

HOT SPRING ACT

Wholly Amended by Act No. 7856, Mar. 3, 2006
Amended by Act No. 8337, Apr. 6, 2007
Act No. 8343, Apr. 11, 2007
Act No. 8852, Feb. 29, 2008
Act No. 9202, Dec. 26, 2008
Act No. 10005, Feb. 4, 2010
Act No. 10732, May 30, 2011
Act No. 10892, Jul. 21, 2011
Act No. 11690, Mar. 23, 2013
Act No. 11896, Jul. 16, 2013
Act No. 12248, Jan. 14, 2014
Act No. 12737, jun. 3, 2014
Act No. 12738, jun. 3, 2014
Act No. 12797, Oct. 15, 2014
Act No. 12844, Nov. 19, 2014
Act No. 13401, Jul. 20, 2015
Act No. 13805, Jan. 19, 2016
Act No. 14284, Dec. 2, 2016
Act No. 14480, Dec. 27, 2016

Article 1 (Purpose)

The purpose of this Act is to contribute to promotion of public welfare, revitalization of regional economy, etc. by devising adequate protection for, and efficient development and utilization of hot springs.

Article 2 (Definition)

The definitions of terms used in this Act shall be as follows: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

1. The term "hot spring" means hot water at 25 degrees centigrade or above, that gushes forth from underground, and the ingredients of which meet the standards prescribed by Presidential Decree;
2. The term "rightful priority utilizer of hot spring" means a reporter whose report of hot spring discovery has been accepted, and who owns the land in which the hot water hole exists: Provided, That if the owner of proprietary right to the land has been changed after the report of hot spring discovery

was accepted, it refers to the changed owner of proprietary right to the land;

3. The term "hot spring operator" means a person who has obtained permission to utilize a hot spring under Article 16 to supply it for public bath or drinking;

4. The term "specialized hot spring examination institution" means an institution registered with the Minister of the Interior to conduct all examinations related with hot springs.

Article 3 (Duty of State and Local Governments)

(1) The State and the local governments shall secure the necessary budget and formulate and implement relevant measures to encourage the development of hot springs, advancement of hot spring culture, and promotion of hot spring industry.

(2) After a report of hot spring discovery has been accepted, local governments shall provide necessary support for the smooth exploitation and sound development of the hot spring concerned, devise and execute a plan for the efficient management and protection of the hot spring.

Article 3-2 (Formulation of Comprehensive Plan to Develop Hot Springs)

(1) For the development of hot springs and hot spring industry, the Minister of the Interior shall formulate and implement a comprehensive plan to develop hot springs, which includes the following matters (hereafter referred to as "comprehensive plan"), in consultation with the head of the relevant central administrative agency, Special Metropolitan City Mayor, Metropolitan City Mayor, Metropolitan Autonomous City Mayor, Do Governor, or Special Self-Governing Province Governor (hereafter referred to as the "Mayor/Do Governor"): *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 11896, Jul. 16, 2013; Act No. 12844, Nov. 19, 2014>*

1. Matters concerning basic direction-setting and implementation system for preservation of hot springs, advancement of hot spring culture, and development of related industries;

2. Matters concerning formulation of comprehensive measures for development, management, and preservation of hot springs;

3. Matters concerning designation of, and support for, hot spring resorts;

4. Matters concerning formulation of measures and support for developing hot spring industry, such as promotion of drinkability of hot spring water and beauty-related industry;

5. Formulation of measures for recycling hot spring water and matters concerning research and development and support;

6. Other important policies related to hot springs that the Minister of the Interior deems necessary.

(2) The Mayor/Do Governor, the head of a Si/Gun, and the head of an autonomous Gu shall formulate and implement detailed plans to support the development, etc. of hot springs in accordance with the comprehensive plan. *<Amended by Act No. 11896, Jul. 16, 2013>*

Article 4 Deleted. *<by Act No. 10005, Feb. 4, 2010>*

Article 5 (Designation, etc. of Hot Spring Hole Protection Zones)

(1) A Metropolitan Autonomous City Mayor, a Special Self-Governing Province Governor, the head of a Si/Gun, or the head of an autonomous Gu (hereafter referred to as the "head of a Si/Gun") may designate an

area where it is deemed necessary to develop a hot spring, which is smaller than the scale prescribed by Presidential Decree, as a hot spring hole protection zone, from among the areas where hot springs have been discovered, or may change the boundary of the hot spring hole protection zone, upon approval of the competent Mayor/Do Governor (a Metropolitan Autonomous City Mayor and a Special Self-Governing Province Governor need not obtain such approval), as prescribed by Presidential Decree. In such cases, where the relevant area has been designated as a groundwater preservation area pursuant to Article 12 of the Groundwater Act, such designation shall be deemed revoked. <Amended by Act No. 11896, Jul. 16, 2013>

(2) With respect to the area designated as hot spring hole protection zone under paragraph (1), the head of a Si/Gun shall alter the usage of land to meet the usage of development for the purpose of hot spring development.

(3) The head of a Si/Gun may revoke the designation of a hot spring hole protection zone if it falls under any of the following:

1. Where the hot spring source has dried up;
2. Where the value of development and utilization thereof is deemed depreciated;
3. Where the groundwater is contaminated or the environment or landscape is significantly spoiled due to suspension of the development project;
4. The project has not been commenced within one year and six months after the date of designation of a hot spring hole protection zone.

(4) Where the designation of a hot spring hole protection zone is subject to revocation under paragraph (3) 4, the deadline to commence the project may be extended only once within the range of six months if deemed inevitable due to unavoidable grounds, such as implementation of administrative procedures.

(5) The head of a Si/Gun shall undergo an examination by a specialized hot spring examination institution when he/she intends to designate, change, or revoke the designation of a hot spring hole protection zone under paragraph (1) or (3) 1.

(6) When the head of a Si/Gun intends to designate, change, or revoke the designation of a hot spring hole protection zone under paragraph (1) or (3), he/she shall publicly announce the fact in advance, as prescribed by Ordinance of the Ministry of the Interior. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

Article 6 (Implementation of Procedures for Designation of Hot Spring Hole Protection Zones)

(1) When the head of a Si/Gun has accepted a report of hot spring discovery pursuant to Article 21 (2), he/she shall implement the procedures necessary for designating a hot spring hole protection zone pursuant to Article 5 (1) (hereafter referred to as "hot spring hole protection zone") within six months from the date of such acceptance.

(2) Where a Metropolitan Autonomous City Mayor or a Special Self-Governing Province Governor fails to designate a hot spring hole protection zone, or where the head of a Si/Gun (excluding a Metropolitan Autonomous City Mayor and a Special Self-Governing Province Governor) fails to apply for approval for designation thereof within the period set forth in paragraph (1), a rightful priority utilizer of hot spring

may submit his/her application for designation of, or approval for designation of a hot spring hole protection zone to the Mayor/Do Governor. In such case, upon approval from the Mayor/Do Governor (referring to acceptance of necessity of designation in cases of a Metropolitan Autonomous City Mayor and a Special Self-Governing Province Governor), the head of a Si/Gun shall designate and publicly announce the relevant area as a hot spring hole protection zone without delay. <Amended by Act No. 11896, Jul. 16, 2013>

Article 7 (Registration, etc. of Specialized Hot Spring Examination Institutions)

(1) A person who intends to be registered as a specialized hot spring examination institution shall file an application for registration with the Minister of the Interior, along with the documents evidencing that he/she meets the standards for registration provided for in paragraph (2) (including the lease contract in cases of using leased equipment and referring to the accreditation letter in cases of an institution obtaining accreditation of inspection institute in hot spring under Article 23 of the Framework Act on National Standards) and documents evidencing the grounds for establishment of the applicant who is not a corporation (only applicable to a person who is not a corporation), and the Minister of the Interior shall issue a registration certificate thereby. In such cases, if the applicant is a corporation, the Minister of the Interior shall verify the corporate registration certificate through data matching of administrative information under Article 36 (1) of the Electronic Government Act. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014; Act No. 13401, Jul. 20, 2015>

(2) Standards for registration of specialized hot spring examination institutions shall be as follows: Provided, That an institution obtaining accreditation of examination institute in hot spring under Article 23 of the Framework Act on National Standards shall be deemed to meet the following standards for registration: <Amended by Act No. 13401, Jul. 20, 2015>

1. Specialized manpower:

(a) At least one of the following persons:

(b) At least two persons who hold at least a bachelor's degree in applied geology or geophysics, and have engaged in the investigation of hot spring holes or the number of natural hot springs for at least two years;

(c) At least one person who holds at least a bachelor's degree in the field of chemistry, and has engaged in the analysis of hot springs or groundwater for at least five years;

2. Equipment:

(a) Equipment for geophysical prospecting and geophysical logging;

(b) Simplified water quality measuring equipment (it shall be readily usable at the site) for the examination of hydrogen ion concentration, mercury, electric conductivity, Total Dissolved Solids, etc.;

(c) Water level measuring equipment;

(d) Equipment for measuring the quantity of water;

(e) Equipment for analyzing outdoor water quality.

(3) The Minister of the Interior shall issue a registration certificate unless an application for registration filed under paragraph (1) falls under any of the following: *<Newly Inserted by Act No. 11896, Jul. 16, 2013; Act No. 12844, Nov. 19, 2014>*

1. Where it fails to meet any of the standards for registration provided for in paragraph (2);
2. Where it violates any of the restrictions imposed under this Act or other statutes.

(4) Where a specialized hot spring examination institution falls under any of the following circumstances, the Minister of the Interior may revoke the registration or order the suspension of business for a specified period not exceeding one year: Provided, That in the case of subparagraph 1, 3, or 6, he/she shall revoke the registration: *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 11896, Jul. 16, 2013; Act No. 12844, Nov. 19, 2014; Act No. 13401, Jul. 20, 2015>*

1. Where it has been registered by fraud or other improper means;
2. Where it has lent its registration certificate to a third person;
3. Where it fails to meet any of the standards for registration provided for in paragraph (2);
4. Where it has avoided or delayed a specialized hot spring examination without any justifiable ground, or has conducted a false examination or has written a false report on the examination;
5. Where it has refused or has failed to report or submit data pursuant to paragraph (6) without any justifiable ground;
6. Where it has conducted examination during the period of business suspension.

(5) Where the Minister of the Interior has revoked the registration of a specialized hot spring examination institution or ordered suspension of business pursuant to paragraph (4), he/she shall post the fact in the Official Gazette. *<Newly Inserted by Act No. 11896, Jul. 16, 2013; Act No. 12844, Nov. 19, 2014>*

(6) If necessary for supervision, the Minister of the Interior or the Mayor/Do Governor may order a specialized hot spring examination institution to report on the actual results or details of examination of hot springs, or to submit necessary data. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*

(7) The standards for administrative dispositions provided for in paragraph (4), and other necessary matters shall be prescribed by Ordinance of the Ministry of the Interior. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 11896, Jul. 16, 2013; Act No. 12844, Nov. 19, 2014>*

Article 8 (Exclusion from Application)

@Articles 7, 7-2, 7-3, 8, 8-2, 9, 9-2 through 9-7, 10, 17, 20, and 21 of the Groundwater Act shall not apply to any hot spring source protection district under Article 10-2 (4) (hereafter referred to as "hot spring source protection district) and hot spring hole protection zone. *<Amended by Act No. 11896, Jul. 16, 2013>*

Article 9 (Designation of Hot Spring Resorts)

(1) Upon approval from the Minister of the Interior, the Mayor/Do Governor may designate a hot spring source protection district, a hot spring hole protection zone, or a hot spring facility at a place equipped with a hot spring which is deemed appropriate for improving health and recuperation, based on its

excellent temperature, ingredients, etc. and the favorable surroundings, as a hot spring resort. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

(2) The Mayor/Do Governor or the head of a Si/Gun may provide necessary administrative and financial support, such as providing a loan for facilities, to those who develop or run a hot spring resort, as prescribed by Ordinance of the Ministry of the Interior. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

(3) No mark of hot spring resort prescribed by Ordinance of the Ministry of the Interior shall be used unless designated as a hot spring resort under paragraph (1). <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

(4) In any of the following circumstances, the boundary of a hot spring resort shall be deemed altered or designation thereof shall be deemed revoked, accordingly:

1. Where the boundary of a hot spring source protection district have been altered or designation thereof has been revoked pursuant to Article 10-2 (4);
2. When the boundary of a hot spring hole protection zone have been altered pursuant to Article 5 (1);
3. When the designation of a hot spring hole protection zone has been revoked pursuant to Article 5 (3).

(5) Matters necessary for the designation and management of hot spring resorts, such as standards and procedures for designation, revocation of designation, standards for facilities, and mark of hot spring resort, shall be prescribed by Ordinance of the Ministry of the Interior. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

Article 9-2 (Designation of Hot Spring Towns)

(1) The Minister of the Interior may designate a hot spring town at a hot spring town which is expected to contribute to regional development and revitalizing regional economy through promotion of hot spring industry, such as spa tourism. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

(2) Matters necessary for management of hot spring towns, such as standards for designation and revocation thereof, shall be prescribed by Presidential Decree.

(3) The State and a local government may provide a hot spring town designated under paragraph (1) with administrative and financial support, such as securing budget, formulating relevant policies, so that the hot spring can be continuously utilized through preservation and management of the tradition of hot spring.

Article 10 (Formulation of Hot Spring Development Plans)

(1) The head of a Si/Gun shall formulate a hot spring development plan (hereafter referred to as "development plan") for an area where it is deemed necessary to develop a hot spring of at least the capacity set forth in the standards prescribed by Presidential Decree, among the areas where hot springs are discovered, and apply for approval to the Mayor/Do Governor (excluding a Metropolitan Autonomous City Mayor and a Special Self-Governing Province Governor) within six months after he/she accepts a report on hot spring discovery under Article 21 (2): Provided, That if the head of a Si/Gun fails to formulate a development plan or to file an application for approval within the said period, the rightful priority utilizer of hot spring may formulate a development plan and file an application for approval

(referring to formulation in cases of a Metropolitan Autonomous City Mayor and a Special Self-Governing Province Governor) to the Mayor/Do Governor. <Amended by Act No. 11896, Jul. 16, 2013>

(2) The development plan shall contain each of the following:

1. Surrounding conditions, prospect of demand, and direction-setting for development;
2. An examination report of a specialized hot spring examination institution on the development, utilization, management, and protection of the hot spring resources and the effects on the existing hot spring source, etc.;
3. Matters concerning the construction or improvement works at the relevant area, including the surface area of exploitation, a land utilization plan, and a plan to install hot spring utilization facilities;
4. Matters concerning the improvement of surrounding environment, such as waste, sewage, etc. and linkage with tourist attractions, etc.;
5. Other matters necessary for the development and management of the hot spring.

(3) Where the area covered by a development plan is within the area for which a regional development plan is established under Article 7 of the Regional Development Assistance Act, park district under Articles 4, 4-2 through 4-4, 5, and 6 of the Natural Parks Act, tourist resort, etc. under Article 52 (1) of the Tourism Promotion Act, promotional zone under Article 23 of the Industrial Cluster Development and Factory Establishment Act, national industrial complex, general industrial complex, agricultural, and industrial complex under Articles 6, 7, and 8 of the Industrial Sites and Development Act, or free economic zone designated under Article 4 of the Special Act on Designation and Management of Free Economic Zones, the development plan shall be formulated in accordance with the relevant regional development plan, park planning, development plan for tourist resort, etc., master plan to develop industrial clusters, master plan to manage industrial complexes, or development plan for free economic zones. <Amended by Act No. 12737, Jun. 3, 2014>

(4) When any of the matters referred to in paragraph (2) has been altered, the head of a Si/Gun or the rightful priority utilizer of hot spring shall alter the hot spring development plan appropriately for such alterations and obtain approval therefor from the Mayor/Do Governor (excluding a Metropolitan Autonomous City Mayor and a Special Self-Governing Province Governor): Provided, That this shall not apply to minor matters prescribed by Presidential Decree. <Amended by Act No. 11896, Jul. 16, 2013>

(5) The Mayor/Do Governor may cancel the development plan or approval thereof if:

1. The hot spring source has dried up;
2. The value of development and utilization thereof is deemed depreciated;
3. The ground water is contaminated or the environment or landscape is significantly spoiled due to suspension of the development work;
4. The work has not been commenced within two years after formulation or approval of the development plan.

(6) Where a development plan or approval thereof is subject to revocation under paragraph (5) 4, a deadline for commencement of works may be extended limited to once by up to six months if deemed

inevitable due to unavoidable grounds, such as implementation of administrative procedures.

(7) Where the Mayor/Do Governor intends to alter a development plan or approve an alteration thereto pursuant to the main body of paragraph (4) due to a change in the hot spring source, or where he/she intends to revoke a development plan or approval thereof on the grounds referred to in paragraph (5) 1, he/she shall undergo an examination by a specialized hot spring examination institution.

Article 10-2 (Legal Fiction as Authorization or Permission under other Statutes)

(1) Where approval of a development plan or an alteration thereto is granted under Article 10 (referring to formulation of a development plan or alteration thereto in cases of a Metropolitan Autonomous City Mayor and a Special Self-Governing Province Governor; hereafter the same shall apply in this Article) through prior consultation with the head of the relevant administrative agency pursuant to paragraph (3), the following permission, reporting, decision, approval, designation, authorization, license, consultation, revocation, etc. (hereafter referred to as "approval, permission, etc.") shall be deemed granted or made, and where the designation of a hot spring source protection district is publicly announced under paragraph (5), public announcements required under the following Acts shall be deemed made: <Amended by Act No. 11896, Jul. 16, 2013; Act No. 12248, Jan. 14, 2014; Act No. 12738, Jun. 3, 2014; Act No. 13805, Jan. 19, 2016; Act No. 14480, Dec. 27, 2016>

1. Permission under Article 11 of the Building Act, reporting under Article 14 of the same Act, revision to permission and reporting under Article 16 of the same Act, permission and reporting on a temporary building under Article 20, and consultation under Article 29 of the same Act;
2. Permission to extract aggregate under Article 22 of the Aggregate Extraction Act;
3. Permission to use administrative property under Article 30 of the State Property Act;
4. Decision on an urban/Gun management plan under Article 30 of the National Land Planning and Utilization Act (only applicable to the infrastructures prescribed by Presidential Decree among the planning under subparagraph 4 (c) of Article 2 of the same Act and the district unit planning zone and district unit planning under Article 51 (3) of the same Act), approval of the topographic drawing under Article 32 (2) of the same Act, decision on an urban/Gun management plan for the areas, other than the urban area, among the specific-use areas under Article 36 (1) of the same Act, designation of a development promotion district under Article 37 (1) 9 of the same Act, permission to engage in development acts under Article 56 of the same Act, designation of an implementer of an urban/Gun planning facility project under Article 86 of the same Act, and authorization of an implementation plan under Article 88 of the same Act;
5. Permission to occupy and use under Article 8 of the Public Waters Management and Reclamation Act, authorization of or reporting on an implementation plan under Article 17 of the same Act, a reclamation license under Article 28 of the same Act, consultation on or approval for reclamation under Article 35 of the same Act, and authorization of an implementation plan to reclaim public waters under Article 38 of the same Act;

6. Approval of a business plan under Article 15 of the Tourism Promotion Act, a conditional business license under Article 31 of the same Act, designation of tourist destinations and tourism complexes under Article 52 of the same Act, approval of development plans of tourist destinations and tourism complexes under Article 54 of the same Act, and approval to implement development projects under Article 55 of the same Act;
7. Non-approval disposition under Article 24 of the Mining Industry Act and a disposition revoking the mining rights or reduction of mining area under Article 34 of the same Act;
8. Approval to use the agricultural production infrastructure under Article 23 of the Rearrangement of Agricultural and Fishing Villages Act and approval of the business plan for tourism and recreation complex of agricultural or fishing villages under Article 82 (2) of the same Act;
9. Permission to divert farmland under Article 34 (1) of the Farmland Act;
10. Permission granted to a person, other than the road management agency, to implement road works under Article 36 of the Road Act, permission to occupy and use roads pursuant to Article 61 of the same Act, and consultation with or approval from the road management agencies under Article 107 of the same Act;
11. Permission to open private roads under Article 4 of the Private Road Act;
12. Permission to fell, etc. under Article 14 of the Erosion Control Work Act and revocation of designation of an erosion control area under Article 20 of the same Act;
13. Permission to fell standing timber, etc. under Article 36 of the Creation and Management of Forest Resources Act, permission to do acts in the forest protection zone under Article 9 of the Forest Protection Act, and revocation of designation of a forest protection zone under Article 11 of the same Act;
14. Change and cancellation of preserved mountainous districts under Article 6 of the Mountainous Districts Management Act, cancellation of designation of restricted areas for mountainous district conversion under Article 11 of the same Act, permission to convert a mountainous district under Article 14 of the same Act, reporting on mountainous district conversion under Article 15 of the same Act, and permission to collect earth and sand under Article 25 of the same Act;
15. Permission of small river construction works under Article 10 of the Small River Maintenance Act, and permission to occupy and use small rivers under Article 14 of the same Act;
16. Authorization of general waterworks business under Article 17 of the Water Supply and Waterworks Installation Act, authorization of industrial waterworks business under Article 49 of the same Act, and authorization of the private-use industrial waterworks under Article 54 of the same Act;
17. Consultation on energy use plans under Article 10 of the Energy Use Rationalization Act;
18. Determination on park planning for Do parks under Article 13 of the Natural Parks Act, determination on park planning or Gun parks under Article 14 of the same Act, permission to implement park projects and to manage park facilities by person other than park management agency under Article 20 of the same Act (limited to the cases of Do park or Gun park where a Do park

committee or a Gun park committee has undergone a deliberation thereof pursuant to Article 9 (1) of the same Act), and permission of acts under Article 23 of the same Act;

19. Permission of re-burial under Article 27 of the Act on Funeral Services, Etc.;

20. Approval of or reporting on plan of works for setting up electric installations for private use under Article 62 of the Electric Utility Act;

21. Approval of project plans under Article 15 of the Housing Act;

22. Consultation on feasibility of integrated energy supply under Article 4 of the Integrated Energy Supply Act;

23. Permission to convert grassland under Article 23 of the GrassLand Act;

24. Approval of the business plan of athletic facilities business under Article 12 of the Installation and Utilization of Sports Facilities Act;

25. Deliberation on use of the findings of basic land survey under Article 15 (3) of the Act on the Establishment, Management, etc. of Spatial Data and reporting on commencement, alteration, and completion of the urban development project, etc. under Article 86 (1) of the same Act;

26. Formulation of a housing site development plan under Article 8 of the Housing Site Development Promotion Act and approval of the execution plan of housing site development business under Article 9 of the same Act;

27. Approval of or reporting on installation of waste disposal facilities under Article 29 of the Wastes Control Act;

28. Permission for construction works, etc. related to a public sewerage system under Article 16 of the Sewerage Act and permission to occupy and use under Article 24 of the same Act;

29. Consultation with or approval from the river management agency under Article 6 of the River Act, permission for river works, etc. under Article 30 of the same Act, and permission to occupy and use rivers under Article 33 of the same Act.

(2) A person who intends to qualify for approval, permission, etc. shall submit the relevant documents required by the relevant Acts.

(3) When the Mayor/Do Governor approves a development plan which contains any matters referred to in each subparagraph of paragraph (1) or an alteration thereto, he/she shall pre-consult with the head of the relevant administrative agency. In such case, the head of the relevant administrative agency in receipt of a request for consultation shall present his/her opinion within 30 days after the receipt of the request, except in exceptional circumstances, and where no opinion is presented during the said period, consultation shall be deemed made. <Amended by Act No. 14284, Dec. 2, 2016>

(4) When the Mayor/Do Governor approves a development plan or an alteration thereto, he/she shall notify without delay the head of the relevant administrative agency of the details and designate the area within one-kilometer radius from the boundary of the prearranged area for development plan as a hot spring source protection district or alter the designation thereof: Provided, That he/she shall revoke the designation of a hot spring source protection district when the development plan is cancelled under Article

10 (5).

(5) When the Mayor/Do Governor has designated, altered, or revoked a hot spring protection district under paragraph (4), he/she shall publicly announce it, as prescribed by Ordinance of the Ministry of the Interior.

<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

(6) Where a hot spring protection district has been designated or altered under paragraph (4), if such district is within a groundwater preservation zone designated under Article 12 of the Groundwater Act, the groundwater preservation zone shall be deemed revoked.

Article 10-3 (Strategic Environmental Impact Assessments, etc.)

Notwithstanding the Environmental Impact Assessment Act, the Mayor/Do Governor shall request the head of a local environmental agency to perform a strategic environmental impact assessment or an environmental impact assessment for a relevant hot spring development in accordance with the following classification: *<Amended by Act No. 10892, Jul. 21, 2011; Act No. 11896, Jul. 16, 2013>*

1. Where the development area of a hot spring is less than 300,000 square meters: To perform a strategic environmental impact assessment under the Environmental Impact Assessment Act prior to approval (referring to formulation in cases of a Metropolitan Autonomous City Mayor and a Special Self-Governing Province Governor; hereafter the same shall apply in this Article) of a development plan;
2. Where the development area of a hot spring is at least 300,000 square meters: To perform an environmental impact assessment under subparagraph 2 of Article 2 of the Environmental Impact Assessment Act prior to approval of a development plan. In such cases, a strategic environmental impact assessment under the Environmental Impact Assessment Act shall not be performed.

Article 10-4 (Implementation of Development Projects)

(1) The Mayor/Do Governor who has formulated a development plan or obtained approval of such development plan may expropriate or use any parcel of land, any of the following objects or rights, if necessary to implement a project under such development plan (hereafter referred to as "development project"): Provided, That where he/she intends to expropriate or use the right to use agricultural water or other farmland improvement facilities, he/she shall obtain prior approval from the Minister of Agriculture, Food and Rural Affairs: *<Amended by Act No. 11690, Mar. 23, 2013>*

1. Rights, other than the ownership of land;
2. Timbers or buildings standing on the land, or other objects, and the rights other than the ownership thereof;
3. Rights to use water;
4. Soils, stones, or sand and pebbles which belong to the land.

(2) Where consultation for expropriation or use under paragraph (1) does not reach an agreement or cannot be held, the head of a Si/Gun may apply for adjudication within the implementation period of the development project, notwithstanding Article 28 (1) of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects.

(3) In applying paragraph (1), when a detailed list of land, etc. subject to expropriation are publicly announced, it shall be deemed to have obtained project approval and to have made a public announcement thereof under Articles 20 (1) and 22 of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects.

(4) Except as otherwise expressly prescribed by this Act, the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects shall apply mutatis mutandis to procedures for expropriation or use under paragraph (1), compensation therefor, and applications for adjudication.

(5) The State, a local government, or rightful priority utilizer of hot spring shall endeavor to construct public facilities, such as the road, electricity facilities, water supply, and drainages related to the development project and operation thereof by priority.

(6) Articles 100, 130 and 131 of the National Land Planning and Utilization Act shall apply mutatis mutandis to disposal of property owned by the State or a local government due to a development plan, access to a third persons' land, and compensation for losses therefrom.

Article 11 (Standards, etc. for Calculating Development Area of Hot Springs)

Standards for calculating the development area of a hot spring related with the formulation of its development plan shall be prescribed by Ordinance of the Ministry of the Interior. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 10005, Feb. 4, 2010; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

Article 12 (Excavation Permission)

(1) Any person who intends to excavate land to make hot spring erupt shall obtain permission from the head of a Si/Gun, as prescribed by Presidential Decree. The same shall apply where the pumping hole is enlarged or the depth is deepened to enlarge the diameter of the hot spring hole.

(2) A person eligible to obtain permission under paragraph (1) shall be the owner of the entire land to be excavated or a person who has obtained consent to excavation from the relevant landowners. In such cases, necessary matters, such as the procedures and requirements for consent, shall be prescribed by Presidential Decree.

(3) In applying for excavation permission under paragraph (1), an applicant shall undergo an investigation by a specialized hot spring examination institution to verify whether a hot spring exists in the relevant land, and attach the investigation report to his/her application.

(4) The head of a Si/Gun shall grant permission unless any of the following applies to an application for excavation permission filed under paragraph (1): <Newly Inserted by Act No. 11896, Jul. 16, 2013>

1. Where an applicant for such permission fails to meet any of the requirements provided for in paragraph (2);
2. Where an investigation conducted by a specialized hot spring examination institution under paragraph (3), has revealed no possibility of existence of a hot spring beneath in the relevant land;
3. Where any of the following applies to the land to be excavated:
 - (a) Where the lineal distance from such land to an existing hot spring hole is within one thousand meters (excluding where a person applies for excavation permission under the latter part of paragraph

(1) and where an application for excavation permission is filed to secure additional hot spring water in addition to existing hot spring holes);

(b) Where such land is located within a development-restricted area under the National Land Planning and Utilization Act, an agricultural development areas under the Farmland Act, a preserved mountainous district under the Management of Mountainous Districts Management Act, or an ecology or landscape protection area under the Natural Environment Conservation Act;

4. Where such land is likely to hinder a public project, such as an urban/Gun planning project conducted under the National Land Planning and Utilization Act;

5. Where the application violates any of the restrictions imposed under this Act or other statutes.

(5) Where a person discovers a hot spring while developing or utilizing ground water or excavating land under Article 7, 8 or 9-4 of the Groundwater Act, he/she shall report on excavation of a hot spring along with the report on the investigation as to the existence of hot springs conducted under paragraph (3). In such case, procedures for reporting on excavation of a hot spring and other necessary matters shall be prescribed by Ordinance of the Ministry of the Interior. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 11896, Jul. 16, 2013; Act No. 12844, Nov. 19, 2014>*

(6) The effective period of permission under paragraph (1) shall be one year from the date of the permission: Provided, That where it is deemed impracticable to finish the permitted excavation works within the permitted period due to a natural disaster or other unavoidable grounds, the effective period may be extended within the range of six months. *<Amended by Act No. 11896, Jul. 16, 2013>*

(7) Requirements and procedures for extension of the effective period under paragraph (6) and other necessary matters shall be prescribed by Presidential Decree. *<Amended by Act No. 11896, Jul. 16, 2013>*

Article 12-2 (Deposit of Performance Guarantee)

(1) Any of the following persons shall deposit a performance guarantee to guarantee his/her duty of restoration under Article 13: Provided, That this shall not apply where the State, a local government, or a public institution prescribed in the Act on the Management of Public Institutions excavates any parcel of land or uses or discovers a hot spring under this Act:

1. A person who intends to obtain excavation permission under the main body of Article 12 (1);
2. A person who intends to obtain permission to utilize a hot spring under Article 16 (1);
3. A person who intends to report on hot spring discovery under Article 21 (1).

(2) Amount of the performance guarantee, and time, methods of, and procedures for depositing the performance guarantee, return of the performance guarantee, and other necessary matters shall be prescribed by Presidential Decree.

Article 13 (Duty, etc. of Restoration)

(1) In any of the following circumstances, the relevant land shall be restored: *<Amended by Act No. 11896, Jul. 16, 2013>*

1. Where a person has excavated such land upon obtaining excavation permission under the main body of Article 12 (1), but fails to discover a hot spring, or his/her excavation permission becomes invalid or

has been revoked;

2. Where permission to utilize a hot spring granted under Article 16 (1) becomes invalid or has been revoked;

3. Where a report on hot spring discovery filed under Article 21 (1) has been rejected or acceptance of the report has been revoked.

(2) Where any person has excavated land within the hot spring source protection district or hot spring hole protection zone without obtaining permission, etc. required under this Act or other Acts, the head of a Si/Gun may order such person to restore the land.

(3) Article 15 of the Groundwater Act shall apply mutatis mutandis to the procedures for and methods of restoration and other relevant matters. *<Amended by Act No. 11896, Jul. 16, 2013>*

Article 14 (Permission to Install Power Equipment)

(1) Any person who intends to install power equipment to pump water from a hot spring shall obtain permission from the head of a Si/Gun, as prescribed by Presidential Decree: Provided, That this shall not apply where he/she replaces it with the power equipment with the same performance as that of the power equipment permitted for installation.

(2) Where the head of a Si/Gun deems that it is recognized that the installation of power equipment is likely to have a substantial impact on other hot springs, he/she may not grant permission under paragraph (1). In such cases, he/she shall notify the applicant of the grounds in writing.

(3) Any person who has obtained permission under paragraph (1) shall install a hydrological monitoring facility prescribed by Ordinance of the Ministry of the Interior when he/she installs power equipment. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*

Article 15 (Restriction on Land Excavation for Protection of Hot Spring)

(1) No one shall develop groundwater in a hot spring source protection district or a hot spring hole protection zone: Provided, That this shall not apply to cases where he/she has obtained permission from the head of a Si/Gun as prescribed by Presidential Decree or where the groundwater is used as house residential water.

(2) Where the head of a Si/Gun recognizes that when the excavation of land which is performed for the purposes other than making a hot spring gush up, such as construction work, within a hot spring source protection district or hot spring hole protection zone, is deemed likely to have a considerable impact on the yield or ingredients of hot spring, he/she may order the land excavator to take necessary measures for protection of existing hot spring, and the land excavator shall comply with such order unless there are special reasons not to do so.

Article 16 (Permission to Utilize Hot Springs)

(1) Any person, who intends to utilize a hot spring to promote public welfare and revitalize regional economy, shall obtain permission from the head of a Si/Gun, as prescribed by Presidential Decree. *<Amended by Act No. 11896, Jul. 16, 2013>*

(2) A hot spring shall be provided preferentially for public drinking purpose or for the public bath business or the lodging business in the hot spring source protection district (including the hot spring hole protection zone; hereafter in this paragraph the same shall apply) pursuant to the Public Health Control Act: Provided, That where hot springs still remain after using them for drinking or bathing, the hot spring may be utilized for heating or energy facilities under the development plan, or for industrial or public facilities prescribed by Presidential Decree, and it may also be permitted for the utilization at the areas other than the hot spring source protection district.

(3) The head of a Si/Gun shall grant permission unless any of the following applies to an application for permission filed under paragraph (1): *<Amended by Act No. 11896, Jul. 16, 2013>*

1. Where an applicant is not the rightful priority utilizer of the relevant hot spring, or not a person who entered into a hot spring water supply agreement with the rightful priority utilizer of hot spring;
 2. Where an applicant has filed his/her application for use in the area other than the hot spring source protection district (including the hot spring hole protection zone; hereafter in this subparagraph the same shall apply): Provided, That the head of a Si/Gun shall grant permission to utilize a hot spring in the area other than the hot spring source protection district, if required under the proviso to paragraph (2), and if a person files his/her application for use within the area to be designated as a hot spring source protection district, he/she may temporarily permit utilization of a hot spring, as prescribed by Presidential Decree;
 3. Where hot spring water fails to satisfy any of the following standards:
 - (a) The standard for hot spring ingredients referred to in subparagraph 1 of Article 2;
 - (b) The quality standards of hot spring water for bathing referred to in Article 17 (1) where a person applies for permission to utilize a hot spring for the public bath business pursuant to paragraph (2);
 4. Where a hot spring is likely to be exhausted according to the result of an examination by a specialized hot spring examination institution pursuant to each of the followings:
 - (a) Where an application is made for permission to utilize a hot spring located in the hot spring hole protection zone, the result of an examination conducted under Article 5 (5);
 - (b) Where an application is made for permission to utilize a hot spring within the hot spring source protection district, an examination report conducted under Article 10 (2) 2;
 - (c) Where an applicant intends to utilize a hot spring hole incidental to his/her existing hot spring hole, an examination report prepared by a specialized hot spring examination institution, which is submitted by the applicant;
 5. Where an application is made for permission to utilize a hot spring in excess of the water-pumping capacity recommended by a specialized hot spring examination institution as a result of the examination under each item of subparagraph 4;
 6. Where the application violates any of the restrictions imposed under this Act or other statutes.
- (4) No person who fails to obtain permission to utilize a hot spring under paragraph (1) shall engage in any activities that could be misunderstood as having obtained permission to utilize a hot spring, shall make

false or exaggerated labeling or advertisement related to hot spring, and shall use a mark of hot spring prescribed by Ordinance of the Ministry of the Interior. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014; Act No. 13401, Jul. 20, 2015>

(5) The effective period of permission to utilize a hot spring granted under paragraph (1) shall be five years, and may be extended every five years. In such cases, the head of a Si/Gun shall determine the effective period or adjust the volume of permission based on the findings of investigation of hot spring resources pursuant to the provisions of Article 24.

(6) The quantity of hot spring to be permitted for utilization under paragraph (1) shall be determined by the head of a Si/Gun, considering the scale, etc. of the facilities utilizing a hot spring within the optimal water-pumping capacity recommended by a specialized hot spring examination institution based on its investigation. <Newly Inserted by Act No. 11896, Jul. 16, 2013>

Article 16-2 (Legal Fiction as Authorization or Permission to Utilize Hot Springs)

(1) When permission to utilize a hot spring is obtained pursuant to Article 16 after prior consultation with the head of the relevant administrative agency in accordance with paragraph (3), it shall be deemed to have obtained an authorization or permission set forth in each of the following:

1. Report on the lodging business, public bath business, barbering business, beauty art business, or laundry business under Article 3 of the Public Health Control Act;
2. Designation of a retailer of tobacco under Article 16 of the Tobacco Business Act;
3. For the food service business under Article 36 (1) 3 of the Food Sanitation Act, permission of or report on the food service business under Article 37 of the same Act;
4. For the reported athletic facility business under Article 10 (1) 2 of the Installation and Utilization of Sports Facilities Act, report on athletic facility business under Article 20 of the same Act;
5. Acceptance of entertainment facilities under Article 6 of the School Health Act (applicable only to the cases where operation of the tourist lodging business or tourist facility business under the Tourism Promotion Act is intended in school environmental sanitation and cleanup zone).

(2) Where a person intends to receive authorization or permission under paragraph (1), he/she shall submit the relevant documents prescribed by the relevant Act as well.

(3) When the head of a Si/Gun intends to grant permission to utilize a hot spring where any of the matters prescribed in paragraph (1) is included, he/she shall have a prior consultation with the head of an administrative agency concerned. In such case, the head of the administrative agency who receives the request for the consultation, shall submit his/her opinion within 30 days from the date of the receipt of the request for the consultation, and where no opinion is presented during the said period, consultation shall be deemed made. <Amended by Act No. 14284, Dec. 2, 2016>

(4) Where authorization or permission under paragraph (1) is deemed to have been obtained, a public announcement or public notification of the authorization or permission under the relevant Act shall be deemed to have been made.

Article 17 (Water Quality Standards, etc. for Hot Spring Bath)

(1) The hot spring provided for public bath pursuant to Article 16 (2) shall meet the water quality standards prescribed by Ordinance of the Ministry of the Interior, notwithstanding Article 4 (2) of the Public Health Control Act. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

(2) Methods of analyzing hot spring water for public bath pursuant to paragraph (1), and other matters necessary for water quality management shall be prescribed by Ordinance of the Ministry of the Interior. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

Article 18 (Revocation of or Restriction on Permission for Utilization)

Where the head of a Si/Gun recognizes that there is a hazard to the public health and sanitation due to the utilization of hot spring or where a person who has obtained permission to utilize a hot spring (excluding a person who has obtained permission to utilize a hot spring for industrial or heating purpose) utilizes it by mixing with groundwater, the head of a Si/Gun may revoke or restrict the permission to utilize a hot spring pursuant to Article 16 (1), and may order the hot spring operator or the manager of relevant hot spring utilization facility to take measures necessary for prevention against possible hazard to public health and sanitation, and for the improvement of hot spring utilization facility.

Article 19 (Examination of Water Quality and Ingredients)

(1) Hot spring operators (excluding those who have obtained permission to utilize it for industrial or heating purpose) shall have a regular examination of water quality and ingredients conducted by the head of a Si/Gun, as prescribed by Ordinance of the Ministry of the Interior. In such case, the cycle of examination of water quality shall be one year, and that of examination of ingredients shall be five years: Provided That the cycle of examination of ingredients may be modified for specific ingredients prescribed by Ordinance of the Ministry of the Interior. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

(2) The head of a Si/Gun may entrust the examination of water quality and ingredients as referred to in paragraph (1) to the Hot Spring Association established under Article 27 (1).

(3) Any person who has received an examination of water quality and ingredients pursuant to paragraph (1) shall post the results of examination, the temperature of hot spring, contraindication, cautions for use for bathing or drinking purposes, and other matters prescribed by Ordinance of the Ministry of the Interior at a readily visible place inside the hot spring utilization facility. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

(4) Where it is deemed inadequate to use as a hot spring based on the findings of the examination of water quality and ingredients, the head of a Si/Gun shall conduct a re-examination within three months and may revoke permission to utilize the hot spring based on the findings of the re-examination.

Article 20 (Joint Supply of Hot Spring)

(1) When deemed as particularly necessary to promote adequate protection of hot spring and efficient development and utilization thereof, the head of a Si/Gun may require corporations, organizations, or individuals to jointly supply hot spring.

(2) The requirements for corporations, organizations or individuals eligible for joint supply of hot spring pursuant to paragraph (1), utility fee for joint supply of hot spring, and other necessary matters concerning the implementation of joint supply of hot spring shall be prescribed by Municipal Ordinance of the relevant local government.

Article 21 (Reporting, etc. on Hot Spring Discovery)

(1) Any person who has discovered a hot spring at a place which is not a hot spring source protection district or hot spring hole protection zone shall report the location and depth of the hot spring, diameter of the hot spring hole, and other matters prescribed by Ordinance of the Ministry of the Interior, to the head of the relevant Si/Gun. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*

(2) A person who intends to report on hot spring discovery pursuant to paragraph (1) shall submit a report on examination of the hot spring hole, prepared by a specialized hot spring examination institution, in terms of the temperature, quantity, and quality of the hot spring, and where it is deemed that the relevant hot spring deserves development and utilization based on the findings of examination, the head of a Si/Gun shall accept the report and notify the reporter thereof, as prescribed by Ordinance of the Ministry of the Interior. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*

(3) Any person who has reported on hot spring discovery shall bear expenses incurred for examination of the hot spring. *<Amended by Act No. 11896, Jul. 16, 2013>*

(4) In any of the following circumstances, the head of a Si/Gun shall revoke the acceptance of a report on hot spring discovery: Provided, That in the case of subparagraph 3, if deemed necessary upon the rightful priority utilizer's application, revocation may be postponed only once for up to three years: *<Amended by Act No. 11896, Jul. 16, 2013; Act No. 13401, Jul. 20, 2015>*

1. Where the details reported after accepting a report on hot spring discovery turn out to be false;
2. Where it is confirmed that the rightful priority utilizer of hot spring has no intention to develop the relevant hot spring;
3. When no application for approval of designation of a hot spring hole protection zone or approval of the development plan (referring to the designation or formulation of the development plan in cases of a Metropolitan Autonomous City Mayor and a Special Self-Governing Province Governor) is filed within three years after the acceptance of a report on hot spring discovery;
4. Where the designation of a hot spring hole protection zone is revoked under Article 5;
5. Where the development plan or approval thereof is revoked under Article 10.

Article 22 (Restriction, etc. on Acceptance of Report of Hot Spring Discovery)

(1) Where it falls under any of the following, the head of a Si/Gun shall not accept a report of hot spring discovery:

1. Where the horizontal distance between the existing hot spring hole and the reported hole of discovery is 1,000 meters or less;
2. Where the land in which the reported hole of discovery stands is located within the development restriction zone, agricultural development region pursuant to the Farmland Act, mountainous district for

conservation pursuant to the Management of Mountainous Districts Act, or ecosystem or scenery conservation area pursuant to the Natural Environment Conservation Act;

3. Where it is recognized that there is likelihood to harm other public interest, such as interfering with public projects, including urban planning projects.

(2) Where the report is not accepted pursuant to the provisions of paragraph (1), the reason therefor shall be notified to the applicant in writing.

Article 23 (Rights, etc. of Rightful Priority Utilizer of Hot Spring)

(1) The head of a Si/Gun may have the rightful priority utilizer of hot spring excavate the land in the hot spring source protection district or hot spring hole protection zone, or preferentially permit him/her to utilize a hot spring, and extend necessary support, such as lending or arranging a loan covering some of the expenses needed for installation of hot spring utilization facilities.

(2) The rightful priority utilizer of hot spring may submit his/her opinion on the designation of a hot spring hole protection zone and formulation of the development plan.

Article 24 (Preservation and Management of Hot Spring Resources)

(1) When deemed particularly necessary for preserving hot spring resources, the head of a Si/Gun may order the manager of a facility, which pollutes or is likely to pollute hot spring resources, to improve the facility or to take measures necessary for preventing the pollution of hot spring resources.

(2) The head of a Si/Gun shall investigate hot spring resources and prepare and keep a record on the management of hot springs, as prescribed by Ordinance of the Ministry of the Interior. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*

(3) The head of a Si/Gun who does not investigate hot spring resources shall neither accept a report on new hot spring discovery, nor permit the utilization of hot springs, nor extend the validity of permission to utilize hot springs, until an investigation into hot spring resources is conducted.

(4) The head of a Si/Gun may entrust the investigation of hot spring resources referred to in paragraph (2) to a Hot Spring Association established under Article 27.

Article 24-2 (Monitoring of Hot Spring Resources and Establishment of Information System)

(1) The Minister of the Interior shall investigate the actual conditions of hot spring resources and water level changes, as prescribed by Presidential Decree, by installing a hot spring resource monitoring system to preserve and manage hot spring in a planned and systematic manner. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*

(2) The Minister of the Interior may establish a hot spring management information system to efficiently utilize the investigation data under paragraph (1) and other data necessary for preserving and managing hot spring water. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*

(3) Standards for establishment of the hot spring monitoring system under paragraph (1), and matters necessary for establishing the hot spring management information system under paragraph (2) shall be prescribed by Presidential Decree.

Article 25 (On-the-Spot Investigation, etc.)

(1) If it is deemed necessary, the head of a Si/Gun may have public officials under his/her authority visit a hot spring facility or hot spring utilization facility to conduct an investigation into the following matters or may have the manager of a hot spring facility make a necessary report:

1. The temperature of hot spring;
2. Whether the water quality or ingredients have been examined;
3. Whether the hot spring has been utilized in excess of the permitted volume of hot spring water;
4. The conditions of piping facilities that utilize a hot spring;
5. Whether the false or exaggerated advertisement has been made concerning the utilization of hot spring;
6. Whether the matters to be observed at the time the utilization of hot spring is permitted are conducted;
7. Other matters necessary for the utilization of hot springs.

(2) Any public official who conducts the investigation as referred to in paragraph (1) shall carry a certificate indicating his/her identity and present it to the relevant person.

Article 26 (Education of Hot Spring Operators)

(1) Hot spring operators shall undergo education for sound development of hot springs, as prescribed by Ordinance of the Ministry of the Interior: Provided, That where a hot spring operator is not directly engaged in the business or engaged in at least two business places, he/she may designate a person responsible for education by places of business among his/her employees, and may have such person to receive education for hot spring operators. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

(2) The Minister of the Interior may entrust the education referred to in paragraph (1) to a Hot Spring Association established under Article 27. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

(3) The education under paragraph (1) shall include the health education referred to in Article 17 of the Public Health Control Act, and the result of the education shall be notified to the relevant agencies.

(4) Those who have undergone the education under paragraph (3) shall be deemed to have undergone the health education under Article 17 of the Public Health Control Act: Provided, That this shall not apply to health education received before filing a report pursuant to Article 17 (2) of the Public Health Control Act.

Article 27 (Establishment, etc. of Hot Spring Associations)

(1) Hot spring operators may establish a Hot Spring Association (hereafter referred to as the "Association") for the sound development and efficient maintenance of hot springs, advancement of rights and interests of hot spring operators, etc.

(2) The Association shall be a corporation.

(3) In establishing the Association, at least 20 hot spring operators shall act as incorporators to formulate the articles of association, which shall pass a resolution on the articles of association at the inaugural

meeting, and obtain authorization from the Minister of the Interior. The same shall apply where the articles of association is to be amended. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

(4) The Association shall come into existence on the date the establishment is authorized by the Minister of the Interior. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

(5) Matters to be entered in the articles of association and matters necessary for supervision shall be prescribed by Presidential Decree.

Article 27-2 (Businesses, etc. of Association)

(1) The Association shall conduct the following business: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

1. Business aimed at promoting the sound development of hot springs and mutual interest of the members of the Association;
2. Guidance and supervision of operation and improvement of hot spring utilization facilities;
3. Education and training of hot spring operators and employees of hot spring utilization facilities;
4. Business of investigation and research entrusted with regard to hot springs by the Minister of the Interior, the Mayor/Do Governor, or the head of a Si/Gun.

(2) The State or local governments may provide assistance to the Association with some of the expenses and operational cost needed when entrusting businesses pursuant to this Act.

Article 28 (Special Cases for Large Cities)

For the purposes of Articles 5, 9 and 10, the mayor of a large city with a population of at least 500,000, except for the Special Metropolitan City and Metropolitan Cities, shall be deemed a Metropolitan Autonomous City Mayor or a Special Self-Governing Province Governor. <Amended by Act No. 11896, Jul. 16, 2013>

Article 29 (Requests for Correction)

When the Mayor/Do Governor or the head of a Si/Gun violates any provision of this Act in granting approval or permission or accepting reports under this Act, the Minister of the Interior may request for correction and the Mayor/Do Governor or the head of a Si/Gun so requested shall comply therewith such request except in exceptional circumstances. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

Article 30 (Hearings)

If the head of a Si/Gun intends to render any of the following disposition, he/she shall hold a hearing:

1. Revocation of excavation permission pursuant to of Article 12 (1);
2. Revocation of permission to utilize a hot spring pursuant to Article 16 (1).

Article 31 (Fees)

Any person who intends to obtain permission pursuant to Articles 12 (1), 14 (1) and 16 (1), or to have an examination of water quality or ingredients pursuant to Article 19 (1) shall pay a fee, as prescribed by Presidential Decree.

Article 31-2 (Re-Examination of Regulation)

The Minister of the Interior shall examine the appropriateness of removing, lifting, and maintaining the following regulation every three years, counting from the base date of August 1, 2015 (referring to the period that ends on the day before the base date of every third year):

1. Registration, etc. of a specialized hot spring examination institution under Article 7;
2. Permission to utilize a hot spring under Article 16;
3. Joint supply of hot spring under Article 20;
4. Administrative fines under Article 37.

Article 32 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than two years, or by a fine not exceeding 20 million won: *<Amended by Act No. 10005, Feb. 4, 2010; Act No. 10732, May 30, 2011; Act No. 11896, Jul. 16, 2013; Act No. 12797, Oct. 15, 2014>*

1. A person who excavates land without obtaining excavation permission under Article 12 (1) or a person who fails to report on excavation of a hot spring under Article 12 (5);
2. A person who utilizes a hot spring without obtaining permission to utilize a hot spring pursuant to Article 16 (1);
3. A person who violates Article 9 (3) or 16 (4);
4. A person who files a false report on hot spring discovery under Article 21 (1).

Article 33 (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 ten million won: *<Amended by Act No. 11896, Jul. 16, 2013; Act No. 12797, Oct. 15, 2014>*

1. A person who installs power equipment without obtaining permission pursuant to Article 14 (1);
2. A person who develops groundwater in violation of Article 15 (1);
3. A person who utilizes hot spring water in excess of the permitted volume of hot spring water pursuant to Article 16 (6).

Article 34 (Penalty Provisions)

Any of the following persons shall be punished by a fine not exceeding three million won: *<Amended by Act No. 10732, May 30, 2011>*

1. A person who fails to install a hydrological observation facility pursuant to Article 14 (3);
2. A person who fails to comply with orders issued by the head of a Si/Gun pursuant to Article 18 or 24 (1);
3. A person who has violated Article 19 (1);
4. Deleted. *<by Act No. 10005, Feb. 4, 2010>*

Article 35 (Penalty Provisions)

Anyone who has violated Article 15 (2) shall be punished by a fine not exceeding two million won.

Article 36 (Joint Penalty Provisions)

If the representative of a corporation or an agent or employee of, or other persons employed by, the corporation or an individual commits any violations described in any of Articles 32 through 35 in conducting the business affairs of the corporation or individual, the corporation or individual shall, in addition to punishing the violators accordingly, be subject to a fine prescribed in the relevant Articles: Provided, That this shall not apply where the corporation or individual has not been negligent in giving due attention and supervision concerning the relevant business affairs in order to prevent such violations.

Article 37 (Administrative Fines)

(1) Any of the following persons shall be punished by administrative fines not exceeding two million won:
<Amended by Act No. 14284, Dec. 2, 2016>

1. A person who has failed to comply with a restoration order issued under Article 13 (2);
- 1-2. A person who has failed to post the findings of examination and cautions for drinking pursuant to Article 19 (3);
2. A person who has failed to make a report pursuant to Article 25 (1) or has made a false report, or a person who has rejected or interrupted or avoid the investigation;
3. A hot spring operator who has failed to receive education under Article 26 (1).

(2) The administrative fines pursuant to paragraph (1) shall be imposed and collected by the head of a Si/Gun.

ADDENDA

(1) (Enforcement Date) This Act shall enter into force on July 1, 2006.

(2) (Transitional Measures concerning Permission, etc. for Excavation) The previous provisions shall apply to permission for excavation or the report of hot spring discovery received before this Act enters into force notwithstanding the provisions of Articles 12 and 21.

(3) (Transitional Measures concerning Term of Validity of Permission to Utilize Hot Springs) The term of validity of permission to utilize a hot spring for any person who has been permitted to utilize a hot spring before this Act enters into force shall be deemed to start from the date of enforcement this Act.

ADDENDA <Act No. 8337, Apr. 6, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Act No. 8343, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

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.

ADDENDUM <Act No. 9202, Dec. 26, 2008>

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

ADDENDA <Act No. 10005, Feb. 4, 2010>

Article 1 (Enforcement Date)

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

Articles 2 (Transitional Measures concerning Effective Period of Permission for Excavation)

The effective period for excavation under the amended provisions of Article 12 (5) for a person who has obtained permission for excavation before enforcement of this Act shall be counted from the enforcement date of this Act.

Article 3 (Transitional Measures concerning Revocation of Acceptance of Reports on Hot Spring Discovery)

Calculation of the period relating to the acceptance of a report on a hot spring discovery before the enforcement of this Act under the amended provisions of Article 21 (4) shall be counted from the enforcement date of this Act.

Article 4 (Transitional Measures concerning Procedures of Designation, etc. of Hot Spring Source Protection District)

When a designation of hot spring source protection district is applied for or decided, or when an approval of a hot spring development plan is applied for before the enforcement of this Act, designation of a hot spring source protection district or the approval of a hot spring development plan shall be governed by the former provisions.

ADDENDUM <Act No. 10732, May 30, 2011>

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

ADDENDA <Act No. 10892, Jul. 21, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 10 Omitted.

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. 11896, Jul. 16, 2013>

Article 1 (Enforcement Date)

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

Article (Applicability to Deposit of Performance Guarantee and Duty of Restoration)

The amended provisions of Article 12-2 (1) 1 and Article 13 (1) 1 shall apply, beginning from the first application for excavation permission filed after this Act enters into force.

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.

ADDENDA <Act No. 12737, Jun. 3, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2015.

Articles 2 through 10 Omitted.

ADDENDA <Act No. 12738, Jun. 3, 2014>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDUM <Act No. 12797, Oct. 15, 2014>

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

ADDENDA <Act No. 12844, Nov. 19, 2014>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDUM <Act No. 13401, Jul. 20, 2015>

This Act shall enter into force three months after the date of its promulgation: Provided, That the amended provisions of Article 31-2 shall enter into force on the date of its promulgation.

ADDENDA <Act No. 13805, Jan. 19, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on August 12, 2016.

Articles 2 through 22 Omitted.

ADDENDA <Act No. 14284, Dec. 2, 2016>

Article 1 (Enforcement Date)

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

Article 2 (Applicability of Consultation with Head of Relevant Administrative Agency)

Amended provisions of latter parts of Article 10-2 (3) and Article 16-2 (3) shall apply from when the head of a relevant administrative agency is requested to consult after this Act enters into force.

ADDENDA <Act No. 14480, Dec. 27, 2016>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.