in subparagraph 6 of Article 2 of the National Land Planning and Utilization Act) referred to in Article 30 of the same Act; permission, or revised permission, for development activities referred to in Article 56 of the same Act; designation of an implementor of an urban/Gun planning facility project referred to in Article 86 of the same Act; and formulation, authorization, or authorization of amendment of an implementation plan referred to in Article 88 of the same Act; a permit, or revised permit, for land transaction contracts referred to in Article 11 of the Act on Report on Real Estate Transactions, Etc.

(2) Where a Mayor/Do Governor intends to approve a plan for the development of a natural recreation forest or a plan for the development of a forest bath, etc., which contains any of the matters specified in the subparagraphs of paragraph (1), he/she shall pre-consult with the head of a relevant administrative agency by attaching the relevant documents submitted by an implementor. In such cases, the head of the relevant administrative agency shall submit his/her opinions within 30 days from the date of receiving such request, and if he/she fails to submit his/her opinions within the aforesaid period, it shall be deemed that he/she has no opinion to present.

(3) Where any authorization, permission, etc., prescribed in other Acts is deemed acquired pursuant to paragraph (1), the payment of commission, fee, etc., to be imposed in accordance with the relevant Acts shall be exempted.

Article 20-2 (Legal Fiction of Authorization, Permission, etc., under Other Acts)

(1) Where a plan for the development of a natural recreation forest, or its amendment, is approved under Article 14 (1) or a plan for the development of a forest bath, etc., is approved under Article 20 (2) (including approval obtained pursuant to Article 20 (3)), it shall be considered that the following approval, permission, authorization, reporting, consultation, etc. (hereinafter referred to as “authorization, permission, etc.”) have been obtained or completed, and where a development plan or its amendment is approved, the authorization, permission, etc., under the following Acts shall be deemed announced or notified: <Amended by Act No. 14518, Dec. 27, 2016>

1. A building permit prescribed in Article 11 of the Building Act, a building report prescribed in Article 14 of the same Act, any revision to a permit or report prescribed in Article 16 of the same Act, permission for or reporting on temporary structures provided for in Article 20 of the same Act, and construction consultation provided for in Article 29 of the same Act;

2. Permission, or revised permission, for occupation and use of a river provided for in Article 33 of the River Act;

3. Authorization, or revised authorization, of the waterworks business prescribed in Article 17 or 49 of the Water Supply and Waterworks Installation Act, and authorization, or authorization of or reporting on alteration, of the installation of exclusive waterworks referred to in Article 52 of the same Act;

4. Permission for, reporting on, or revised permission for lumbering, etc. prescribed in Article 36 (1) and (4) of the Creation and Management of Forest Resources Act;
 5. Permission for execution of roadworks prescribed in Article 36 of the Road Act, permission or revised permission for occupation of roads prescribed in Article 61 of the same Act, and consultation with or approval from the road management agency referred to in Article 107 of the same Act;
 6. Decision, or revised decision, on an urban/Gun management plan (limited to the infrastructure referred to in subparagraph 6 of Article 2 of the National Land Planning and Utilization Act) referred to in Article 30 of the same Act; permission, or revised permission, for development activities referred to Article 56 of the same Act; designation of an implementor of an urban/Gun planning facility project referred to in Article 86 of the same Act; and formulation, authorization, or authorization of amendment of an implementation plan referred to in Article 88 of the same Act; a permit, or revised permit, for land transaction contracts referred to in Article 11 of the Act on Report on Real Estate Transactions, Etc.
- (2) Where a Mayor/Do Governor intends to approve a plan for the development of a natural recreation forest or a plan for the development of a forest bath, etc., which contains any of the matters specified in the subparagraphs of paragraph (1), he/she shall pre-consult with the head of a relevant administrative agency by attaching the relevant documents submitted by an implementor. In such cases, the head of the relevant administrative agency shall submit his/her opinions within 30 days from the date of receiving such request, and if he/she fails to submit his/her opinions within the aforesaid period, it shall be deemed that he/she has no opinion to present.
- (3) Where any authorization, permission, etc., prescribed in other Acts is deemed acquired pursuant to paragraph (1), the payment of commission, fee, etc., to be imposed in accordance with the relevant Acts shall be exempted.

Article 21 (Revocation of Approval of Plan for Development of Forest Bath)

- (1) If a person who has obtained an approval of a plan for the development of a forest bath pursuant to Article 20 (2) falls under any of the following, the competent Mayor/Do Governor may revoke the approval: Provided, That such approval shall be revoked in cases of falling under subparagraph 1: <Amended by Act No. 10116, Mar. 17, 2010>
1. Where the person has obtained the approval by fraud or other improper means;
 2. Where the person fails to commence the project for the development of the forest bath within one year from the date of approval or has suspended the project for at least one year without good cause;
 3. Where the person fails to perform the project in conformity with the contents of the approved plan for the development of a forest bath, etc. without good cause.
- (2) Where a Mayor/Do Governor revokes approval pursuant to paragraph (1), he/she shall notify the Minister of the Korea Forest Service of the revocation.
- (3) The Minister of the Korea Forest Service may, upon receiving a notice under paragraph (2), order the person, the approval of which is revoked pursuant to paragraph (1), to restore the forest to its original state or may recover the full or partial amount of the subsidy or loan granted pursuant to Article 20 (6), if any.

(4) If a person to whom an order to restore a forest to its original state is issued pursuant to paragraph (3) fails to comply with the order, the Minister of the Korea Forest Service may vicariously execute the restoration by applying mutatis mutandis the Administrative Vicarious Execution Act. In such cases, costs and expenses required for the vicarious execution may be covered by the charge deposited for restoration in accordance with Article 38 of the Mountainous Districts Management Act.

Article 21 (Revocation of Approval of Plans for Development of Forest Bath)

(1) If a person who has obtained an approval of a plan for the development of a forest bath pursuant to Article 20 (2) (including approval obtained pursuant to Article 20 (3)) falls under any of the following, the competent Mayor/Do Governor may revoke the approval: Provided, That such approval shall be revoked in cases of falling under subparagraph 1: <Amended by Act No. 10116, Mar. 17, 2010; Act No. 14518, Dec. 27, 2016>

1. Where the person has obtained the approval falsely or improperly;
2. Where the person fails to commence the project for the development of the forest bath within one year from the date of approval or has suspended the project for at least one year without just cause;
3. Where the person fails to perform the project in conformity with the approved plan for the development of a forest bath, etc., without just cause.

(2) Where a Mayor/Do Governor revokes approval pursuant to paragraph (1), he/she shall notify the Minister of the Korea Forest Service of the revocation.

(3) Upon receipt of a notice under paragraph (2), the Minister of the Korea Forest Service may order the person with revoked approval referred to in paragraph (1) to restore the forest to its original state or may fully or partially recover the amount of the subsidy or loan granted pursuant to Article 20 (7), if any. <Amended by Act No. 14518, Dec. 27, 2016>

(4) If a person to whom an order to restore a forest to its original state is issued pursuant to paragraph (3) fails to comply with the order, the Minister of the Korea Forest Service may vicariously execute the restoration by applying mutatis mutandis the Administrative Vicarious Execution Act. In such cases, costs and expenses incurred in the vicarious execution may be covered by the charge deposited for restoration in accordance with Article 38 of the Mountainous Districts Management Act.

Article 21-2 (Feasibility Assessment on Natural Recreation Forest, etc.)

(1) The Minister of the Korea Forest Service or a Mayor/Do Governor shall assess whether the scenic view, location, area, etc. of a forest in any of the following meet the criteria prescribed by Presidential Decree (hereinafter referred to as "feasibility assessment"). The same shall apply when the area of a natural recreation forest or forest bath, etc. (hereinafter referred to as "natural recreation forest, etc.") is enlarged:

1. Where the designation of a natural recreation forest is granted under Article 13;
2. Where the development of a forest bath, etc. is made under Article 20 (1);
3. Where the approval of a plan for the development of a forest bath, etc. is granted under Article 20 (2).

(2) The Minister of the Korea Forest Service or a Mayor/Do Governor may conduct the feasibility assessment under paragraph (1) by entrusting it to an institution or organization prescribed by Presidential Decree.

(3) The Minister of the Korea Forest Service or a Mayor/Do Governor may support necessary expenses within the budgetary limit, where he/she conducts the feasibility assessment by entrustment to an institution or organization under paragraph (2).

(4) The procedures for, methods of, or other matters necessary for the feasibility assessment shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Articles 21-3 and 21-4 Deleted. <by Act No. 13255, Mar. 27, 2015>

Article 21-5 (Collection of Use Fees for Natural Recreation Forest, etc.)

(1) The owner of a natural recreation forest, etc. may collect entrance fees, fees for use of facilities, and fees for experience, etc. (hereinafter referred to as "use fees") from a person who uses a natural recreation forest, etc.

(2) The criteria for the collection of use fees under paragraph (1) and other necessary matters shall be prescribed by Presidential Decree: Provided, That in cases of a natural recreation forest, etc. developed by a local government, it shall be determined by Ordinance of the competent local government, as prescribed by Presidential Decree.

Article 21-6 (Acts Prohibited in Natural Recreation Forests, Etc.)

No one shall engage in any of the following acts in natural recreation forests, etc.:

1. Cooking or smoking in places other than a designated area;
2. Throwing away garbage or waste.

Article 22 (Entrustment of Natural Recreation Forest)

If necessary for the efficient development or management of a natural recreation forest or a forest bath, etc., the Minister of the Korea Forest Service or the head of a local government may entrust the development or management of a natural recreation forest or a forest bath, etc. to a local government, a forestry cooperative, or other corporation or organization specified by Presidential Decree. <Amended by Act No. 10116, Mar. 17, 2010>

Article 22-2 (Types of Forest Path)

Types of forest paths shall be as follows:

1. Mountain trails: Paths for activities to promote mental and physical health by climbing mountains (hereinafter referred to as "mountaineering");
2. Trekking paths: The following paths for activities of walking on the paths to experience local history and culture, enjoy scenery, and promote health (hereinafter referred to as "trekking");
3. Leisure sports paths: Paths for leisure sports activities in forests (hereinafter referred to as "mountainous leisure sports");
4. Exploratory paths: Paths for activities to explore, learn, or observe the forest ecology (hereinafter referred to as "exploration");

5. Forest paths for relaxation and healing: Paths for activities to promote health, such as relaxation and healing, or for recreation in forests.

Article 22-3 (Establishment, etc. of Master Plans for Forest Path)

(1) The Minister of the Korea Forest Service shall establish, every ten years, a master plan for creating and managing forest paths for forests across the country by type of forest paths classified under Article 22-2 for the purpose of promoting activities, such as mountaineering, trekking, mountainous leisure sports, exploration, or relaxation and healing (hereinafter referred to as "master plan for forest path").

(2) A master plan for forest path shall include the following:

1. Basic objectives and direction-setting for forest path policies;
2. Demand, circumstances, and outlook for forest paths;
3. Matters regarding the system to promote the creation of forest paths and the establishment of management infrastructure;
4. Matters regarding the establishment and operation of forest path information networks;
5. Other matters regarding major policies related to forest paths.

(3) The Minister of the Korea Forest Service may modify a master plan for forest path if deemed necessary to do so in consideration of the feasibility of the master plan for forest path and changes in social, local, and forest environmental circumstances.

(4) The head of a regional Forest Service and the head of a local government (hereinafter referred to as "forest path management agency") shall formulate an annual plan for creating and managing forest paths (hereinafter referred to as "annual plan for forest path") in regard to forests under their jurisdiction (excluding natural parks designated under the Natural Parks Act; hereafter the same shall apply in this Article) based on a master plan for forest path.

(5) The Minister of the Korea Forest Service and the forest path management agency shall investigate the scheduled routes of forest paths and the current status of the neighboring forests, and the current status of the operation and management of existing forest paths, in order to use them as basic data to formulate a master plan for forest path and annual plan for forest path or to revise such plans.

(6) The Minister of the Korea Forest Service and the forest path management agency may entrust investigation duties under paragraph (5) to a corporation or organization prescribed by Presidential Decree, such as a forestry cooperative established under the Forestry Cooperatives Act.

(7) Matters necessary for the formulation and revision of master plan for forest path and annual plan for forest path and the investigations under paragraph (5) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 23 (Development, etc. of Forest Path)

(1) If the forest path management agency intends to create forest paths, it shall establish a plan to create forest paths, including the relevant routes of forest paths, based on an annual plan for forest path and seek the opinions of interested parties (including land owners), as prescribed by Presidential Decree.

(2) If the forest path management agency recognizes that the creation of forest paths is appropriate after seeking opinions pursuant to paragraph (1), it shall name the relevant forest paths and determine and publicly announce the routes thereof. Public announcement shall also be made for any change to the designated routes or revocation of designation.

(3) If routes of forest paths are determined and publicly announced pursuant to paragraph (2), it shall be deemed that a report on temporary use of mountainous districts under Article 15-2 of the Mountainous Districts Management Act is made or a permission for felling standing trees, etc. under Article 36 of the Creation and Management of Forest Resources Act is obtained.

(4) The formulation of plans to create forest paths, naming of forest paths, designation, change, revocation of designation of forest path routes, and the public announcement thereof under paragraphs (1) and (2) and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 23-2 (Operation and Management of Forest Path)

The forest path management agency shall preserve forest paths created pursuant to Article 23 and operate and manage such forest paths, as prescribed by Presidential Decree, in order to enhance the use, safety and convenience thereof.

Article 23-3 (Prohibited Acts around Forest Path)

No person shall conduct any of the following acts in forest paths or surrounding land:

1. Damaging forest paths;
2. Damaging any structure or agricultural crop, or other property owned by others;
3. Littering garbage or waste;
4. Relocating, spoiling, or damaging signs installed by the forest path management agency.

Article 24 (Support for Development, etc. of Forest Path)

The Minister of the Korea Forest Service may subsidize expenses to be incurred in the creation, operation, management, etc. of forest paths by a local government. In such cases, subsidies may be granted preferentially for any of the following forest paths: *<Amended by Act No. 10459, Mar. 9, 2011; Act No. 11690, Mar. 23, 2013>*

1. Major mountainous trails along the ridges that connect peaks of a mountain;
2. Hiking trails of major mountains prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs;
3. Trails, exploratory paths, or old paths that are associated with historic or cultural sites, or need to be preserved and managed in a historical and cultural context;
4. Leisure sports paths necessary to host national or international mountainous leisure sports events.

Article 25 (Resting Year System, etc. of Forest Path)

(1) For the protection of forest paths and the safety, etc. of forest path users, the forest path management agency may enforce the resting year system or resting period system by designating all or part of forest paths for which the entry of the general public is restricted or prohibited for a certain period. *<Amended by*

Act No. 10459, Mar. 9, 2011>

(2) When the forest path management agency intends to enforce the resting year system or resting period system for forest paths pursuant to paragraph (1), it shall publicly announce the location and area of relevant forest paths, period of restricted or prohibited entry thereto, and other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 10459, Mar. 9, 2011; Act No. 11690, Mar. 23, 2013>*

(3) Any person who intends to enter the forest paths subject to the resting year system or resting period system under paragraph (1) shall obtain permission from the forest path management agency: Provided, That he/she may enter without permission for the purpose of implementing forest projects and extinguishing forest fires or where grounds prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs exist. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 10459, Mar. 9, 2011; Act No. 11690, Mar. 23, 2013>*

Article 26 (Negotiated Purchase of Forest Path, etc.)

If necessary for the preservation of forest paths, the competent forest path management agency may purchase forest paths or the land and standing trees in its surrounding area from the owner through negotiations. In such cases, the purchase price shall be the value calculated in accordance with provisions of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects. *<Amended by Act No. 10459, Mar. 9, 2011>*

Article 27 (Provision, etc. of Mountaineering and Trekking Education)

(1) The Minister of the Korea Forest Service or a Mayor/Do Governor may open and operate mountaineering and trekking schools for providing mountaineering and trekking education for the purpose of establishing and disseminating sound mountaineering and trekking culture. *<Amended by Act No. 10459, Mar. 9, 2011; Act No. 12731, Jun. 3, 2014>*

(2) The Minister of the Korea Forest Service or a Mayor/Do Governor may entrust the operation of mountaineering and trekking schools to the Korea Mountaineering and Trekking Support Center established pursuant to Article 27-2 or a person specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs as a non-profit corporation established for the purpose of education and training of mountaineering and trekking. *<Amended by Act No. 8752, Dec. 21, 2007; Act No. 8852, Feb. 29, 2008; Act No. 10459, Mar. 9, 2011; Act No. 11690, Mar. 23, 2013; Act No. 12731, Jun. 3, 2014>*

(3) The Minister of the Korea Forest Service or a Mayor/Do Governor may grant a full or partial subsidy to a person who operates a mountaineering and trekking school for its operational expenses. *<Amended by Act No. 10459, Mar. 9, 2011; Act No. 12731, Jun. 3, 2014>*

Article 27-2 (Korea Mountaineering and Trekking Support Center)

(1) The Minister of the Korea Forest Service may establish and operate the Korea Mountaineering and Trekking Support Center (hereinafter referred to as the "Center") for the purpose of disseminating sound mountaineering and trekking culture and assisting citizens in their mountaineering and trekking activities. *<Amended by Act No. 10459, Mar. 9, 2011>*

(2) The Center shall carry on the following programs and projects: *<Amended by Act No. 10459, Mar. 9, 2011; Act No. 11690, Mar. 23, 2013>*

1. Programs for mountaineering and trekking education and international cooperation;
2. Programs for training and supporting professional mountaineers;
3. Programs for establishing and operating a system for the cooperation between mountaineering and trekking schools and an information network;
4. Projects for developing and maintaining or operating and managing facilities related to mountaineering and trekking, including forest paths and guide facilities thereon, etc.;
5. Programs for developing mountaineering and trekking skills and standardizing mountaineering and trekking facilities;
6. Programs for the development, education, and training of skills for the rescue of mountaineers in distress;
7. Programs for the surveys, research, and public relations activities for disseminating and developing sound mountaineering and trekking culture;
8. Programs entrusted by the State or a local government in connection with mountaineering and trekking;
9. Programs specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs as necessary for facilitating collection, sharing, and utilization of information about mountaineering and trekking, and disseminating sound mountaineering and trekking culture.

(3) The Center shall be a legal entity.

(4) The establishment and operation of the Center and the scope of business entrusted to the Center and other necessary matters shall be prescribed by Presidential Decree. *<Amended by Act No. 10459, Mar. 9, 2011>*

(5) The State or a local government may fully or partially subsidize expenses incurred in the establishment and operation of the Center.

Article 28 (Operation of Mountain Rescue Teams)

(1) The forest path management agency may organize and operate mountain rescue teams in preparation and prevention for accidents, as prescribed by Presidential Decree, such as the mishap, disappearance, or falling of visitors to forest paths, including mountaineers. *<Amended by Act No. 10459, Mar. 9, 2011; Act No. 13026, Jan. 20, 2015>*

(2) The forest path management agency may support allowances and goods for the rescue within the budgetary limit where a mountain rescue team performs affairs under paragraph (1). *<Amended by Act No. 13026, Jan. 20, 2015>*

(3) Any member of mountain rescue teams organized under paragraph (1) shall be educated and trained as prescribed by Presidential Decree for an efficient conduct of affairs. In such cases, the forest path management agency may support expenses necessary for the education and training within the budgetary limit. *<Newly Inserted by Act No. 13026, Jan. 20, 2015>*

Article 29 (Designation of Cultural Assets in Forest and Revocation of Designation thereof)

(1) The Minister of the Korea Forest Service or a Mayor/Do Governor may designate a cultural asset in a forest as a State or City/Do cultural asset in a forest in accordance with the criteria and method prescribed by Presidential Decree: Provided, That designated cultural heritage, provisionally designated cultural heritage, registered cultural heritage, protective facilities, or protective zones under the Cultural Heritage Protection Act shall be excluded herefrom.

(2) If it is intended to designate a cultural asset in a forest pursuant to paragraph (1), public notice shall be issued of the intended designation, as prescribed by Presidential Decree, and opinions shall be heard from the owner and interested parties.

(3) If a State or City/Do cultural asset in a forest designated pursuant to paragraph (1) (hereinafter referred to as "designated cultural asset in a forest") falls under any of the following, the Minister of the Korea Forest Service or the competent Mayor/Do Governor may revoke the designation of cultural assets in a forest completely or partially: Provided, That in cases falling under subparagraph 1, the designation shall be revoked:

1. Where it is designated as a designated cultural heritage, a protective facility, or a protective zone under the Cultural Heritage Protection Act or registered as a registered cultural heritage;
2. Where it is unlikely to accomplish the purpose of its designation or where the value of its designation is lost, due to an act of God or other causes;
3. Where it is intended to be used as a site for a road, a railroad, a school, a military installation, or other official or public facilities prescribed by Presidential Decree;
4. Where the revocation of its designation is deemed unavoidable so that it can be used for other purposes of public interest.

(4) Where the Minister of the Korea Forest Service or a Mayor/Do Governor designates or revokes designation of a cultural asset in a forest pursuant to paragraph (1) or (3), he/she shall issue a public notice of such fact, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, and shall notify thereof to the owner and the head of the competent Si/Gun/Gu. *<Amended by Act No. 11690, Mar. 23, 2013>*

(5) Necessary matters concerning the procedures for the designation of cultural assets in forests and the revocation of the designation shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 30 (Management, etc. of Cultural Assets in Forest)

(1) The Minister of the Korea Forest Service or a Mayor/Do Governor shall protect and manage designated cultural assets in each forest in accordance with the purposes of designation and shall, if deemed necessary, designate a caretaker for the protection and management.

(2) The Minister of the Korea Forest Service or a Mayor/Do Governor may order the owner or caretaker of a designated cultural asset in a forest to take measures necessary for the protection and management of the asset and may support for expenses incurred in the protection and management of such asset, as prescribed

by Presidential Decree.

(3) The Minister of the Korea Forest Service may support a local government for expenses incurred in the protection and management of a designated cultural asset in a forest.

Article 31 (Purchase of Land, etc.)

(1) The Minister of the Korea Forest Service or a Mayor/Do Governor may, if necessary for accomplishing the purpose of designation of a designated cultural asset in a forest, purchase or exchange, through negotiations with the owner, the designated cultural asset in a forest, the land on which the designated cultural asset in a forest is situated (including standing trees and bamboos therein; hereinafter the same shall apply), or the land necessary for the maintenance and management of the designated cultural asset in a forest.

(2) The Minister of the Korea Forest Service or a Mayor/Do Governor may keep and manage a designated cultural asset in a forest, worth of preservation and with easy mobility, among designated cultural assets in forests purchased pursuant to paragraph (1), in a facility specified by Presidential Decree.

(3) In cases of a purchase or exchange under paragraph (1), the purchase or exchange price shall be the price calculated pursuant to the Act on the Acquisition of and Compensation for Land, etc. for Public Works Projects.

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

Article 32 (Succession to Rights, Obligations, etc.)

A disposition taken in relation to the owner of a natural recreation forest or a forest bath pursuant to this Act or an order issued pursuant to this Act shall be also effective for his/her successor.

Article 33 (Hearings)

The Minister of the Korea Forest Service or a Mayor/Do Governor shall hold a hearing in any of the following cases: *<Amended by Act No. 10459, Mar. 9, 2011; Act No. 10940, Jul. 25, 2011; Act No. 12731, Jun. 3, 2014; Act No. 13026, Jan. 20, 2015>*

1. Where he/she intends to revoke the designation of a training institution of forest therapy instructors under Article 11-4 (2);
2. The revocation of the approval of a plan to develop a natural recreation forest under Article 16 (1);
3. The revocation of the approval of a plan to develop a forest bath, etc. under Article 21 (1);
4. Deleted. *<by Act No. 13255, Mar. 27, 2015>*

Article 34 (Delegation of Authority)

The Minister of the Korea Forest Service or a Mayor/Do Governor may delegate part of his/her authority under this Act to the head of an affiliated agency under his/her jurisdiction, a Mayor/Do Governor, or the head of a Si/Gun/Gu, as prescribed by Presidential Decree.

Article 34-2 Deleted. *<by Act No. 13255, Mar. 27, 2015>*

Article 35 (Penalty Provisions)

(1) Any person who destroys a designated cultural asset in a forest by setting a fire shall be punished by imprisonment with labor for at least seven years.

(2) Any person who steals a designated cultural asset in a forest shall be punished by imprisonment with labor for at least one year, but less than ten years.

(3) Any person who damages, hides, or otherwise devalues a designated cultural asset in a forest shall be punished by imprisonment with labor for less than five years or by a fine not exceeding 20 million won.

(4) Any person who falls under any of the following shall be punished by imprisonment with labor for at least one year or by a fine not exceeding five million won: *<Amended by Act No. 13026, Jan. 20, 2015>*

1. A person who, without good cause, interferes with the installation of protective or management facilities of a designated cultural asset in a forest or interferes with any act for the prevention, etc. of disasters or damage by disease and insect pest;

2. A person who damages, relocates, removes, or otherwise makes indiscernible a sign installed to protect a designated cultural asset in a forest;

3. Deleted. *<by Act No. 13255, Mar. 27, 2015>*

(5) Any person who is designated as a training institution of forest therapy instructors under Article 11-4

(1) by fraud or other improper means shall be punished by imprisonment with labor for at least one year or by a fine not exceeding ten million won. *<Newly Inserted by Act No. 12731, Jun. 3, 2014>*

(6) An attempt to commit an offense prescribed in paragraphs (1) through (3) shall be punished. *<Amended by Act No. 12731, Jun. 3, 2014>*

Article 35 (Penalty Provisions)

(1) Any person who destroys a designated cultural asset in a forest by setting a fire, shall be punished by imprisonment with labor for at least seven years, but less than 15 years. *<Amended by Act No. 14518, Dec. 27, 2016>*

(2) Any person who steals a designated cultural asset in a forest shall be punished by imprisonment with labor for at least one year, but less than ten years.

(3) Any person who damages, hides, or otherwise devalues a designated cultural asset in a forest shall be punished by imprisonment with labor for less than five years or by a fine not exceeding 50 million won. *<Amended by Act No. 14518, Dec. 27, 2016>*

(4) Any person who falls under any of the following shall be punished by imprisonment with labor for at least three years or by a fine not exceeding 30 million won: *<Newly Inserted by Act No. 14518, Dec. 27, 2016>*

1. A person who burns a designated cultural asset in a forest by negligence;

2. A person who damages forest paths or any structure or agricultural crop, or other property owned by others, in violation of subparagraph 1 or 2 of Article 23-3.

(5) Any of the following persons shall be punished by imprisonment with labor for at least one year or by a fine not exceeding 10 million won: *<Amended by Act No. 13026, Jan. 20, 2015; Act No. 13255, Mar. 27, 2015; Act No. 14518, Dec. 27, 2016>*

1. A person who, without just cause, interferes with the installation of protective or management facilities of a designated cultural asset in a forest or interferes with any act for the prevention, etc., of disasters or damage by disease and insect pest;
2. A person who damages, relocates, removes, or otherwise makes indiscernible a sign installed to protect a designated cultural asset in a forest;
3. A person who is designated as a training institution of forest therapy instructors under Article 11-4 (1) by fraud or other improper means.

(6) An attempt to commit an offense prescribed in paragraphs (1) through (3) shall be punished. *<Amended by Act No. 12731, Jun. 3, 2014>*

Article 36 (Penalty Provisions)

Any person who causes to burn a designated cultural asset in a forest by negligence shall be punished by imprisonment with labor for at least three years or by a fine not exceeding 15 million won.

Article 36 Deleted. *<by Act No. 14518, Dec. 27, 2016>*

Article 36-2 (Penalty Provisions)

Any person who damages forest paths or damage structures, agricultural crop, or other property owned by any other person in violation of subparagraph 1 or 2 of Article 23-3 shall be punished by imprisonment with labor for at least three years or by a fine not exceeding seven million won.

Article 36-2 Deleted. *<by Act No. 14518, Dec. 27, 2016>*

Article 36-3 (Penalty Provisions)

Any person who falls under any of the following shall be punished by a fine not exceeding three million won:

1. A person who uses the name of a forest therapy instructor or a similar name with no qualification granted in violation of Article 11-2 (4);
2. Deleted. *<by Act No. 13255, Mar. 27, 2015>*

Article 37 (Joint Penalty Provisions)

If the representative of a corporation or an agent, employee, or other servant of the corporation or an individual commits an offence under Article 35 (3) or (4) in connection with the business of the corporation or the individual, not only shall such offender be punished, but also the corporation or the individual shall be punished by the fine prescribed in the relevant provisions: Provided, That the foregoing shall not apply where such corporation or individual has not been negligent in giving due attention and supervision concerning the relevant duties to prevent such offence.

Article 37 (Joint Penalty Provisions)

If the representative of a corporation or an agent, employee, or other servant of the corporation or an individual commits an offence under Article 35 (3) or (5) 1 and 2 in connection with the business of the corporation or the individual, not only shall such offender be punished, but also the corporation or the individual shall be punished by the fine prescribed in the relevant provisions: Provided, That the foregoing shall not apply where such corporation or individual has not been negligent in giving due attention and

supervision concerning the relevant duties to prevent such offence. <Amended by Act No. 14518, Dec. 27, 2016>

Article 38 (Administrative Fines)

(1) Any of the following persons shall be punished by an administrative fine not exceeding 200,000 won: <Amended by Act No. 10459, Mar. 9, 2011; Act No. 14268, May 29, 2016>

1. Deleted; <by Act No. 10940, Jul. 25, 2011>

2. A person who enters a natural recreation forest subject to the resting year system without obtaining permission, in violation of Article 18 (4);

3. A person who litters garbage or waste, in violation of subparagraph 2 of Article 21-6 and subparagraph 3 of Article 23-3;

4. A person who relocates, spoils, or damages signs installed by the forest path management agency, in violation of subparagraph 4 of Article 23-3;

5. A person who enters a forest path subject to the resting year system or resting period system without obtaining permission, in violation of Article 25 (3).

(2) A person who cooks or smokes in places other than a designated area, in violation of subparagraph 1 of Article 21-6, shall be punished by an administrative fine not exceeding 500,000 won. <Amended by Act No. 14268, May 29, 2016>

(3) An administrative fine referred to in paragraphs (1) and (2) shall be imposed and collected by the Minister of the Korea Forest Service, the competent Mayor/Do Governor, or the head of the competent Si/Gun/Gu, as prescribed by Presidential Decree. <Newly Inserted by Act No. 14268, May 29, 2016>

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Validity Assessment of Natural Recreation Forest)

The validity assessment under Article 15 shall apply from the first person who intends to install recreation facilities after this Act enters into force.

Article 3 (Transitional Measures concerning Designation, etc. of Natural Recreation Forest)

(1) A person who obtains approval for a plan to create a forest designated as a natural recreation forest or to create a natural recreation forest from the Minister of the Korea Forest Service or the competent Mayor/Do Governor pursuant to Article 31 of the former Forestry Act as at the time this Act enters into force shall be deemed to have obtained approval for a plan to create a forest designated as a natural recreation forest or to create a natural creation forest (including approval for revisions thereof) under this Act.

(2) The entrustment of construction for creating a natural recreation forest or management and operation thereof by the Minister of the Korea Forest Service, the competent Mayor/Do Governor, or the head of the competent Si/Gun/Gu pursuant to Article 32 of the former Forestry Act as at the time this Act enters

into force shall be deemed the entrustment of creation or management under this Act.

Article 4 (Transitional Measures concerning Plans to Create Forest Bath)

A forest bath for which the development has been completed or is in progress as at the time this Act enters into force shall be governed by the former Forestry Act, notwithstanding Article 20 (2).

Article 5 Omitted.

Article 6 (Relationship with other Statutes)

A citation of the former Forestry Act or the provisions thereof by other statutes as at the time this Act enters into force shall be deemed a citation of this Act or the relevant provisions thereof in lieu of the former provisions if this Act has provisions corresponding thereto.

ADDENDUM <Act No. 8752, Dec. 21, 2007>

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

ADDENDA <Act No. 8852, Feb. 29, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Act No. 10116, Mar. 17, 2010>

(1) (Enforcement Date) This Act shall enter into force six months after the date of its promulgation.

(2) (Transitional Measures) A natural recreation forest designated pursuant to the former provisions as at the time this Act enters into force shall be deemed a natural recreation forest designated pursuant to the amended provisions of Article 13.

ADDENDA <Act No. 10459, Mar. 9, 2011>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures)

(1) A person accredited for an education course for mountaineering guides under the former Article 7 (2) 3 as at the time this Act enters into force shall be deemed a person accredited for an education course for mountaineering guides among the education courses for forest path guides under the amended provisions of Article 7 (2) 3.

(2) Mountain trails being developed under the former Article 23 as at the time this Act enters into force shall be deemed mountain trails among forest paths being developed under the amended Article 23.

(3) Forest paths being developed or the development thereof has been completed as at the time this Act enters into force shall be deemed that seeking of opinions from interested parties and the designation and public announcement of forest path routes under the amended provisions of Article 23 (1) and (2)

have been completed.

(4) The Korea Mountaineering Support Center under the former Article 27-2 (1) as at the time this Act enters into force shall be deemed the Korea Mountaineering and Trekking Support Center under the amended provisions of Article 27-2 (1).

ADDENDUM <Act No. 10845, Jul. 14, 2011>

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

ADDENDA <Act No. 10940, Jul. 25, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDUM <Act No. 11430, May 23, 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.

ADDENDA <Act No. 12731, Jun. 3, 2014>

Article 1 (Enforcement Date)

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

Articles 2 (Transitional Measures concerning Incompetent Person, etc.)

An incompetent person under the adult guardianship and quasi-competent person under the limited guardianship under the amended provisions of Article 11-2 (3) 1 shall be regarded to include a person for whom the declaration of incompetency or quasi-incompetency remains valid under Article 2 of the Addenda of the partial amendment to the Civil Act (Act No. 10429).

ADDENDA <Act No. 13026, Jan. 20, 2015>

Article 1 (Enforcement Date)

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

Articles 2 (Applicability to Evaluation of Appropriateness on Natural Recreation Forests, etc.)

The amended provisions of Article 21-2 shall apply to any person who applies for the designation of a natural recreation forest or the approval of a plan to create a forest bath, etc. on or after this Act enters

into force.

ADDENDA <Act No. 13255, Mar. 27, 2015>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 14268, May 29, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force three months after the date of its promulgation: Provided, that the amended provisions of Article 20-2 shall enter into force on the date of its promulgation.

Article 2 (Transitional Measures concerning Article 11 of the Act on Report on Real Estate Transactions, Etc.)

“Article 11 of the Act on Report on Real Estate Transactions, Etc.” referred to in the amended provisions of Article 20-2 (1) 6 shall be construed as “Article 118 of the National Land Planning and Utilization Act” until January 19, 2017.

ADDENDA <Act No. 14518, Dec. 27, 2016>

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 11-2 and 18 (2) shall enter into force on the date of its promulgation.

Article 2 Omitted.